Demagoguery that jeopardizes the exercise of freedom of speech and association, or tramples on civil liberties, cannot be tolerated. The right of dissent, so essential to the preservation of the democratic system, must be defended—particularly in the face of attacks based on unpopular or unorthodox political beliefs. The pillorying of those who point out and wish to correct the defects in our nation must be opposed.

We call upon the public to protest the congressional investigations and we call upon each member of the Congress to speak out against those, even colleagues, who persist in manufacturing scapegoats rather than identifying and effectively dealing with the nation's social and economic problems.

We call for an immediate cancellation of further proceedings proposed by SISS and HUAC.

ROGER BALDWIN,
Founder, ACLU.
Rev. JOHN C. BENNETT,
President, Union Theological Seminary.
ROBERT F. DRINAN, S.J.,
Dean, Boston College Law School.
Rabbi MAURICE EISENDRATH,
President, Union of American Hebrew Congregations.
ROBERT M. HUTCHINS,
President, Center for the Study of Democratic Institutions.
Rev. Dr. MARTIN LUTHER KING, Jr.,
(This statement was prepared and approved by Dr. King prior to his death on April 4, 1968.)
Dr. BENJAMIN SPOCK.

WHEN MORALITY BREAKS THE LAW

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. WOLFF. Mr. Speaker, there is a great deal of discussion in all parts of our Nation about the limits of responsible dissent and the tactics being employed by those who would change the existing order. At the same time there are a wide range of opinions on the manner in which we should enforce our laws.

Solicitor General Erwin Griswold recently offered some very perceptive and thoroughly reasonable comments on the excesses of dissent and the need to reject anarchy and violence. I wish to associate myself with the Solicitor General's comments and commend his comments to my colleagues' attention.

Under leave to extend my remarks I wish to include in the RECORD an editorial from the May 3 issue of Life magazine in which Mr. Griswold's statement is quoted and explained:

Our new Solicitor General, Erwin Griswold, is rightfully concerned about "the legitimation of violence of which we have seen too much in America." In a speech at Tulane he draws some important distinctions between violence and dissent, and between moral rights and legal rights. He speaks with the authority of a man who as dean of Harvard's law school was one of our country's leading legal philosophers.

"I cannot distinguish in principle," says Griswold, "the legal quality of the determination to halt a troop train to protest the Vietnam war . . . from the determination to fire shots into a civil rights leader's home to protest integration.

"Violent opposition to law—any law—or forcible disregard of another's freedom to disagree falls beyond the pale of legitimate dissent or even of civil disobedience, properly understood; it is nothing short of rebellion."

Griswold draws a clear line between such actions and the nonviolent form of civil disobedience championed by Martin Luther King that sought to expose "injustices that were perpetrated under the banner of law." Griswold predicts that "our nation will point with pride not only to the courage of those who risked punishment in order to challenge injustice, but also to the morality of their actions in scrupulously avoiding violence. . . ."

Still, the Solicitor General argues, "one who contemplates civil disobedience out of moral conviction should not be surprised and must not be bitter if a criminal conviction ensues. An he must accept the fact that organized society cannot endure on any other basis. His hope is that he may aid in getting the law changed. But if he does not suceed in that [redacted]t complain if the law is applied to him."

HOUSE OF REPRESENTATIVES—*Thursday, May 2, 1968*

The House met at 12 o'clock noon.

Rabbi Saul Israel Wisemon, Delaware County Jewish Community Center, Springfield, Pa., offered the following prayer:

מאת יהוה היתה זאת היא נפלאת בעינינו
זה היום עשה יהוה נגילה ונשמחה בו:

This is the Lord's doing; It is marvelous in our eyes. This is the day which the Lord hath made; We will rejoice and be glad in it.—Psalm 118, verses 23–24.

Our Father, who art in heaven, we pray that Thou wilt bless these men, chosen by the people of this Nation.

Bestow Thy blessings upon the President of these United States, the Vice President, the Speaker and Representatives of this great House, and all who minister unto the needs of this great Nation.

Standing before Thee, at this historic hour and place, we call to mind that 20 years have passed in Thy sight, since our beloved America, reared in the spiritual heritage of ancient Israel's timeless Book, helped the young State of Israel, beacon and bastion of freedom and democracy, come into being.

We thank Thee, for the miracle of Israel, and Thy everlasting mercies, which endure forever.

We pray Thee, guide the State of Israel and all who minister unto her. Protect them, with the right, of the might, from above.

Grant, O Lord, that the bonds which make us feel a sense of spiritual kinship with Israel, may grow ever stronger, with the passage of time.

Guide Thou their way, that out of Zion shall come forth the law of justice, for all mankind, and Thy word of light, healing and hope for all Thy troubled children, everywhere from Jerusalem.

As we pray for the peace of Jerusalem, we thank Thee for this our sweet land of libe ty and democracy.

יברכך יהוה וישמרך
יאר יהוה פניו אליך ויחנך
ישא יהוה פניו אליך וישם לך שלום:

May the Lord bless us and keep us,
The Lord make His face to shine upon us, and be gracious unto us,
The Lord lift up His countenance upon us, and give us peace—
Now and forever more.

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. ANDERSON of Illinois. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 112]

Adair	Bolton	Chamberlain
Andrews, Ala.	Bray	Colmer
Ashley	Brock	Conyers
Ashmore	Brown, Calif.	Cowger
Baring	Burton, Utah	Cunningham
Dawson	Halleck	Nelsen
Dent	Hays	Nichols
Diggs	Heckler, Mass.	Nix
Dorn	Herlong	O'Neill, Mass.
Dowdy	Holland	Pryor
Edwards, Calif.	Jacobs	Rarick
Feighan	Jones, N.C.	Resnick
Ford, Gerald R.	Karsten	Rooney, Pa.
Friedel	Kupferman	St Germain
Galifianakis	Landrum	St. Onge
Gardner	Lipscomb	Selden
Gibbons	Mathias, Calif.	Shriver
Gubser	Montgomery	Vanik
Hagan	Moore	Willis

The SPEAKER. On this rollcall 375 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TURN ABOUT IS FAIRPLAY

Mr. FUQUA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, it would seem to me that a sense of fairplay would indicate that one Member of the Congress would have the courtesy to inform another when he plans to introduce legislation which would take a part of the latter's district into a wilderness area or a national park.

Such, however, has not been my experience.

There have been a number of wild river and scenic river bills presented to the Congress—and all contain one or more

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

rivers located in my district. Those who introduced these bills did not show me the courtesy of telling me that they planned to introduce such legislation.

I do not challenge the right of any of these gentlemen to introduce any bills they see fit. But, I do think that common courtesy would dictate that they would inform a colleague so directly involved so that he would at least be informed that legislation affecting his people was to be presented.

Recently a measure was presented by a gentleman from Oklahoma that would make a part of my district a wilderness area. Again, I was not consulted or informed.

So, today I am joining the game in presenting a measure which would make the Sixth Congessional District of Oklahoma a wilderness area.

I apologize for not having informed the Member from that area of my intended action. It would be my thought, however, that he will learn about this action in the same manner I have learned about bills which affected my district—second hand.

THE 200TH ANNIVERSARY OF CHARLOTTE, N.C.

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Speaker, yesterday afternoon the House unanimously approved with an amendment Senate Joint Resolution 131. This resolution, already passed by the Senate, would designate May 20, 1968, as "Charlotte, N.C., Day." The purpose is to give some recognition to the fact that on May 20 Charlotte, N.C., will celebrate the 200th anniversary of its establishment as a city.

It was on May 20, 1774, 14 months before action was taken in Philadelphia, that the patriots of Charlotte, N.C., signed the "Mecklenburg Declaration of Independence."

I would like to thank the distinguished gentleman from Colorado [Mr. ROGERS] for calling up this resolution yesterday, and to extend my appreciation to my distinguished colleague from North Carolina [Mr. WHITENER] a member of the House Committee on the Judiciary, for his help in that action.

Mr. Speaker, on the 20th of May, Charlotte, N.C., will celebrate its 200th anniversary with a big program. The First Lady of the land is to be present, and will make a speech. I wish I could provide transportation to all Members of the Congress to attend, but since I cannot do that I extend a cordial invitation to all who find it possible to come to Charlotte on May 20, and participate in the commemoration of one of the most significant incidents in our country's history.

WILL THE PRESIDENT PREVENT VIOLENCE IN WASHINGTON?

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT. Mr. Speaker, what has the President done or what is the President planning to do to prevent violence in our city during the so-called poor people's march on Washington this month?

A copy of my letter to the President suggesting action on his part is in the CONGRESSIONAL RECORD of yesterday. Certainly the President and his Attorney General are charged with the responsibility of enforcing the laws of this country and preventing violence in the Nation's Capital.

NEED FOR FREEDOM IN SOUTH VIETNAM

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, a report on the front page of today's New York Times relates the arrest and imprisonment of Truong Dinh Dzu, who secured the second highest vote in last fall's presidential election in South Vietnam. He was charged with the "crime" of having suggested the creation of a coalition government in his country.

I do not believe we should interfere with self-determination in South Vietnam. Nor should we tell the South Vietnamese that they must or must not have a coalition government.

But I do believe we have a moral and legal right to require, as a condition of our support, that the elected government in South Vietnam practice the freedom they claim to possess. For this is, after all, the freedom we are fighting to secure for them.

Mr. Dzu's imprisonment seems to be a direct repudiation of the right of free speech and, as such, indicates the South Vietnamese Government is falling far short of minimum standards of democracy.

I am today writing to President Thieu to advise him of my deep and constant concern and to remind him of his pledges, made to me personally when I was in Saigon last, to maintain a free government.

I am also writing to President Thieu to make him aware of my belief that we in the United States will have to reexamine our presence in Vietnam if freedom is to be a sham and suppression of free speech a reality.

COMMEMORATING 20TH ANNIVERSARY OF THE STATE OF ISRAEL

Mr. MORGAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 1144, commemorating the 20th anniversary of the State of Israel.

The Clerk read the resolution, as follows:

H. RES. 1144

Whereas the people of the United States, speaking through the President and the Congress, favored restoration of an independent Jewish nation in Palestine; and

Whereas resolutions expressing support for that objective were adopted by previous Congresses; and

Whereas the State of Israel was established on the fifth of Iyar, 5708, twenty years ago, according to the Hebrew calendar; and

Whereas during these twenty years Israel has defended her right to exist, developed her economy, given sanctuary to more than one million two hundred and fifty thousand refugees and immigrants, cultivated the arts and sciences, and established and strengthened democratic institutions serving the cause of freedom and human advancement: Therefore be it

Resolved, That the House of Representatives of the United States extends its congratulations to the people of Israel on this anniversary and its best wishes for continued progress and expresses the hope that the nations of the Near East may soon meet, as neighbors, in negotiations which will lead to peace, economic and cultural cooperation, and which will bring stability and progress to the Near East to the benefit of all the peoples of the region; and be it further

Resolved, That the Clerk of the House of Representatives transmit a copy of these resolutions, through the Department of State, to the President of Israel.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MORGAN]?

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I regard as an honor and a pleasure to have the privilege of cosponsoring with the ranking minority member of the Foreign Affairs Committee, the Honorable FRANCES P. BOLTON, House Resolution 1144, so that we Members of the House may join in a bipartisan commemoration of the 20th anniversary of the State of Israel.

The United States had long favored restoration of an independent Jewish nation in Palestine and 20 years ago at the United Nations helped in the establishment of Israel. Our confidence in the people of Israel has been fully vindicated. What they have accomplished in the relatively short span of 20 years is little short of miraculous. Israel has given sanctuary to over a million and a quarter of refugees and immigrants during this period. She has maintained an accelerated pace of economic development unequaled by any other new nation in modern times.

This has been done in spite of the need to divert much in time and resources to defensive effort. Israel has been forced to develop and maintain military strength to defend her right to exist. We cannot be indifferent to Israel's plight and the expressed intentions of some of her neighbors to wipe her off the map. Events have shown Israel to be the truest and stanchest ally of the West in the area.

We have viewed with deep concern the activities of the Soviet in moving to exploit the Arab-Israel situation. Even

the crushing humiliation they suffered with the aggressors in the recent conflict has not slowed down their intervention against Israel. It is in the long-range interests of establishing peace in the area that Israel should not be deprived of adequate means of defense. A militarily strong Israel will be in better circumstances to join in negotiations leading to peace. It is my hope that rather than continue to foment discord the Soviets may come to realize that the best interests of all will be served by helping to establish an era of peaceful economic and cultural cooperation in the area.

On this day marking the 20th birthday of Israel I want to extend my heartiest congratulations to a brave and industrious people. To them I send my best wishes for happiness, continued progress, and eventual security.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to this resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New York.

Mr. REID of New York. I thank the chairman for yielding. I join with him in a bipartisan endeavor to wish the warmest birthday greetings to the President of Israel Zalman Shazar, Prime Minister Levi Eshkol, David Ben-Gurion, and all Israelis on this 20th anniversary.

I believe we can best honor Israel and all Israelis on this 20th anniversary if we keep in mind three points:

First, that the United States should do everything possible at the highest level with the Soviet Union to make clear the folly, the futility, and the danger of further massive Soviet arms shipments into the area. This would be contrary to the spirit of the nonproliferation treaty and not conducive to peace or the climate for meaningful negotiations.

Second, that the United States make clear and make plain that we will stand ready to provide adequate deterrent defensive capability to Israel to preclude and discourage any aggression or any aggressive action. We cannot permit a serious arms imbalance and reportedly today Israel's supersonic aircraft are outnumbered in certain Arab States 4 to 1 compared to a 3-to-1 ratio at the start of hostilities last June 5.

Third, that we stand ready at all times to facilitate diplomatic talks, preferably direct, based on article 33, of the U.N. Charter or on the Rhodes formula, and that the objective, Mr. Speaker, is not the right of Israel to exist, not just an end to belligerency or the exercise of belligerent rights, but diplomatic recognition for Israel as a sovereign and free state.

Ambassador Gunnar Uarring's mission, consistant with the Security Council resolution is not being facilitated by Cairo's adamant stand—at present—against negotiation and by the United Arab Republic's apparent insistence on withdrawal prior to implementation on the U.N. resolution. Clearly there can be no withdrawal to the status quo; there will be progress toward totally new conditions of peace, recognition, and stability.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New York.

Mr. FARBSTEIN. Mr. Speaker, I rise in support of House Resolution 1144, commemorating the 20th anniversary of the State of Israel. As a Jew and as an American, I view this anniversary with a great deal of personal satisfaction and with hope for the future.

The Israelis have much to celebrate. In their short history they have defeated three hostile armies. They have turned a land of swamps, dust bowls, and mounds of bedrock into a land of verdant valleys, rich pastures and forested hills, truly making the country a land of "milk and honey."

Israel's economic development has been phenomenal. Her exports have grown from $35 million in 1950 to $905 million in 1967. Her imports have increased from $393 million in 1952 to $1.3555 billion last year. Today, her industrial output has surpassed the $2 billion mark and industrial exports have reached $500 million. Some 220,000 people, about one fourth of the labor force, are employed in industry.

Israel's population has almost quadrupled in 20 years—from 765,000 in 1948 to 2,775,000 in 1968.

Today in Israel, every third citizen attends school. In 1948, Israel had 130,000 pupils and 1,600 university students. Last year there were 730,000 pupils and 28,000 university students.

Israel is today both a nation and an ideal. It is a tribute to, and a symbol of, the fulfilled aspirations of the Jewish people for a homeland. Modern Israel is a nation which encompasses the visions, aspirations, and hopes of Jews throughout the world. In saluting Israel today we salute the patience, courage, and perseverance of a people who have borne persecution, separation from their homeland, and bitterness for almost 2,000 years. We salute a people who have been driven across the face of the earth, who have suffered tortures never known before by civilized peoples, but who rose phoenix-like from the ashes of their 6 million murdered coreligionists to build a nation which is truly one of the miracles of all time. Through 20 centuries of the Diaspora, the Jewish people carefully preserved their identity, heritage, and unity in anticipation of the triumphant day when they would restore the sovereignty of Israel. And today we can well salute the courage and genius of this people who have built so strong a nation in only 20 short years.

Israel is a nation that shares many common bonds of friendship with the United States. It is a democracy with a free and responsible government, dedicated to social and political progress. It recognizes the human and civil rights of all its citizens, including freedom of worship, speech, assembly, press, and the right to full opportunities for its citizens.

Regrettably, Israel is still faced with the hostilities of its Arab neighbors—neighbors who refuse to recognize the sovereignty of this state. Unhappily, the arms race still continues and is a major obstacle to any Israel-Arab settlement. If this country is to continue its policy of favoring the territorial integrity of all nations in the Middle East; if this country is to continue its friendship to Israel—we must make available to it the arms necessary for it to maintain its freedom and integrity. President Truman took but 11 minutes to recognize the sovereignty of Israel. Every President since that time has acknowledge this country's concern and support for this nation in the Middle East. Yet today the United States has not acted on Israel's 9-month-old application for the purchase of F–4 Phantom jets.

Mr. Speaker, I not only ask my colleagues in the House to join with me in unanimously passing this resolution of friendship which we have before us today, I ask my colleagues to make available to Israel the wherewithal to maintain her sovereignty so that she may live in peace with her neighbors and so that all mankind [redacted] benefited by the efforts of her people.

I offer my warm wishes to the citizens of Israel on this, their 20th anniversary and express the hope that all the nations of the Middle East may soon meet as neighbors in negotiations that will lead to peace, stability and progress in this troubled area of the world. I pray for Israel's continued progress and good fortune.

Mr. WOLFF. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New York [Mr. WOLFF].

Mr. WOLFF. Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, on May 14 the small and valiant State of Israel will celebrate the 20th anniversary of its independence.

The past 20 years have seen great growth and prosperity amid constant hostilities. The people of Israel have turned a dry desert into a fertile land of fruit and flowers. They have lived out a dream as old as the centuries and proven that the strength of freedom and a strong will can survive despite constant intrusions by other peoples.

Although the past two decades have left Israel stronger, free, and prosperous, I believe the real test for the people of Israel may well be in the next 20 years.

Israel cannot thrive forever if it must pour its resources, developed by the sweat and toil of its people, into a war machine to protect itself from Soviet-inspired aggression. There must be a resolution of the tension that has gripped the Middle East since Israel independence. Israel has a right to demand recognition of its legal status by its neighbors, and the United States and the United Nations have a responsibility to help Israel secure the peace it so ardently desires.

I believe the depth of the freedom and sincere quest for peace that prevail in Israel are eloquently inscribed in Israel's Declaration of Establishment and I would quote two passages that set forth the objectives of that little bastion of democracy.

The declaration says:

The State of Israel will foster the development of the country for the benefit of all inhabitants; it will be based on freedom, justice, and peace as envisaged by the prophets of Israel; it will insure complete equality of social and political rights to all inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the holy places of all religions; and it will be faithful to the principles of the Charter of the United Nations.

In another place the declaration says:

We extend our hand to all neighboring states and their peoples in an offer of peace and good neighborliness, and appeal to them to establish bonds of cooperation and mutual help with the sovereign Jewish people settled in its own land. The State of Israel is prepared to do its share in common effort for the advancement of the entire Middle East.

Insofar as it has been possible, while under persistent military, political, and economic assault from its neighbors, Israel has adhered to these ideals which are worthy of any democratic nation. Very importantly, Israel, founded by and in the name of the Jewish people of the world, has protected very carefully the religious and cultural identity of its non-Jewish citizens.

The historical Declaration of Establishment was the culmination of a dream nurtured through centuries of wandering, persecution, and virtual hopelessness. But hope was not lost; the dream was kept alive and the free and democratic State of Israel lives as the fruition of that dream.

The tie that binds the United States and Israel is very real. Even in the absence of formalized, legal associations we have a vested interest in seeing Israel prosper and stand as a beacon in a sea of despotism.

Israel, like the United States, was born of violence and dedicated to peace. Israel, like the United States, is a nation of different peoples from all parts of the world. Israel, like the United States, has served as a haven for those oppressed by less tolerant governments. Israel, like the United States, offers a promise of freedom and the precious opportunity to live one's life in a manner respectful of human dignity.

It is not without significance that, immediately following action by the United Nations, the United States was the first nation to extend formal recognition to Israel. For President Truman, with his typical vision and wisdom, recognized that here was a nation with which the United States would be proud to associate in the world community.

But this is the past and, as I said, the fate of Israel may well be in the future. I submit that it is necessary for the United States it lend its support to maintenance of Israel independence. For appropriate payment, we should make available to Israel necessary military and nonmilitary equipment to assure her of the facility for maintaining her strength. It is no secret that the Soviet Union is pouring tens of millions of dollars worth of equipment into aggressive countries such as Syria and the United Arab Republic for the express purpose of military destruction of Israel. The Soviet Union has an historical drive to get to the Mediterranean and would have the Arab nations in the Middle East do its work by driving the Israeli people into the sea.

The Soviet Union has no legal, moral, nor justifiable excuse for aggressive aggrandizement at the expense of Israel. And the United States has every reason to extend the hand of friendship to Israel, not for aggression but for necessary protection from external aggression.

If the United States fails to make clear to the entire world community our respect for Israel and our willingness to stand by Israel then we will have failed in our moral obligations to the only democracy in the Middle East. That would then be a failure to adhere to the principles of justice, freedom, and human dignity which we have in common with the people of Israel.

Someday, I am confident, Israel will spend 24 hours without fear of attack from its neighbors. Someday, I am confident, Israel will be able to pursue its peaceful goals without external aggression. Someday, I am confident, Israel will be recognized by all nations of the world as a legal and independent State.

The past 20 years leave a legacy of achievement. The next 20 years will put the legacy to the test of time.

I am confident that our friend in the community of nations, Israel, will emerge with its high goals intact.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Speaker, I rise in support of the resolution, and point out to the Members that it very properly urges all nations in the Near East to work together in harmony and cooperation. Hopefully the Soviet Union will recognize that Israel is a fact of life, will not be destroyed, and that legitimate application of foreign relations rather than the use of emotionalism by the Soviet Union will ease present tensions.

The State of Israel has earned its independence and it will, I am convinced, effectively resolve the added complications caused by diabolic Soviet-Russian machination in Egypt and Syria. I include with my remarks a column in this morning's Chicago Tribune by Walter Trohan, chief of the Washington bureau, commenting on the growth of Russian naval power in the Mediterranean:

RUSSIAN NAVAL POWER GROWS IN MEDITERRANEAN

(By Walter Trohan)

WASHINGTON, April 30.—Altho eclipsed in America by preoccupation with the war in Viet Nam, the growth of Russian naval power in the Mediterranean is one of the most significant developments of our day.

The soviets are now matching the American 6th fleet in the history drenched waters. They have more than 40 ships and submarines. They are planning to send helicopter carriers and may begin building aircraft carriers for Mediterranean duty.

If the Russian expansion continues, and there is no reason to believe that it will be curtailed, the Kremlin will be in a position to impose its will over much of the area. At stake are more than 100 million people, the world's richest oil deposits, and the security of southern Europe.

The control of the Mediterranean has long been a key to peace. The British have pulled out. American control was unchallenged until the Russians moved in.

Russians are using Syrian and Egyptian ports and eyeing Malta and the vast North Atlantic Treaty organization built base at Mers el-Kebir in Algeria. The Russians have been surveying the base which the French turned back to Algeria in March.

BASE IS WELL PROTECTED

This base is one of the best protected deep water anchorages in the Mediterranean. It has underground workshops and storage facilities, which might withstand nuclear attack. Russian activity at Mers el-Kebir is not only of top concern to the 6th fleet, but also to Spain and the entire Mediterranean community.

Should the Russians move in on Malta by taking advantage of its economic collapse, which has followed British withdrawal from the ancient sea, and control the area, the American 6th fle[redacted]e in danger.

Russia was not a loser in the brief war in which Israel routed Egyptian and other Arab forces. While she may have been on the losing side in the war, Russia reaped a harvest of Arab good will, which gave Moscow an opportunity to sprawl over the Mediterranean. The Arabs are more dependent on Russia since the loss of the war last June.

It would seem that Russia is not presently seeking a conflict with the American 6th fleet. Instead, she is extending influence by working to close some Mediterranean ports, like those in Yugoslavia, to the 6th fleet, making the fleet less welcome in other areas, and harassing fleet components by following and tracking vessels.

HINGES ON ISRAEL-ARAB QUARREL

The Russians might be checked if the Arabs and Israelis could settle their quarrel, but this split seems to be too wide and too deep for a compromise. It would seem that while the Israelis won a victory in a matter of days, they did not advance their cause in the long run by trading enemies—Egypt for Russia.

America has a solid friend in Greece, but castigation of the military junta ruling Greece by the liberal establishment could weaken that Friendship. Turkey, a long-time friend of America, has recently witnessed student demonstrations against the United States. The French fleet has been friendly even tho President Charles de Gaulle has not. Spain is friendly but worried.

Communism loves to fish in troubled waters and it is finding the fishing good in the Mediterranean. Russian progress in the tired sea has been amazing and will continue unchecked unless an effective peace is worked out between Israel and her Arab neighbors.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Speaker, it is a tragic reflection on the conditions of the Middle East that violence and persistent attacks by Arab States should mar this

year's 20th anniversary of the independence of the State of Israel. During the past two decades, the Israel people have continually evidenced their capacity and will to survive as an independent nation. And in commemoration of this anniversary, I should like to express my support for House Resolution 1144, introduced by Chairman MORGAN on April 29, 1968.

Joy and sadness fill this historic occasion of the 20th anniversary of the independence of the State of Israel. Joy is born of the tremendous achievements of the Israeli people, and sadness at the intransigence of the Arab States which continue to attack the sovereignty and the territory of the State of Israel. Israel's bravery and determination in rehabilitating the desert into a model for all developing nations; its record of support for the cause of freedom and justice; its devotion to the betterment of the human conditions in many other lands, have earned the State of Israel the admiration of free men everywhere. In extending congratulations to the State of Israel on her 20th anniversary, let us determine to use our every effort to support and safeguard the Israel people's right to a peaceful, viable and independent national existence in the ancient land of their ancestors.

On behalf of my constituents and as chairman of the Subcommittee on Europe of the House Committee on Foreign Affairs, I join with my colleagues in extending tribute and congratulations to the State of Israel for many years of progress and peace.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Speaker, I rise in support of House Resolution 1144, which today would extend to the State of Israel our best wishes on its 20th anniversary of independence.

The resolution which we are acting on today states as follows:

Whereas the people of the United States, speaking through the President and the Congress, favored restoration of an independent Jewish nation in Palestine; and

Whereas resolutions expressing support for that objective were adopted by previous Congresses; and

Whereas the State of Israel was established on the fifth of Iyar, 5708, twenty years ago, according to the Hebrew calendar; and

Whereas during these twenty years Israel has defended her right to exist, developed her economy, given sanctuary to more than one million two hundred and fifty thousand refugees and immigrants, cultivated the arts and sciences, and established and strengthened democratic institutions serving the cause of freedom and human advancement: Therefore be it

Resolved, That the House of Representatives of the United States extends its congratulations to the people of Israel on this anniversary and its best wishes for continued progress and expresses the hope that the nations of the Near East may soon meet, as neighbors, in negotiations which will lead to peace, economic and cultural cooperation, and which will bring stability and progress to the Near East to the benefit of all the peoples of the region; and be it further

Resolved, That the Clerk of the House of Representatives transmit a copy of these resolutions, through the Department of State, to the President of Israel.

Mr. Speaker, it was 20 years ago today when the State of Israel was proclaimed as a free and sovereign state. That momentous day constitutes one of the truly inspiring days of history when the Jewish people, after more than 2,000 years of effort and struggle, saw the rebirth of their homeland.

More important, Mr. Speaker, the reestablishment of a free State of Israel gave a new dimension to the meaning of human dignity and the inspiring record of progress and achievement written by the people of Israel in these past two decades today serves as a bastion of hope for mankind throughout the world.

Mr. Speaker, the 20th anniversary of Israel's independence is man's reaffirmation of his greatest distinction—"To strive, to seek, to find, and not to yield."

Israel is both a nation and an ideal.

Daniel Webster said that God grants liberty only to those who love it and are always ready to guard and defend it.

Israel is the heart and soul of that statement.

Into what was a wasteland, untilled and barely able to support life, the Israelis have brought water, aid, and love. In reclaiming their ancient homeland, they have worked together for a land that will shelter them forever.

By the tens of thousands—homeless, hungry, orphaned, widowed, skilled, and unskilled—they streamed out of the wreckage of Europe and came to stand on the shores of ancient Palestine.

As our own early settlers faced a land of unknown hazards, they, too, were cast adrift from all they had previously known. To most, their worldly possessions consisted of the clothes on their backs and the few small items they could carry by hand.

When independence came in 1948, Israel stood alone in a cynical world that believed it could never survive unaided. But the cynics were confounded.

Children in their early teens were issued arms and patrolled the outposts in kibbutzes nestled in valleys. Many of them were killed by Arab snipers. That killing goes on to this day, but the kibbutzes remain and grow stronger, hour by hour.

Water was brought to farms in the desert by truck, and by jeep, and by tank, on the backs of animals, and on the backs of men.

Each man and woman, boy and girl, had an assignment—first of all to survive; second, to insure the survival of Israel.

Each blade of grass, each tree, each stalk of wheat and grain, was planted lovingly, with reverence for the life it represented. Bit by bit, month by month, the land began to respond to the love and devotion lavished upon it so abundantly by a grateful people.

Where once it could not provide a subsistence diet for less than 1 million Arabs, today it nourishes more than 1½ million Israelis.

Cities have expanded, modern buildings are everywhere, schools open daily, foreign trade has increased enormously, the scientific community flourishes and enjoys a reputation for excellence unsurpassed in the world.

All this has been brought about by the special charisma of soul, mind, and heart that is each Israeli citizen. The Bible says:

The righteous shall flourish like the palm tree; they shall grow like the cedars of Lebanon.

In his determination to guard the life of Israel and to provide refuge to those tempest-tossed victims of persecution the modern Israeli represents all men's quest for dignity and self-determination.

In striving, seeking, finding, and above all, never yielding, Israel has taken its well-earned place in the family of nations. That this has been accomplished in 20 brief years is ample proof of the Israelis unswerving faith in the present and the future.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I also should like to join in commending the chairman of the House Foreign Affairs Committee for having brought forth this resolution, House Resolution 1144, which expresses the sentiment of the House regarding Isr[redacted]

I congratulate the leaders of the State of Israel on this significant anniversary.

Today, May 2, marks Israel's 20th anniversary of independence as a modern state. Her flourishing existence and unique rebirth as a political and geographical community after nearly 2,000 years is a tribute to the force of the Jewish religion and the cultural resilience of the Jewish people.

Since Abraham first led the ancient Hebrews into the land of Canaan, the children of Israel have occasionally enjoyed political independence, but through most of their history have been either enslaved, persecuted, or scattered. And throughout their rich history, leaders have arisen to reunite the descendants of Abraham, from the biblical King David to David Ben-Gurion.

We can marvel at the historic tribulations and achievements of the children of Israel, but it is the modern State of Israel to which we offer our congratulations today.

In the nearly 2,000 years following the destruction of the Second Temple in 73 A.D., Jewish tradition held that the return to the Promised Land would be accomplished by a Messiah.

Although the significance of modern Israel is indeed messianic, the Messiah took the form not of one man, but of a whole people: from Theodore Herzl, Chaim Weizmann, David Ben-Gurion, and other individuals of note, to the unnamed martyrs of the Warsaw ghetto and the Nazi extermination camps, the thousands of freedom fighters of 1947, 1956, and 1967, the farmers, scientists, civil and cultural leaders who have made Israel a great modern state.

To quote a familiar thought of John F. Kennedy, a stanch admirer of Israel, God's work was truly their own.

From as polyglot and cosmopolitan background as that of any nation in the world, Israel has fashioned a distinct culture, with much of the old Jewish culture intact yet with much that is new. It has fashioned a working democracy, almost unique in the Middle East; literally making garden of the desert, developing a diverse economy at a phenomenal rate of growth exceeding 10 percent annually. She has absorbed an immigrant population of the very old and the very young, the ill and the ignorant, as well as the strong; from which a vigorous nation has been created.

Yet today on the 20th anniversary of Israel's rebirth as a state for this unparalleled achievement, built from the ashes of unparalleled martyrdom, there is no peace. Throughout her 20 years of existence, Israel's Arab neighbors have been in a continuous state of war with her. The smoldering conflict of border raids and harassments has burst into flame three times, and each time Israel has put out the flames with astonishing skill and speed.

In 1948 on the very day of Israel's birth as a nation surrounding Arab armies launched an attack. And twice since then Israel has won victories against Arab aggression: in 1956 and 1967.

Israel can do without these achievements. She would prefer peace. She has shown the surrounding Arab States that she cannot be defeated militarily, yet they will not agree to let her live in peace. In June 1967, Arab States began a new series of provocations, including the expulsion of the U.N. peacekeeping force and the blockade of the Gulf of Aqaba to Israel shipping. This confrontation again resulted in a decisive Israel victory.

Today, nearly a year later, there is no immediate prospect for a real settlement, and Nasser continues his futile, self-defeating bellicose pronouncements. And sadly, our own Government, for all of its sincere profession of friendship for Israel, is rearming certain Arab States in the vain hope that this will increase our influence in the area—which we lost when war broke our, in part facilitated by American arms.

If we wish to convey our congratulations to Israel in the sincerest manner, let us undertake policies which promote a permanent peace settlement in the Middle East, so that the ancient greeting and fervent hope—shalom—peace will be at last fulfilled.

Let us terminate arms shipments to hostile Arab States; let us cease training their pilots. The 6-day war gave the lie to the rationale that arms shipments promote American influence; in fact, they promote war.

And let us use our remaining influence to promote a just settlement: a permanent settlement achieved through direct negotiations among the parties, based on mutual recognition of permanent borders, free access to international waters, an effective plan for resettlement and compensation of Arab refugees, and a final cessation of hostilities.

For 20 years hostilities have continued; every 10 years they have broken into open warfare. This risk will continue, with the growing threat that civilian populations will be attacked, or that outside powers will be drawn in unless there is a permanent settlement. No state in the Middle East is wealthy enough to support the burdensome level of arms expenditures that 20 years of hostilities have caused. No state in the Middle East can afford the loss of fresh water that political impediments to cooperative development of water resources causes.

The entire region has everything to gain from peace. So let this be our wish on Israel's 20th birthday, and let our policies speak louder than our words.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding.

I associate myself with the remarks the gentleman has made and congratulate the gentleman for bringing this resolution to the floor of this House.

I am certain many of us who are familiar with the great work that has been done by the people of Israel admire them and feel it is in the best interests of world democracy.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from Rhode Island [Mr. TIERNAN].

Mr. TIERNAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I congratulate the chairman and the other members of the committee for bringing this resolution to the floor of the House today and I join with the remarks of my colleagues.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from California [Mr. ROYBAL].

Mr. ROYBAL. Mr. Speaker, I rise to support the resolution.

Mr. Speaker, I want to join with my colleagues in the House and Senate in offering my heartiest congratulations on this, the 20th anniversary of the independence of the State of Israel.

As chairman of the House Foreign Affairs Committee Special Study Mission, which conducted an extensive survey of the entire Middle East area, I am personally familiar with the deep significance of this 20th anniversary of sovereign nationhood.

The historic and symbolic meaning of this momentous occasion is not only for the pioneering citizens of the state of Israel itself, but is also shared by millions of people throughout the world who have been inspired by the example of the heroic action—and spectacular accomplishment—of the sons and daughters of Israel in asserting the right to full international acceptance as a sovereign equal among the community of nations, in reclaiming the most holy of its sacred religious shrines, and in showing a ready willingness to work with others to establish a firm basis for true, lasting peace and progress in the Middle East—that ancient and strategic crossroads of civilization.

This brave little country has served as an inspiration to freedom-loving people everywhere. The forward-looking spirit of its people has earned for Israel the highest current growth rate of any country.

Today we commemorate a significant and stirring event of the postwar era—the day upon which the Jewish people proclaimed the independent sovereign republic of Israel.

Yet May 14, 1948, is much more than an independence day for a nation. It is a tribute and a monument to the patience, courage, and perseverance of a valiant people, who had borne persecution, separation from their homeland, and bitterness for almost 2,000 years.

The United States was the first country to recognize the new State of Israel. Americans generally have a strong affinity with the nation of Israel. We have a tradition of sympathy for peoples striving to attain sovereign nationhood. We have a deep interest in the commitment of Israel to democracy. We feel great admiration for the pioneering spirit that has transformed Israel in 20 short years from a relatively poor country into the progressive and economically strong nation that it is today.

Through 20 centuries of the Diaspora, the Jewish people had carefully preserved their identity, heritage, and unity in anticipation of the triumphant day when they should restore the sovereignty of Israel.

Upon gaining independence, they launched upon an astounding era of economic, political, and social progress for their homeland.

Their accomplishments during the 20 years of sovereignty are all the more miraculous because Israel, as the Jews found it in 1948, had long since ceased to "flow with milk and honey." Years of neglect had turned verdant valleys into malarial swamps, rich pastures into dust bowls, and forested hills into eroded mounds of bedrock.

Yet the courageous spirit that carried the Jews through their long exile enabled them to attack the problems of forging a new nation with spirit and eagerness.

We see today that Israel-American relations rest on a firm and friendly base. The bonds of sympathy and friendship which characterized the beginning of these relations have been transformed in the course of years into a tradition of economic cooperation and intensive cultural exchange.

On this, the occasion of their independence day, we pay tribute to the citizens of the Israel nation and offer our warmest congratulations and best wishes for continued progress and good fortune.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. FULTON].

Mr. FULTON of Tennessee. Mr. Speaker, I rise in support of the resolution.

Israel, a modern, progressive nation, founded by the survivors of Nazi persecution, are celebrating two decades of freedom today.

The 20th birthday of the state of Israel sees this tiny nation as a bulwark of democracy.

Israel has well earned its freedom.

From the day of their independence in 1948, when the state of Israel was created from their ancient homeland of Palestine, the Jewish people have faced and overcome adversity.

Today, Israel stands firm, and on its 20th anniversary, is more secure than it has ever been in its modern history.

Through hard work, dedication, the application of modern science and technology, Israel has made crops grow where the desert once ruled. It has built modern communities and preserved ancient cities. The city of Jerusalem, sacred to Jew, Christian, and Moslem alike, is now open to all who wish to worship there.

In its 20-year history, Israel has given sanctuary to more than 1,250,000 refugees and immigrants. It has developed its economy, cultivated its arts and sciences, sought, with its full might, the right to exist, and has established and strengthened freedom, democracy, and human advancement.

It is my profound hope that Israel and her Arab neighbors will find ways to lasting peace and coexistence and that together they may bring stability and progress to the Near East.

It is fitting that the House of Representatives and all those who revere and respect freedom extend congratulations to the people of Israel on this 20th anniversary.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Speaker, I thank the gentleman for yielding.

I heartily support this resolution. I am delighted to associate myself with the resolution to commemorate this most historic and memorable day and to congratulate the valiant people of a gallant and noble nation.

Mr. MORGAN. Mr. Speaker, I yield to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I rise in support of House Resolution 1144 and join the distinguished chairman, the Honorable THOMAS MORGAN, of the Foreign Affairs Committee in extending my congratulations to the people and the Government of Israel on the occasion of this 20th anniversary.

The fact that this 20th anniversary is being celebrated at all is a continuing tribute to the people and leaders of this free and democratic independent state. Israel has political stability and an economic growth greater than any new nation in modern history. Time and time again it has proved its military strength and valor in the Middle East. It has aided other free world countries.

However, the Middle East today is still the most potentially explosive area in the world, and we must not forget this. We all know that ever since the defeat of Egypt last June the Soviets have been supplying the Arabs with arms at an accelerated rate and recent statements have again indicated that the Russians are using an age-old animosity to extend their influence in the Middle East.

We must make it explicitly clear that there is no question and should be no question as to the U.S. commitment to Israel's defense in the event her security is threatened or in jeopardy. The Tri-Partite declaration, the Middle East doctrine, and President Johnson's statements all give ample evidence of that commitment.

Peace and stability in the Middle East are vital not only to the interests of Israel but also to the interests of the United States and the free world. Accordingly, we must unhesitatingly support all reasonable efforts to achieve peace in the Middle East.

Israel's continued independence and freedom from aggression—in fact, its very existence—and its efforts in behalf of the free world, are implicitly intertwined with the interests of the United States. Accordingly, on this 20th anniversary of the amazing and fantastic story of her success, suffice it to say that the adoption of this resolution makes it clear to the whole world that we not only wish Israel well, but that we are deeply committed to assuring her continued success.

Mr. McCORMACK. Mr. Speaker, the 20th anniversary of the State of Israel evokes memories accumulated in the course of almost 20 centuries. For nearly 2,000 years the people of the old Kingdom of Israel in Diaspora had awaited patiently and prayed fervently for the realization of their most cherished dream, the dream of returning to their ancestral home in Palestine. And the creation of the State of Israel 20 years ago marked the realization of that age-old dream. That act also marked the culmination of the collective efforts of the Jewish people for the attainment of their common goal.

The story of the birth and growth of the State of Israel is an epic not only in the long history of the Jews; it may be considered as such in world history generally. When one bears in mind that at the beginning of this century the land that was destined to become Israel contained less than 100,000 Jews, while today more than 2,000,000 Jews live there, then one can get a clear idea of the superhuman task which the creators and builders of the State of Israel have performed in the assimilation of this new population.

The State of Israel is one of the youngest of the newly independent countries in the turbulent Middle East. It is at the same time the most dynamic, the most enterprising and by far the most democratic. It is also, one might add, the most powerful in the whole region. Until the 6 days' war of last June its territory was only 8,000 square miles and its population totaled about 2,300,000—90 percent Jews. On this limited area and with such a relatively small population the State of Israel became the most industrialized, the most prosperous and the most progressive state in the Middle East. The Israelis, by working harder and more diligently than their neighbors in nearby countries, have raised their living standard far above that of peoples in all Middle East countries. Of course, their per capita income is also much higher than that of their neighbors, and they lead a better, more wholesome life. One should also add that in addition to their diligent and hard work, they are always ready and willing to sacrifice their worldly possessions for the preservation of their country and its sovereignty. On more than one occasion they have proved this; more than once, when attacked, they have shown their valor and determination by remarkable victories over forces far more numerous than theirs.

Since its birth the State of Israel has been at war with the Arab countries which surround it. This unenviable situation has not changed in 20 years. Thus Israel has been, from its birth, a beleaguered fortress, and as such it remains under constant siege, though since the 6-day war of last June its strategic frontiers have been modified in its favor, enabling it to keep its foes at a safe distance. Even under the abnormal conditions which such a condition of siege implies, the leaders of Israel were not dismayed or disheartened. Instead, they doubled and trebled their efforts to make Israel militarily formidable. At the same time, they were not deterred from the task of making Israel a model state—politically, economically, and culturally—in the Middle East. Patriotic and compassionate leaders succeeded in making Israel [redacted] for destitute and despondent Jews who were dispersed in other lands. And this task, the settlement and rehabilitation of more than a million immigrants, proved a most challenging one. The State of Israel not only successfully performed the task—it made these impoverished immigrants useful and productive citizens. Thus Jews from Morocco, Tunisia, Iraq, and Yemen, from Poland and Rumania, have found a safe haven there, and, through the educational work of Israeli leaders, have become industrious builders and stout defenders of the new state.

Under normal and favorable conditions the performance of these stupendous tasks would have been difficult, and for Israel it has not been easy, yet the Israelis performed it willingly and successfully. With the financial aid and moral support of world Jewry, Israel has already become a viable and solvent state. In the work of husbanding and developing its rather limited resources, Israelis have done wonders. Through irrigation and drainage schemes tens of thousands of acres of land have been made productive. Great hydroelectric power stations have been built, and the amount of electric power in the country has been multiplied many times. Citrus fruit groves have been scientifically cared for and the quality of the produce has improved, while its quantity has increased immensely. Hundreds of agricultural settlements and villages have been established under communal schemes, some of these in areas where there was no human habitation for centuries. The industrious and enterprising spirit of the Jewish people have transformed desolate desert areas into blossoming gardens and citrus fruit groves, and many newly found large commu-

nities have become booming industrial centers.

Israel is a progressive state in the best sense of that term. Its government is democratic and its administrative, legislative, and judicial branches of course conform to the ideals of democracy. The President is elected by the single-chamber legislature. This 120-member legislature is elected for a 4-year term. The executive branch is made up of a Cabinet, headed by a Prime Minister. The Cabinet is responsible to the legislature for all its acts. In short, Israel has the type of parliamentary democracy prevalent in Western Europe. The people of Israel take pride in the fact that theirs is the most advanced and progressive type of welfare state, not only in the Middle East but also among all of the democratic countries of the world.

The 20-year-old State of Israel has come of age, and shows maturity in its actions. Militarily it is sturdy and strong, always prepared to safeguard its hard-won independence against all comers. On this 20th anniversary of its independence, we hope for an early end to the troubles which have plagued Israel for so long. We wish the brave Israeli people the peace and prosperity they so richly deserve.

Mr. CELLER. Mr. Speaker, I rise in enthusiastic support of House Resolution 1114. Today is the 20th anniversary of the birth of Israel. I could today recount the trauma which attended and all but prevented her birth; I could rehearse the agonies of her infancy, the obstacles she encountered in her childhood and adolescence—mind you, not the routine hurdles of an awkward youth, but stumbling blocks interposed by her irreconcilable enemies who had sworn to annihilate her at all costs and by every means, and who even today after being forcefully and justly repulsed, persist in their aggression and in their arrogant refusal to respect a fact of history.

On the other side of the ledger I could talk about the miracle of the Negev, resuscitated and revitalized by the muscle, the ingenuity, and the dedication of hardy pioneers, the dynamic mini-metropolis of Tel Aviv with its broad vistas and hectic traffic, the teeming port of Haifa with its bustling commerce and perennial welcome to the refugee, the gently sloping hills and fertile plains of Galilee, the intriguing confluence of East and West in the golden city of Jerusalem, the intellectual manpower of the Hebrew University or the Technion reaching out to the developing countries of Africa, the paradigm achievements of the Hadassah Hospital and Medical Center, the democratic genius of a coalition government designed to reconcile the differences and represent the interests of diverse factions, the astounding military genius of a tiny nation whose commitment to an honorable peace is as unswerving and unshakeable as it is historic.

Mr. Speaker, I could go on at great length about all these things but which Member of this House, indeed, what citizen of this great Republic is unfamiliar with the story of Israel, an ancient faith made manifest?

Therefore, on this momentous anniversary I choose instead to talk about the relevance of Israel and the Israeli experience to America, to the free world and to the Western experience. The commissars of Moscow know that Israel is relevant because they have chosen as a matter of foreign policy and global strategy to support the Arab conspiracy by arming Mr. Nasser and his friends "to the teeth." At the same time, of course, the Communists grind out their propaganda about American and British "imperialist collaboration" with Israel aggression. Mr. de Gaulle knows that Israel is relevant because his decision to disengage France from her Western alliances has not only entailed French withdrawal from NATO, intransigent resistance to British entry into the Common Market, and sabotage of the American dollar, but a 180-degree reversal of French policy in the Middle East. Some observers were caught off guard by what seemed to them to be a sudden betrayal of a long-standing Franco-Israel friendship, but a more astute analysis would compel the conclusion that the de-Westernization, the disengagement of France inevitably implied a turning away from her alliance with Western-oriented Israel. Though the reasons may be somewhat different, there is a curious, if not echoic similarity between the utterances of Paris and the utterances of Warsaw on Israel, on Zionism, and on the Jewish people.

If only by their opposition and negation, the enemies of Israel have delineated for us the unmistakable relavance, the signal importance of Israel to America and the free world. Quite alone and unaided, she has defended the Western principles of human freedom and human dignity against the totalitarian forces that seek her destruction and ours.

It is, therefore, incumbent on us to lend our support to the Israel cause, which is, in a larger sense, the cause of freedom and democracy in that area of the world. We must continue to insist on the preservation of her territorial integrity, on her right under international law to free access to the Gulf of Aqaba and the Suez Canal. We dare not counsel her unilateral withdrawal from the territories she occupies, since it is clear that such a withdrawal would constitute an open invitation to further Arab incursions at the behest of the Soviet Union. If there is to be peace in the Middle East and in the world, the Arabs must recognize Israel and her pacific aims; they must forswear the assistance of their Communist instigators, reject the irresponsible ravings of the demagogs in their own ranks, and come in good faith to the peace table.

The Arab nations on Israel's periphery, exploited as tools of Communist expansionism, continue their guerrilla raids and their sniping attacks on the Israel population; the Communist arms buildup in the area proceeds apace. We in America, appreciating the relevance of Israel to our role as a leader of the free world, must do all we can to bolster the Israel defense capacity; this means that we must be prepared to undertake substantial shipments of arms, including F–4 phantom jets, to Israel in order to supplement the limited Israel arsenal and, at the same time, to offset comparable Russian arms shipments to Egypt, Syria, Jordan, Iraq, and their neighbors.

On this 20th anniversary we have an opportunity to speculate on the conceptual and political connection between the Israel experience and the American experience. If we understand that connection, we have yet another opportunity to launch America on a course of solid cooperation with her natural ally in the Middle East in the name of freedom, human brotherhood, and world peace. Should we adopt this course, future anniversaries of Israel's birth will doubtless be celebrated in a world which conforms more closely to the vision of the hallowed prophets. Succinctly put, the Israel dilemma looms as a testing ground for the will of free men everywhere to survive in freedom.

Mr. HALPERN. Mr. Speaker, there is a Hebrew saying—and unlike most Hebrew sayings, this one is not Biblical—that oil is sweeter than orange juice. This is, of course, an observation not of the senses, but of power politics in the Middle East. It explains why Israel's 20th independence anniversary, which we celebrate today, is all the more remarkable.

In the Middle East, oil is the currency of political and military support from the great powers. But Israel has no oil to use for political leverage, only citrus fruits. And orange juice is a poor persuader.

Thus, to a great extent, Israel has been forced to rely heavily on her own resources, agility and spirit to defend herself from the Arab nations committed to her annihilation. Help from other governments has been cautious and grudging, marked by their desire not to alienate the oil-rich Arab countries. Some, like the Soviet Union, find it politically profitable to be openly antagonistic to Israel, and feed the flames of Arab hatred with modern and sophisticated weaponry to Egypt and her allies.

Even from the United States, unqualified assistance has been forthcoming only by the generosity of private citiens. For unfathomable reasons, the U.S. Government's official stance of neutrality translates in practice to a policy of leaving Israel vulnerable while the Arab nations rearm themselves to the teeth for new aggression.

Despite repeated pleas from myself, and from many of my distinguished colleagues, the administration still balks at selling Israel Phantom II jet fighters comparable to the supersonic aircraft supplied to Egypt, Iraq, and Jordan by the Soviet Union, France and, yes, even the United States.

It is difficult for me to understand what business the United States has, standing shoulder-to-shoulder with the

Russians at the United Nations, telling the Israelis not to hold their Independence Day Parade in Jerusalem because it might constitute a "provocation."

I am compelled to ask: Who is provoking whom? The Egyptians have been completely refitted with Mig-21's, the hottest fighter in the Soviet inventory. The Iraqis have acquired the latest French Mirages, and Jordan is flying powerful U.S. 104's. In contrast, the Israelis are still trying to shake loose 50 French fighters they have already bought and paid for, but which General de Gaulle refuses to release for export. The Arabs are stronger than ever before; Israel has yet to replace its losses from the 6-day war last year.

It is a wonder to me how, despite 20 years of battling Arab legions and political adversity, this tiny state—spawned by a pathetic handful of refugees from Hitler's death camps—has nevertheless not only survived, but prospered.

It is an inspiring event when a tiny country—determined to endure no more aggression, but unable to obtain guarantees of security from the great powers—runs a small but swift steamroller over a whole gang of bigger and stronger antagonists.

And there is something marvelous about the realization of a dream—of a land free from persecution, where shattered lives could be rebuilt on the land of ancient forefathers, where fertile fields could spring from desert sands, and where universities and industry could develop where before there was illiteracy and poverty.

The Holy Land was known in biblical times as a land of miracles. Today we are celebrating a modern day, continuing miracle, the miracle of Israel's political, economic, and social flowering. It is a miracle that perhaps could not have been achieved by a people who had not endured the horrors of Dachau and Buchenwald, or by a people who had not vowed that never again would they passively submit to an executioner.

Against all odds, Israel has become an inspiration to freedom and the will to live. She is a shining example of the power of dedication and hard work. Israel has cultivated the fruit of progress, and the juice of that fruit is even sweeter than oil.

Congratulations to the valiant State of Israel on its 20th anniversary, and may this joyous occasion be marked in the years to come by even more resounding success.

Mr. FRIEDEL. Mr. Speaker, it is right and proper that we, as liberty-loving Americans, pause from our deliberations of this busy Congress to recognize that today, our sister democracy—the State of Israel celebrates its 20th anniversary.

The ancient Hebrews first entered the land of Israel about the 18th century B.C. when the patriarch Abraham led his people to what was then called Canaan and much later became known as Palestine. Much has happened since then which fills the annals of history.

With the enunciation of the Balfour Declaration by Great Britain on November 2, 1917, the concept of the rebirth of the State of Israel began to take shape and on May 14, 1948, David Ben-Gurion proclaimed the reestablishment of this ancient land in modern times. On May 2 of this year, the State of Israel will be 20 years old.

Even before that spring of 1948, thousands of Jews had come to Palestine out of religious love for the locale of the Scriptures, and many more thousands to flee from the cruel Nazis, who had gassed and ruthlessly killed over 6 million innocent people just for being Jewish.

Since its establishment as an independent nation, the brave people of this tiny state have fought three times for this land and, though three times outnumbered by 40 million unreconciled and hostile Arabs, they have held fast and won three times.

Attacks on Israel continue by its Russian and Chinese Communist arms. Since the 6-day war last spring, the Soviets have furnished Egypt with 400 military jet planes and 800 tanks, thereby restoring 80 percent of Egypt's military strength. In addition, the U.S.S.R. has sent 3,000 "advisors" to retrain the armies of the Arabs. The Soviets are entrenched in Damascus and they have moved an estimated 40 warships into the Mediterranean. It seems clear that the Russians want to aid and assist the Arabs against Western-oriented Israel because of U.S.S.R.'s desire to dominate Arabian oil.

I have joined a number of my colleagues in introducing a resolution expressing the sense of the Congress that the United States must continue to sell military hardware to Israel so that she can continue to defend herself as a democracy.

In our own enlightened self interest, in our desire to oppose communism and stop its spread, in our wish to support and encourage democracy, I submit we must materially help the State of Israel as it is a true outpost of liberty and freedom as well as an advocate of those precious ideals which we Americans cherish most highly.

Israel's pioneers echo the American expression only those with a reason to struggle can turn the desert green. The Israel economy has made tremendous gains since the rebirth of the State in 1948. Its gross national product—GNP—averaged an 11-percent increase for the years 1950–65, reaching $3.4 billion in 1966 for a per capita figure of $1,308. New building accounts for 8 percent of the domestic product, a high rate that reflects Israel's rapid growth. Industrial production makes up 25 percent of the total and commerce and services 49 percent, rates comparable to those of advanced economies of Western Europe. Perhaps the most interesting facet of Israel economy is its agricultural development which has quite literally turned the desert into a living and growing garden. Its material progress is matched by its scientific and cultural achievements in the arts and education. Its progress is remarkable in such a short time. Those like myself who have visited Israel can attest to the unbounded admiration and love of its people for the United States and for things American.

We of the United States, salute and congratulate the State of Israel on its 20th anniversary and extend our most heartfelt good wishes for a happy, prosperous and peaceful future in the years ahead. May Israel be as the Prophet Isiah said "A covenant for a people and a light to the nations."

Mr. BOLAND. Mr. Speaker, 20 years ago, a valiant people realized their centuries-old dream of nationhood when they heard David Ben-Gurion read the Proclamation of Statehood for the State of Israel. The interim period between the expulsion of the Jews from their land by the Romans in 70 A.D.—and the final defeat of the last brave defenders of the Jewish nation took place at Masada 3 years later—and that momentous day in May 1948 were years of peril, persecution, and wandering among the nations of the world, with only hope and faith in their God to sustain them. The long road back to Israel took the Jews through two world wars and the inhuman Nazi attempts to destroy them. But, Israel rose again, and the world cheered the courage and determination of the handful of Jews as they defeated the Arab nations which attacked the new nation in the [redacted] of its rebirth.

Since those trying days two decades ago, the State of Israel has had to face its adversaries on two further occasions, the most recent being the astonishing 6-day war of June 1967, when again the Israelis rewrote the military handbooks which said that a nation of only 2½ million could not withstand the armies of nations totaling 100 million. For the Israelis, the crisis of June 1967 presented a "do or die" situation: They could not afford a defeat, for there would be no tomorrow if the Arabs won even a single victory. And this attitude typifies the State of Israel. The Israelis go about their business today and do what must be done, leaving the worry, the fear, and the indecision for others, because they are too busy building their nation.

As if the initiative and the courage of the Israeli nation were not enough, they have given the world another and perhaps even more significant example in the fields of economic growth and development and in education, social progress, the arts, and the application of the democratic principles upon which the nation was founded. The amazing creation of farms and orchards in lands that had been abandoned by others who believed them worthless is a particular tribute to Israeli inventiveness and perseverance. Where once were only sand and rocks, there are now gardens and fields of grain.

I join my colleagues in saluting the State of Israel and its people on this 20th anniversary of their independence, and in reaffirming our continuing faith that Israeli statesmen and leaders will be able to achieve an effective and long-lasting peace.

Mr. MURPHY of Illinois. Mr. Speaker, the dreams of centuries and generations

were realized May 14, 1948, when the State of Israel was proclaimed. The United States favored the restoration of an independent Jewish nation and was among the first to recognize it.

Today, I join with my colleagues in extending to the people of Israel congratulations and good wishes on the occasion of the 20th anniversary of the establishment of the State of Israel where democratic government has survived and grown considerably.

In my opinion it is absolutely essential that a secure, just, and lasting peace be achieved by the people of Israel. I sincerely hope and urge that following the festivities of this 20th anniversary the most intensive effort be made to get negotiations started. The United States can assist in broad regional economic planning, particularly in the fields of agricultural development and water resources.

My very best wishes to the State of Israel for continued progress and success, especially for real peace.

Mr. CORMAN. Mr. Speaker, I join my colleagues in the House in paying tribute to the State of Israel on the 20th anniversary of independence. I am sure I speak for most of the residents of the 22d District of California in conveying my pride in and good wishes to the dauntless people who established themselves in their ancient homeland.

In spite of the bloodshed and bitterness which the people of modern Israel have had to endure in these past 20 years, they have much to be jubilant about, much to be proud of.

Though a country poor in natural resources, its economic development has been remarkable. Israel spirit and determination made the desert bloom. To the markets of Europe they are shipping citrus fruits as well as avocados and other fruits formerly unknown.

It is a nation which in less than two decades has achieved worldwide recognition for its scientific and academic excellence. It has developed new fibers, new industrial chemicals, new medical extracts, new tools and implements, new plastics, new food additives for cattle and poultry.

Scholars from throughout the world are attracted to Israel's academic institutions. Artists and tourists speak with awe of its architecture, its art treasures—its contributions to the art and literature of the world.

But what must be the greatest source of pride and joy to the people of Israel on this 20th anniversary of its independence is the fact that today, 2.5 million Israelis live in a democratic republic where individual freedom and social justice prevail, where respect for human dignity comes first.

But this dynamic country is still engaged in a struggle for survival. We, in America, who should understand better than most the unique quality of Israel's accomplishments, cannot be indifferent to that struggle. We must, in keeping with the ideal common to both nations, join more fully in the efforts to bring peace to the Near East, to reduce the pressures of the arms race, to remove boycotts and blockades, and to persuade her neighbors to join Israel in open and honest negotiations whereby all can live in peace.

Mr. ROSENTHAL. Mr. Speaker, I join with my colleagues to extend birthday greetings to the State of Israel.

No one expected, in 1948, that the restoration of an independent Jewish nation in Palestine would be painless or without danger or difficulty. These expectations have been fulfilled.

But the citizens of a free Israel responded to this adversity with courage, with determination and with dignity. They have justified, as they have countless times in their long history, their right to exist.

They have also shown their determination, again not for the first time, to survive.

We can, by passing this resolution which I also sponsor, demonstrate that the American people renew their hope on this anniversary of Israel's independence that peace will ultimately prevail in the Middle East. This occasion is not proper for assigned blame or praise for past actions.

Let us resolve that there is no way to peace; peace is the way.

Mr. ST. ONGE. Mr. Speaker, this year marks the 20th anniversary of the birth of the State of Israel. It is an occasion which its citizens and its many friends throughout the world may justifiably celebrate with pride. In viewing the 20-year history of its independence one cannot help but be impressed by Israel's enormous achievements and the vitality of its population.

In truth, the Israelis have worked modern day miracles in building new cities, developing their economy, and making the desert bloom. At its founding 20 years ago few could have imagined that Israel could accomplish so much in such a relatively short period of time. Yet its valiant citizens have met and overcome every challenge, including an often cruel environment, hostile neighboring states, and the problems associated with a great flood of immigrants for whom housing and jobs have had to be found.

This elation over the accomplishments of the recent past must be tempered by the realization that a stable and lasting peace in the Middle East continues to be elusive. Until the threat of war is eliminated from that strategic area, the possibility will continue that another conflict could develop there. The military and political viability of Israel must be maintained in order to preserve the balance of power in that part of the world.

Much of the Arab community is being supplied with armaments by Communist nations whose motivations rise no higher than the desire to use ancient rivalries and antagonisms for the benefit of their own sordid colonial ambitions. The recognition of Israel's permanent sovereignty, and the willingness of the Arabs to negotiate directly on matters of mutual concern, will do much to dispel this current aura of crisis.

While the future of the Middle East is fraught with tension and ominous dangers, there are hopeful developments on the horizon which could be mobilized for the welfare of the entire region. It may well be that in a very few years the science of desalinization will have advanced to the point where this process, in combination with atomic reactors, will make available unlimited quantities of fresh water from the sea with which to irrigate the otherwise arid terrain. This single factor alone will go far in removing the age-old contentions for water rights. It will also make possible an abundant food supply, and the raising of income-earning crops. Nuclear desalinization plants could supply a cheap and abundant source of power, and conceivably be the means of extracting some of the enormous mineral resources from the ocean, thus providing the basis of a whole range of new industries.

All of this will be possible only in the context of a peaceful Middle East, where Israel's planning and technological genius combined with Arab manpower and cooperation, could end the deprivation and suffering which that part of the world has endured for so many centuries. Until peace is achieved, however, the free world must continue to support Israel's capacity for self-defense and the continuation of its inspired economic, social, and industrial program.

Mr. Speaker, I am happy to join with my colleagues in extending greetings and a well-deserved salute to the people of Israel on the 20th anniversary of their independence. Together with all peace-loving people in this country and in Israel, I pray for better understanding among the nations of the Middle East and for an end to bloodshedding.

Mr. PODELL. Mr. Speaker, today a military parade took place in Jerusalem. That parade celebrated the 20th anniversary of Israel's independence. But in a larger sense, it celebrated the survival of the Jewish people against the forces who would destroy them.

There are those who say that the Israelis should not have staged this parade—that it was needlessly provocative. Yet, only Monday Colonel Nasser once again told his people that war with Israel was inevitable and that his forces had the responsibility "to liquidate completely the consequences of aggression," by which he meant the Israeli victory in the 6-day war. It seems that the Arab leaders, like the Bourbons of old, have learned nothing and have forgotten nothing.

Twenty years have passed since the United Nations recognized the rights of the Jewish people to a homeland and established the conditions for the creation and existence of the State of Israel.

To this day, no other action taken by the United Nations has contributed more significantly to the role of the United Nations as the final arbiter for the resolution of international conflict without resort to war. By the same token no other arena of international conflict is so fraught with hazards of international nuclear war, nor so clearly threatens the very existence of the United Nations, the

ultimate hope of humanity for international peace and security.

For 2 decades, as a result of Arab intransigence, the Middle East has been a tinderbox, ready to explode into world conflict. As recently as last June, the United States and the Soviet Union came perilously close to becoming embroiled in conflict.

Thus the hazards are no longer remote, nor have they vanished in the 9 months since the war in the Middle East. If anything, they have become intensified and more volatile, as we witnessed during the past several days.

There is an urgent need for America to attempt to dispel the clouds of war which have hung over the Middle East for so long. It is an urgency born of our desire for peace, our self-interest, our long involvement in the affairs of the region, and our commitment to the people of Israel.

For 20 years the people of Israel—returned to their ancient homeland after millennia of exile, and indescribable oppression—have been denied their most cherished desire, the opportunity to live in peace. Surrounded by hostile neighbors who are pledged to its destruction and supported by one of the great powers, the State of Israel has been forced to defend its very existence three times in the past two decades. It has sacrificed the lives of many of its youth and diverted resources necessary for the development of the country in order to protect its independence.

In flagrant violation of the United Nations Charter and international agreements the Arab States have supported and encouraged terrorist raids, murder, and sabotage. They have proclaimed a unilateral state of war and use that belligerence as an excuse to deny Israel's right to free passage through international waterways. They have attempted to isolate the Jewish State and strangle her economy by imposing a boycott on firms doing business with Israel. And last May the Arabs massed armies on Israel's borders in a bold attempt to destroy that state and "hurl the Jews into the sea."

During these 20 years the world community of nations has remained amazingly silent in the face of Arab flounting of world law and order. The United Nations has been paralyzed by the Soviet refusal to allow even the mildest criticism of Arab actions. It has, instead, condemned the victim and ignored the aggressor; censured Israel's response to Arab provocation, but dismissed the cause.

American policy has also left much to be desired. We have hesitated to challenge the Arabs for fear that they would move closer to the Soviet orbit. In a vain attempt to protect our influence and investments we have submitted to threats and blackmail.

Yet we have remained steadfast in our friendship to Israel and have generously aided its development. And we have, in the days following the June war, insisted that now is the time to achieve a just and lasting peace in the Middle East.

We can advance the cause of peace in the Middle East by assisting its peoples to raise their standard of living, and allow the region, once again, to take its place as the cradle of civilization. The problems of the Middle East are in microcosm the problems of the world. If we lack the will or courage to resolve them, all of humanity will face consequences from which the mind recalls with horror. Permanent peace in the Middle East will give light and meaning to man's eternal hope for peace and security.

Despite its mortal peril, Israel continues to build and to hope. It remains a steadfast friend of the United States. It continues to pursue the democratic way, and to make the results of its experience available throughout the undeveloped countries—yes even to the Arab States, whenever peace comes. It continues to be an inspiration to us all.

Mrs. BOLTON. Mr. Speaker, today Israel celebrates its birth 20 years ago. During these 20 years a democratic government has been active and the new state has taken a noticeable role in the family of nations.

On May 14, 1948, the dream of a Jewish national home in Palestine became a reality when the State of Israel was proclaimed. Since then, in the face of great economic and political difficulties, it has grown steadily in strength and stability. Last summer the world was greatly dismayed at the eruption of conflict in the Middle East. We in the United States are hopeful that a secure, just and lasting peace soon will be achieved in that region and that constructive development and cooperation may be resumed among all peoples of the Middle East.

I join my colleagues in extending to Israel congratulations on the occasion of the 20th anniversary of the establishment of the State of Israel and offer best wishes for continued progress.

Mr. FINO. Mr. Speaker, I want to make a few observations on this the 20th anniversary of the State of Israel.

Twenty years ago, Israel was just the beginning of a dream. Today the hills of rocks are hills of trees. Cities thrive where there was desert. Orange trees bloom where nothing bloomed. Fresh water is made from the sea to turn lands and orchards green with fertility.

All of this, Mr. Speaker, is a triumph of the human will; a victory for dedication and ambition.

It is a pleasure to read about a nation which is building and not burning. It is a pleasure to salute a nation which has spurned whining for self-help and succeeded in a most extraordinary way.

I believe that Israel is an inspiring example for America. What nation better proves that God helps those who help themselves? Courage, tenacity and dedication cannot be kept down, and the lack of it cannot be elevated.

Israel shows the same plucky determination in world affairs—a self-assertiveness that laughs at the pious platitudes of cocktail party diplomats. Israel knows that friends bought with hypocrisy and appeasement are not friends at all, and Israel does not shape her foreign policy to the whims of nations with more United Nations delegates than college graduates. And when Israel fights a war, Israel fights to win. No Israel ship would be left to rot in the harbor of a two-bit Asian power. No Israel troops would be sent into a war their government had no intention of committing its full heart to—and the Israel Government likewise does not send its troops into hopeless quagmires.

On the domestic scene, Israel does not give juicy welfare checks to those who refuse to do menial labor. I wish some of our welfare clients were in Israel when they see fit to announce that they are too good to work wielding shovels and cleaning streets. I also wish we had the Israel police in the United States. When Arabs race through Israel throwing firebombs, they meet a very simple fate—they get shot. I wish the Israel police were running the New York City and Washington police departments. Then we might have a little law and order.

Thus, on this 20th anniversary of Israel, I want to do more than salute Israel. I want to commend the Israel way to my colleagues in the Congress and to the weak-kneed politicians in Washington and our city halls alike. This world would be bet[redacted]n a lot more Israels and a lot fewer phony Great Societies.

Mr. TENZER. Mr. Speaker, as the State of Israel enters her 20th year, I am proud to join with my other colleagues in the House in paying tribute to this nation—a citadel of freedom and democracy in the Middle East—a veritable oasis in a desert of medieval feudalism.

We celebrate this occasion of Israel's independence, knowing full well the challenges which she faces from the constant threat of war from her hostile neighbors, nations who are not yet ready to accept the fact that Israel is a sovereign nation and has the right to her place amongst the nations of the world.

The crisis in the Middle East last June placed the world spotlight on Israel and the confrontation with her Arab neighbors. That conflict was the sternest test to date of Israel's sovereignty. Despite the terror and harassment by guerrilla infiltrators, the damage to her border settlements, Israel remains the only hope and possibility of bringing lasting peace to the Middle East. It is for that reason the United States, which is striving for the maintenance of peace throughout the world—must remain committed to Israel and the preservation of peace in the Middle East.

In October 1966—see daily CONGRESSIONAL RECORD, October 17, 1966, A5336—I addressed my colleagues in the House on the threat presented by the Palestine Liberation Army Organization dedicated to the recruitment of refugees for terrorist activities, sent to China and North Vietnam for training and dedicated to the destruction of Israel.

The warning signals were in existence for some time before the now famous June war. The warning signals have not disappeared.

Israel has proved to the world that she is the proud possessor of an ancient heritage dedicated to peace and that her people have the will to build a democratic society in the heart of the Middle East. It is most significant that the United States in World War I and World War II did not have a single ally in the Middle East. Israel today is the only nation in that area of the world committed to the democratic nations of the Western World.

The economic struggle of Israel has been and continues to be a challenge, but the United States has and must continue to provide the helping hand that will assure success in the years ahead. The United States must provide Israel with the weapons which will serve as a deterrent to war and to assure peace in the area.

The story of Israel's quest for freedom has been told many times, but the accomplishments of this nation since freedom was obtained 20 years ago, carries with it lessons for the free world. Aside from building a strong political state—a model of democracy in the midst of an area of tyranny—they have put to use the scientific and technical abilities of a people to transform arid land to arable land and mountainous regions into industrial centers.

Those who have visited the State of Israel stare in amazement at farmland and industry which stands on what once was desert land.

Israel has made great strides since the United Nations General Assembly approved Resolution 181 on November 29, 1947. Israel and her people can be proud of the contribution they have made to the world and one day, when lasting peace is achieved in the Middle East, she will stand amongst the nations of the free world as a beacon shining in the Middle East.

Mr. ADDABBO. Mr. Speaker, it is a pleasure to be able to again join in tributes to the nation of Israel as it celebrates its 20th anniversary. That tiny nation in the past year has weathered a forceful storm, but the dedicated spirit of her people prevailed and again carried her through. In its 20 years of history, it has weathered many storms and the seas are not yet calm. It is a nation which was founded upon the principles of liberty, justice, and peace. It promised full social and political equality for all its citizens. It has sought to and has largely fulfilled that goal.

While great tensions still exist in this troubled area, our country must do all within its power to insure that Israel remains a free and independent nation and in a position to defend herself against those who are pledged to destroy her.

Again, it is a pleasure to join in congratulations to the valiant people of Israel on this the 20th anniversary and wish for them continued progress and an early end to the threats against them. May the coming year be more peaceful than the last.

Mr. PATTEN. Mr. Speaker, I share the joy of my colleagues in helping to observe the 20th anniversary of Israel's birth.

When Ambassador Rabin spoke to a group recently, it was rather depressing to hear that every able bodied citizen in Israel must devote time to military service. This is necessary, of course, because Israel is surrounded by 100 million Arabs and must therefore always be on the alert.

On Wednesday I attended a briefing by the State Department concerning the Middle East. It is obvious that the problems of that area of the world are very serious and represent a very dangerous situation. There seems to be little desire to "live and let live." The hostile Arabs have made it abundantly clear that they do not want to negotiate.

Despite the many problems faced by this small, but promising country of Israel, its population is increasing rapidly and its economy continues to make remarkable progress. Its gross national product, for instance, has increased from $240 million in 1952, to $3.4 billion in 1967. Her workers enjoy a per capita income equal to the level of Italian, Dutch and Austrian workers—and those nations are considerably older than Israel.

Americans have a close friendship with Israel and a great sympathy for her goals and aspirations. When President Truman recognized Israel, America was not only the first nation to take such action, but by doing so reflected the warm cordiality of our people to that young nation.

Mr. Speaker, America has tried to maintain peace in the Middle East, but Russia has supplied billions of dollars in military equipment to neighbors of Israel. The purpose of the Soviet Union is not peace, but tension, discord and chaos.

Israel is a shining light for our form of government, which is based on progress through freedom. Not only has Israel achieved a good standard of living for her people; she also provides some degree of assistance to other nations.

Israel is an inspiration to the entire free world.

Mr. ROSTENKOWSKI. Mr. Speaker, 20 years ago, out of a barren corner of the world, a persecuted but dynamic people began to build a country known as Israel. It bore little resemblance to the promised land of milk and honey that Moses brought his people to find. But modern Israel is now a nation which encompasses the visions and hopes of all Jews throughout the world. It has become one of the most prosperous in the Middle East and its gross national product of $3.6 billion in 1965 and an annual income of $2.3 billion in 1964 attest to that fact.

Israel stands in the shadow of hostility from all sides. But despite this, it continues to be one of the strongholds of democracy in the world today and still retains a fierce determination to remain a homeland and a nourishing mother for the world's Jewry.

Economic development has been phenomenal. About the time that Israel celebrated the second anniversary of her birth, the economy stood close to the level of developing countries such as Argentina and Colombia, considerably below that of most Western European countries, and only a quarter of that of the United States. Since that time, however, Israel's economy has grown rapidly and has reached, if not outstripped countries like West Germany, Holland, and Finland. Rapid and continuing expansion is, then, the cardinal feature of Israel's economy.

A visitor to Israel today finds no shortages of the things that were characteristic of the first years of her independence. Israel is alive with economic activity and plentiful goods.

The close association between the United States and Israel is shown by the fact that 10 minutes after Israel was proclaimed a sovereign state, President Truman extended American recognition to her. America by that action became the first nation to recognize the new state. Both the American and Israeli people share a deep commitment to the cause of democracy. We Americans harbor a genuine appreciation of the pioneering and courageous spirit that has built Israel.

Accordingly, Mr. Speaker, on this important occasion [redacted] anniversary of Israel, we salute the courage and genius of a people that has built a strong nation in so short time. We also, on this occasion, hope that peace will come to the Middle East as we hope and pray that it will come to the rest of the world.

Mr. HORTON. Mr. Speaker, the struggle to create an independent Jewish State began long before the Christian era, when the Jews ceased to be a nomad people and established their tribes near the eastern beachhead of what we now call the Mediterranean. The history of the Jewish people is a history of the battles, the movements and the struggles of this nation to survive.

No single human group has had a more difficult steeplechase to run than the Jews. As worshippers, Jews were victims of venomous attacks by zealous missionary religions—religions which could not tolerate the existence of a differing divine philosophy in their midst. Jews were murdered as unbelievers, as atheists, as heretics, they were driven from land after land, and were subjected to systematic slaughter in almost every era of modern history.

As businessmen, Jews were singled out as scapegoats—as objects of envious hate—in societies whose economies could not support prosperity for all. As people whose religious tongue was unfamiliar in the far western, northern, and eastern reaches of Europe, Jews were singled out as foreigners, and herded into walled living quarters that would make today's American inner-city look like a paradise.

Only when Hitler proudly boasted his hate for Jews, and his intention to exterminate them; only when the news cameras converged on Dachau, Warsaw and Auschwitz after the war did the conscience of the world quiver at the plight of Jews.

Several treaties and countless guerrilla battles later, the State of Israel was proclaimed in 1948—as a haven for the descendants of Jews who had been shoved around the Eastern Hemisphere for centuries, for Jews who sought the opportunity to build, and to be judged on their worthiness to build.

As we mark the survival of the State of Israel for a fifth of a century, we express hope that the history of this small nation will stretch out across many whole centuries.

As a visitor to Israel in late 1966, I saw a people working against almost overwhelming odds at every endeavor. The remarkable progress in Israeli agriculture is a miracle, considering what they had to start with 20 years ago; the remarkable Israeli military superiority is a miracle, considering that the little nation is surrounded on all sides by hostile, hate-driven peoples who vastly outnumber her; Israel's remarkable absorption of many hundreds of thousands of immigrants from Europe, Asia, and Africa is a miracle, considering that there were few raw materials at hand to provide housing, and considering that many who landed spoke foreign tongues with little or none of the practical skills that are needed in nation building.

In all of these accomplishments, Israel has evened the odds with two ingredients which the Israelis possess in almost overwhelming quantity: determination and know-how.

The Israelis were able to harness the enthusiasm of newly won freedom into a thirst for knowledge, and for success on every front. Today, this outpost of democracy in the Mideast, forged 20 years ago by underground movements and guerrilla war, is among the few small nations which have learned to work with the inner atom, and to harness it for peaceful purposes. This nation, which early in the last decade could barely feed, clothe, and house its own people, and which has undergone tremendous pressures in its economy, is today a major supplier of technical and economic aid to many underdeveloped African states.

In short, we can be justly proud of Israel and its people. But we must not, in celebrating this anniversary, close our eyes to the warning signs which are now showing their heads. Israel has survived 20 years, but still faces serious challenges ahead.

The specter of officially condoned and pushed anti-Semitism has raised its ugly head again in Poland, where a said 25,000 Jews remains from what once was a thriving Polish Jewish community of 3,500,000 before the war. Now the Polish regime, facing demands from Polish youth for more individual freedoms, has turned to the tactics of scapegoatism, blaming "rabid Zionists" for the problems of Poland. All this time, anti-Semitism in the Soviet Union has grown even more intense, as Soviet arms pour into the hands of the losers of the June war.

The battle for Israel's survival, and for lasting dignity for Jews is being won, but it is far from over.

At the same time that we congratulate Israel on her 20th birthday, we should rededicate ourselves to helping this small land meet the obstacles and challanges that lie ahead. Twenty years of health and growth marks a crucial milepost, but, unfortunately, this anniversary cannot be looked upon as the finish line in Israel's path to full success and acceptance.

Mr. BUCHANAN. Mr. Speaker, it is a privilege to join with my colleagues in commemoration of the 20th anniversary of Israel's independence. The rebirth of Israel was a great moral and historic necessity of the 20th century. The thrilling story of the life of this nation during the past two decades seems to me little less miraculous than the Old Testament description of the life of the same nation from the release from captivity in Egypt forward.

Christians as well as Jews have reason to feel a spirit of kinship between the people of Israel and the people of the United States. All Americans have reason to respect the courage of this gallant nation and to recognize Israel as a kin to the United States in respect for human rights and human dignity and in the development of free and democratic institutions.

Out of the travail, the tragedy, and the unbelievable suffering of the Jewish people in World War II has come the fulfillment of a dream which many generations of Jews have held in their hearts—the rebirth of a Jewish state in Palestine. During the 20 years which have followed those who have visited Israel have seen the literal fulfillment of the words of the prophet Isaiah, "The desert shall rejoice and blossom as a rose."

In the hearts of many Americans, Israel is second only to the United States among the nations of the world. To all mankind Israel is a symbol of the hope that lies inherent in courage and in faith.

Mr. DADDARIO. Mr. Speaker, consideration of a resolution to express the warm congratulations of this body to the State of Israel on her 20th anniversary affords an outstanding opportunity for all of us to take recognition of what this state has accomplished in her lifetime.

Israel's success story is an impressive one. Her population has almost quadrupled in 20 years, and more than two-fifths of her current population was born in Israel. Last year there were 730,000 pupils and 28,000 university students in school.

Perhaps it is most significant that she has survived despite persistent and continuing pressure and harassment. We seek negotiations that will lead to a true peace, with stability and progress for the Middle East.

The Connecticut Jewish Ledger, published in Hartford, recently celebrated the 20 years of progress by noting that Israel has been a haven to the persecuted in her time, who have come and established new lives. Their pride in living in the new Israel is reflected in the new cities, farms, factories, and roads they have built on the face of the land.

I lend my support to my colleagues in approving this resolution and I join them in wishing the best of health and progress to Israel in the future.

Mr. BELL. Mr. Speaker, the occasion of the 20th anniversary of Israel nationhood should remind us of more than merely a gala day in the history of an important and respected ally.

It should remind us of the relentless tensions in which that ally has always been forced to exist in the Middle East and of the continuing role we Americans must play in providing moral support.

Today's anniversary should also call to our minds the plight of 3 million Jews still being persecuted in Central Europe and the need in our land to resolve not to allow these oppressed people to fade from memory.

For us, as for our friends in Israel, the joy of this day should be tempered with hope for a better tomorrow for Jews everywhere in the world.

Much has been accomplished in the last 20 years.

Much remains to be done.

Mr. FEIGHAN. Mr. Speaker, today is the 20th anniversary of the founding of the State of Israel. To say these last 20 years have not been without extreme hardship, toil, and heartaches for children of David would be a gross understatement. This tiny nation, whose sole asset is its d[redacted]liberty, has carved a prospering nation out of the sand and rock of the Sinai Desert with the help of individuals rejected, persecuted, and humiliated from all corners of this earth.

We can gratefully learn in these troubled times from the example set by this courageous nation. Freedom is earned, and cannot be taken for granted. May the next 20 years bring the recognition of the community of nations to this tiny beleaguered state so that it can devote its full energies to its people in the cause of freedom.

Mr. WIDNALL. Mr. Speaker, I want to join in marking the 20th anniversary of the birth of the democratic State of Israel. It is an understatement to say that the past two decades were not easy times for the citizens of this new land, surrounded by hostile and belligerent neighbors. Yet, the Israel nation has done remarkably well.

From a population of 805,600 in 1948, the nation has grown to over 2.6 million. More than one and a quarter million immigrants in the past 20 years have joined the countless refugees from Nazi persecution during World War II and the older Jewish citizens already living in the Palestine region. Remarkably, 300,000 Arabs live as citizens of this State in a harmony which we all wish would be emulated by Israel's neighbors.

Israel, as its own economy has expanded, has not ignored its responsibilities to the less-developed countries of the world. Technical missions, particularly in agriculture, are working throughout Asia, Latin America, and parts of Africa. Israel has repeatedly shown its willingness to work with others for the benefit of its own region as well.

The uneasy informal truce now existing in the Mideast between Israel and her neighbors cannot be welcomed by

anyone, anywhere, as a permanent solution to this pressing situation. Israel has shown by force of arms and character that it has a right to existence as an independent state, free from the harassment of its neighbors. Unfortunately, we still find the Soviet Union and its allies providing the potential spark for another conflagration in this area with the renewal of arms shipments to the Arab bloc. Conciliation, not confrontation, is needed, with a recognition of this fact by all sides concerned. The long-range interests of today's antagonists, and of world peace, demand it.

I am certain that Israel, showing the maturity and vision and determination that has marked 20 successful years as a free, democratic nation, will move to meet this challenge as well. I wish the Israel people the heartiest congratulations and a future free from fear and hostility on the part of its neighbors. The 20th anniversary of this democratic state is a good time for all of us to remind ourselves that the blessing of freedom is not a gift—we must work for it and protect it—it must be earned. No people have done more than the Israel nation to earn ana preserve this status. The United States will not forget nor ignore their friendship in the future.

Mr. BARRETT. Mr. Speaker, it is most fitting that today we wish the State of Israel a happy birthday and Mazel Tov on the occasion of its 20th anniversary as a nation.

In the two decades since it was given its sovereignty, the State of Israel has established a record of accomplishment, not only of economic development and progress but of humane concern and consideration that surpasses that of any other nation in history. Anyone who reads the newspapers or has been as fortunate as I to visit that tiny nation is aware of the economic efforts and accomplishments—for which we can only give the highest praise.

But of equal importance, if not more important, is the humane concern evidenced by Israel upon its establishment in 1948. Israel immediately opened its doors to all those who had not only suffered and survived the holocaust of Europe, but also those who had suffered the persecutions and degrading indignities and inhumanities of life as the lowest class in some of the most backward and oppressive countries of the modern world. Israel welcomed these newcomers with open arms, while at the same time being forced to defend itself against attacks intended to destroy its democracy and freedom—its very life and existence.

While a so-called cease-fire was attained in 1948, the people of Israel continued to suffer from the harassment and destructive actions of its neighbors. It continues to do so today because its neighbors refuse to recognize its existence and refuse to discuss a peaceful solution of problems. Such a solution would be of immeasurable benefit to the millions of people living in that area and throughout the world.

Israel is a little America. It has developed a "melting-pot" heritage just as the United States did. It is the citadel of freedom and democracy and the bastion of the free world in the Middle East. While, we, the United States, may not have a treaty obligation requiring us to support Israel, we must recognize our own best interest and the interest of not only the free world but of humanity, dictates that the United States must use its every effort to insure the continued existence of the State of Israel and a peaceful solution of the problems of the Middle East.

Mr. DONOHUE. Mr. Speaker, I am indeed happy to urge the unanimous adoption of this resolution before us and to join with my colleagues here this afternoon in extending congratulations to the brave people and leaders of free and independent Israel on this occasion of the celebration of their 20th anniversary.

Back in the dark atmosphere of 1948, the fortitude and confidence of the Jewish people and their leaders in proclaiming and projecting a separate state appeared to be a dangerous and dubious venture. However, through the years that have followed that original expression it has become factually obvious that their fortitude and foresight were eminently justified.

During these 20 years Israel has valiantly defended her right to exist, diligently developed her economy, humanely given sanctuary to more than 1,250,000 refugees and immigrants, industriously cultivated the arts and sciences, and resolutely established and consistently strengthened democratic institutions serving the cause of freedom and human advancement.

In a remarkably short period of time the people of Israel, by traditional courage, steadfast faith, and persevering effort have progressed, as a nation, from a humble and struggling beginning to a powerful political and cultural position in the turbulent Middle East. On this score we express our sincere hope that all of the nations in the Middle East may soon be able to meet, as understanding neighbors, in cooperative negotiations for a durable settlement of existing differences and I am supremely confident that Israel will do her full part in promoting the attainment of an equitable agreement that will bring lasting stability and progress to all the peoples of that vitally important region.

As a renewed gesture of encouraging friendship and a further affirmation of faith in the people and destiny of Israel let us join today with freedom-loving countries everywhere in saluting the Republic of Israel and its pioneering people on this 20th anniversary of courageous nationhood.

Mr. O'HARA of Illinois. Mr. Speaker, today, May 2, 1968, marks Israel's 20th birthday. I wholeheartedly join with the distinguished gentleman from Pennsylvania, the able chairman of the Committee on Foreign Affairs [Mr. MORGAN] in support of the resolution acclaiming this glad anniversary and reaffirming the undying friendship of our country and our people for the state and the people of Israel.

The story of Israel is a present-day tale success story; but it represents no Horatio Alger but proves that "gold must be tried by fire."

In the 20 years of its life, the population has almost quadrupled. Its schools have grown from 130,000 pupils and 1,600 university students, to 730,000 pupils and 28,000 university students. Education is the second largest item in the budget.

Just as Israel has welcomed immigrants from foreign lands, so she has opened her schools to students from developing countries. In 3 years, 3,000 students from developing countries have graduated from courses in Israel; while 70 students from Africa and Asia completed courses in farm instruction, poultry raising, and home economics.

The Hebrew University, the Hadassah Medical Organization, and Kupat Holim, the labor sick fund, have cooperated in the establishment of a national institute for postgraduate training for physicians. At the same time, Israel has furnished physicians for many emerging countries in Africa where doctors are badly needed.

Israel has not only made the desert to bloom, she has grown fruits and vegetables for export to northern countries who enjoy a plentitude of citrus fruits formerly scarce and who have cultivated a taste for avocados formerly unknown.

Textiles, metals, electricity and electronics, tungsten [redacted] steelworking tools, all proved the industry, the inventiveness and the determination of this country, young in terms of the 20th century; yet old in terms of history.

Within 20 years, Israel has adapted itself to an industrialized society. It has built merchant ships, airlines, and an orchestra which has won praise of the world's greatest musicians.

Then President Nasser began to mobilize troops in Sinai. This exploded into the third Arab-Israel conflict. An army greater than any force ever assembled in Sinai had massed against Israel's southern frontier. Egypt had dismissed the United Nations' forces which symbolized international peace in the region.

Young and old rallied to the defense of their country in her hour of crisis. Students from the University of Jerusalem and senior citizens from 60 to 70 years of age rallied to serve the homefront.

With most students serving in the armed forces, some 900 others, mostly girls, worked in hospitals, gave first-aid instruction, and served as teachers in elementary and high schools.

In the hour of peril, when beset by numbers vastly larger, Israel was a nation of great, determined, and dedicated people, the young, the old, a nation of people of all ages and all callings, massed to meet the challenge and to answer to the trumpet call of destiny.

In all the pages of history there is no story more thrilling, none that more embraces all the qualities of courage and heroic devotion framed in an atmosphere of self-abnegation, than the immortal epic of Israel's smashing to smithereens not once but thrice the mightiest armies and armament her enemies could muster.

Again as on two previous occasions, Israel's victory against the combined

forces of the Arab world was brief and brilliant.

Prime Minister Levi Eshkol held out the olive branch:

> I intend to work for the education of both Jews and Arabs toward mutual understanding, trust and good fellowship. We must overcome psychological barriers, and Israel's unfriendly neighbors must accept her as an integral part of the Middle Eastern Landscape.

Mr. Speaker, in May of 1948 the State of Israel was born. In November of 1948 the people of the Second Congressional District of Illinois first elected me to the Congress. I have the faith that in standing loyally by the side of Israel in the 20 years that have passed I have served well my constituents, my country, and the world.

Mr. ZABLOCKI. Mr. Speaker, I rise to join with my colleagues in support of House Resolution 1144, extending the congratulations of the House of Representatives to the people of Israel on the 20th anniversary of the founding of their State.

At the outset, I want to commend the distinguished chairman of the House Foreign Affairs Committee, the gentleman from Pennsylvania [Mr. MORGAN], and the ranking minority member of the committee, the gentlewoman from Ohio [Mrs. BOLTON], for their sponsorship and leadership in bringing this resolution before this body.

On this notable occasion, I believe this resolution is a fitting expression to the people of Israel of the sentiments of the House, and of the American people we represent.

The Old Testament tells us of how Moses freed the children of Israel from bondage and how he led them to the land of Canaan, "the promised land." There they founded a great nation whose philosophy and culture have become an integral part of Western civilization.

Twenty years ago another exodus occurred. From all over Europe came the shattered remnants of a Jewish population which once had numbered 7 million. Millions of their brothers and sisters had died in Hitler's ghastly genocide.

Those who survived saw Israel as a home for the victims of persecution. Such it has become. In the 20 years since independence Israel has given sanctuary to more than 1,250,000 refugees and immigrants.

From these peoples a nation has been molded. It is a nation whose strength and morale have been tested upon many occasions. And with each test, Israel grows stronger and more confident of its future.

The Israel people are making their land into one of "milk and honey" by dint of hard work and determination. At the same time, they have cultivated learning, the sciences, and the arts. They have given renewed vigor to the ancient and revered culture which is their heritage.

As a successful new nation, as a working democracy, and as a symbol of the capacity of man to shape his environment, we pay tribute to Israel today.

May the future bring it to the fullness of its destiny as an accepted and good neighbor in the Middle East, able to assist with the development and progress of its region in a spirit of peace and mutual cooperation.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1114 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1114

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15856) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Florida [Mr. PEPPER] is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Ohio [Mr. LATTA], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1114 provides an open rule with 2 hours of general debate for consideration of H.R. 15856, the National Aeronautics and Space Administration authorization bill.

The purpose of H.R. 15856 is to authorize total appropriations to NASA for fiscal year 1969 in the amount of $4,217,323,000. Of this total, $3,525,650,000 is authorized for research and development; $45 million is authorized for construction of facilities; $646,673,000 is authorized for administrative operations.

The appropriations authorized for research and development are for items of a capital nature—other than the acquisition of land—required for the performance of research and development contracts; and grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities.

Mr. Speaker, I urge the adoption of House Resolution 1114 in order that H.R. 15856 may be considered.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with the statements just made by my friend, the gentleman from Florida [Mr. PEPPER], but I want to further break down this NASA authorization, and particularly the $3,525,650,000 authorization.

The Apollo program itself will take $2,025,000,000 of the $3.5 billion.

The Apollo applications program will take $395,600,000.

Physics and astronomy are listed at $138,150,000.

The lunar and planetary exploration is listed at $102,400,000.

For space applications there is $112,200,000.

For the launch vehicle procurement there is $115,700,000.

For tracking and data acquisition there is $299,800,000.

I want to call attention of the House particularly to the Apollo applications request of $395 million, and especially in view of the fact that this is for hardware and planning after we reach the moon.

It seems to me, as a nonmember of the Space Committee, since we have so many problems on earth and we have been hearing much about them lately that we ought to consider drastically cutting this Apollo application authorization of $395 million. Every time one picks up a newsp[redacted]urns on the television, we hear about the need for more and greater expenditures here on earth at a time when we are facing a serious fiscal and monetary crisis.

The Chairman of the Federal Reserve Board, William McChesney Martin, said:

> We are in the midst of the worst financial crisis we've had since 1931.

In view of what Mr. Martin has said, I believe we ought to take a real, hard look at these requests for expenditures to be used after—and I stress the word "after"—we reach the moon.

We have a crisis in our cities, and the Riot Commission has said we should spend something like $10 billion a year for the next several years in our cities. We have a crisis on our small farms as our farmers have been producing more and earning less and are in a serious financial bind.

In fact, we have so many demands for our taxpayers' dollars that it would take me the remainder of the afternoon just to list them.

For weeks now the Ways and Means Committee has been wrestling with the question of whether we should raise taxes as requested by the President of the United States.

The Appropriations Committee has been wrestling with the question as to how we can reduce expenditures by some $8 or $10 billion.

I believe it is essential in view of our serious fiscal situation for this Congress to start reducing expenditures and that we have to start some place and some time. I believe today is the time to start and the Apollo applications program is the place to start. We can lay aside many of these requests, especially in view of the fact that it has been pointed out by members of this committee that some of this hardware now being purchased may well be obsolete before we reach the moon.

Let me also point out that the administration costs of this program have been increasing substantially each year until this year they are requesting the staggering sum of $646,673,000. This represents 14.8 percent of the total authorization. By comparison the administration costs for fiscal 1964 represented only 9.7 of the total NASA budget; in fiscal year 1965, they represented 11.9 percent of the total; in fiscal year 1966, they represented 11.4 percent of the total; in fiscal year 1967, they represented 13.1 percent; and in fiscal year 1968, they represented 13.3 percent.

Now, I think this is a tremendous increase for administrative costs each year. I think that the House and the American people deserve a real explanation as to how these particular costs could skyrocket year after year.

Let me say that some of these problems we face today on earth are so pressing that I believe we should take a real serious look at all of these requested authorizations. If we can cut $200 million, $300 million, or $400 million from this budget, it will not cripple the program but it may help us save the country from financial ruin. When we consider the fact that out of $4.3 billion only $153 million has been cut, there still is a lot of room for reductions by this House.

I would hope today, Mr. Speaker, we would take action to show the American people that we mean what we say when we say we are going to cut expenditures for fiscal year 1969. Let us begin today to make meaningful reductions.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, the U.S. space program was initiated in 1958 and has gained momentum because three Presidents and the Congress considered it essential to both our national strength and our continued leadership of the free world.

The space program has not only developed an industrial capability but has also developed great scientific competence in the Nation's universities and research laboratories. The space program has been broad in scope. It has included space probes and scientific satellites, sounding rockets, applications satellites, and numerous other unmanned lunar and planetary spacecraft. It has also been successful in developing efficient large-thrust boosters of various types.

The first manned space program was called Project Mercury, and was organized October 5, 1958. This program included six manned flights and involved a total cost of $242,500,000.

The next manned space flight, Project Gemini, consisted of 12 flights, 10 of which were manned and all were eminently successful. Project Gemini was completed November 15, 1966, at a total cost of $1,283,700,000.

The biggest and most complex of the manned space flight projects is Project Apollo. Project Apollo consists of several phases involving complex and detailed developmental testing of launch vehicles and spacecraft. The first phase was completed on July 30, 1965, after a series of 10 successful flight tests with the Saturn I vehicle. The Saturn I vehicle was used to develop the larger and more powerful Saturn I–B and Saturn V vehicles. The next phase, which is nearing completion, involves the Saturn I–B launch vehicle, which generates over 1.6 million pounds of thrust. We are now in the third phase, which will involve the Saturn V vehicle, the most powerful launch vehicle yet developed, generating over 7.5 million pounds of thrust in the first stage alone. We have had to date two Saturn V launches, the first of which was a complete success and the second a qualified success.

At this point I remember the tragic accident occurred on January 27, 1967, at Cape Kennedy, which involved the loss of three gallant astronauts, Virgil Grissom, Edward White, and Roger Chaffee, during testing operations. I must emphasize that this had nothing to do with the launch but occurred as a result of faulty safety procedures. It is estimated that the cost of the accident to the national space program was about $700 million and over 6 months' delay.

The next flight which will be manned will use a Saturn I–B vehicle to launch three astronauts on a mission of up to 10 days. This will be followed by a series of manned launches using the Saturn V vehicle, which will end, hopefully, in a manned lunar landing in late 1969. In reply to a specific question by me, Administrator Webb of the National Aeronautics and Space Administration on February 7 of this year stated that he believed we still had the possibility of making the lunar landing before 1970 on or before the launch of the ninth Saturn V vehicle.

The initial estimate for the cost of the lunar landing program was approximately $20 billion. As of this date the total runout cost of the Apollo program, includes the $700,000,000 cost attributable to the accident. By June 30 of this year NASA estimates they will have obligated a total of $18,972,000,000 toward the total cost of the Apollo program.

I would also like to refer to statements made by NASA Administrator James E. Webb, to the Committee on Aeronautical and Space Sciences of the U.S. Senate, on the importance of nuclear propulsion to the space program. In his talk, Mr. Webb stated:

> First. During the second decade of the space age we will undoubtedly find that there are important civil or military requirements for space vehicles and missions requiring nuclear propulsion or for which it will provide decisive advantages.
>
> Second. As in other fields of advanced technology, the nation should not shortsightedly cut off or constrain the development of new technology of great promise because specific requirements or applications cannot be clearly identified and justified in advance.
>
> Third. It is very important that we move ahead with nuclear rocket engine development in FY 1968 and FY 1969 to give a clear signal that the United States does not intend to limit its development of large launch vehicle and payload capabilities to those of the Saturn V class space booster.
>
> Fourth. It is important to proceed with the development of a nuclear rocket engine at this time to serve as a central focus for a continuing advance in the nuclear and other technologies involved.
>
> * * * * *
>
> We are all acutely aware of the present national budgetary situation and the need for strict expenditure limitations. The FY 1968 budgetary constraints and the continuing need to hold down expenditures in FY 1969 have, as you know, necessitated many reassessments and readjustments. In all our reappraisals, one of the foremost objectives has been to continue vigorous, meaningful near-term progress while at the same time providing for some measure of progress toward the future capabilities necessary to provide a basis for leadership in space in the years ahead or, if this does not prove possible, a foundation from which we can use our great industrial capability to put under development and into production on a crash basis any systems essential to prevent our being denied the use of the space environment.
>
> The development of the nuclear rocket engine has a unique place in our plans. Its high-performance potential allows us to proceed with the development of a single engine which will provide the flexibility to accomplish a wide variety of future space missions. No other means of propulsion holds promise of providing so unique and efficient, but so flexible, a capability. The development of the nuclear rocket engine is, therefore, one of the most important measures we can take today to insure this Nation the possibility of full realization of the many uses of space for years to come. xxxxxxxxxx
>
> * * * * *
>
> One of the most important factors supporting the decision to proceed with NERVA development now is that propulsion systems require such a long leadtime for development before they become operationally useful. This means that the decision to initiate engine development must be made in anticipation of its future use even though specific future missions cannot be fully defined. * * * I want to be very clear that we are not proposing to proceed with nuclear engine development on the basis of manned flight to the planets and that such missions are not included in our plans at this time.

I would like to point out to the Members of the House that there has been almost over $1 billion in reductions made from NASA's original request. The original request from the NASA field centers was for $5.1 billion. The Bureau of the Budget then reduced that request to $4,370 million. The committee reported out a bill containing a recommended authorization of $4,217 million. The Republican policy committee has indicated that it will unanimously support the sum of $4,031,423,000.

Of course, Mr. Speaker, there will be two amendments offered, one with reference to the Apollo applications program designed to bring about a reduction of $142.4 million in that program and one directed at the administrative operations program in the amount of $43.5 million. This represents a total reduction of $185.9 million in the amendments which will be offered.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. Of course I am delighted to yield to the distinguished gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, I wonder if the gentleman from Pennsylvania believes that when the appropriation bill gets to the floor of the House

for consideration that the Republican policy committee will support the same budget?

Mr. FULTON of Pennsylvania. I would recommend to the gentleman from Texas to remember the fact that the Committee on Appropriations has been a stanch supporter of the space program to date. As a matter of fact there has been such support on both sides of the aisle in the House of Representatives. Further, this support has been better than the support which has been given to this program by the executive branch, because the executive branch, on its own, reduced the amount for Apollo applications by $63 million below what the Committee on Appropriations appropriated this last year.

Mr. TEAGUE of Texas. Mr. Speaker, if the gentleman from Pennsylvania will yield further, the gentleman then believes that when we get the appropriation bill on the floor of the House for consideration and passage they will support this amount?

Mr. FULTON of Pennsylvania. My feeling is to that effect. I wish to compliment the gentleman from Texas because he has been the chairman of the Subcommittee on Manned Space Flight and it has been a privilege and a pleasure in working with the gentleman. As the gentleman knows, we have gone into these programs very carefully. Further, the gentleman is chairman of the NASA Oversight Subcommittee of the Committee on Science and Astronautics.

However, Mr. Speaker, there is a tragic angle here with which we are confronted, and that is to determine actually what the effect of the Apollo accident was from the standpoint of personnel and delay. It is our opinion that this resulted in at least 6 months' delay. I understand that between $700 and $750 million was lost as the result of that one accident.

As the members of the committee are aware, I have often stated that we should have an inspector general. Therefore, in the motion to recommit, I will recommend that we have an independent entity looking into these matters just as we do in the Army, Navy, Air Force, Coast Guard, Department of Agriculture, State Department, Atomic Energy Commission, as well as other agencies and departments.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Pennsylvania has expired.

Mr. LATTA. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. FULTON of Pennsylvania. Mr. Speaker, we should have an outside entity to whom one can appeal. The Senate Committee on Aeronautical and Space Sciences in their report of January 30, 1968, on the Apollo 204 accident stated, in part, the accident happened "because many people made the mistake of failing to recognize a hazardous situation." We need an entity not connected with program deadlines which can shut down operations until adequate safety measures are taken.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Pennsylvania said that the Apollo disaster was the product of negligence. Who has been held to account for the negligence that occurred, and which resulted in the tragic loss of the lives of the three astronauts?

Mr. FULTON of Pennsylvania. There were numerous circumstances involved.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has again expired.

Mr. LATTA. Mr. Speaker, I yield 1 additional minute to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I believe the procedures that have been taken will correct the inadequacies. We are now proceeding to the point where there are a minimal amount of flammable materials within the space capsule.

Likewise, the exit hatch has been designed to permit immediate exit by the astronauts. This was not the case previously.

Mr. GROSS. If the gentleman will yield further, the question which was asked was: Who has been held responsible for the negligence that resulted in the loss of the lives of those three brave men?

Mr. FULTON of Pennsylvania. I would refer you to the report of the Senate Committee on Aeronautical and Space Sciences as well as the extensive hearings held by the House Committee on Science and Astronautics.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has again expired.

Mr. PEPPER. Mr. Speaker, I yield 1 additional minute to the gentleman from Pennsylvania.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, I want to submit for the attention of the gentleman from Iowa the statement made by Col. Frank Borman, an astronaut, an engineer, a member of the investigating committee, and one of the finest men I have ever known.

The statement that he has made over and over again was that "all of us were to blame, but none of us was to blame."

Mr. GROSS. Mr. Speaker, if the gentleman would yield further, of course those brave men are dead, and they cannot respond to this. I feel that that kind of an answer is totally unacceptable. Somebody was responsible in the administration of the NASA program for the loss of those lives. There has to be.

Mr. FULTON of Pennsylvania. The gentleman must remember that each of these astronauts was a qualified pilot and astronaut and could judge for himself whether the capsule was safe to enter.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. PEPPER. Mr. Speaker, I yield 1 additional minute to the gentleman from Pennsylvania.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield further?

Mr. FULTON of Pennsylvania. I yield further to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, I knew the three astronauts who were killed very well, and I knew their families

Mr. FULTON of Pennsylvania. All of us did.

Mr. TEAGUE of Texas. That is correct; all of the members of the committee did. But the thing that intrigues me, Mr. Speaker, is that we have hundreds of people who are killed in airplane accidents. Just about the same time that the three astronauts were killed, I believe that there were 12 or 15 young girls who were killed in a motel in New Orleans because of—I do not know what—but there is not one word said about that.

But over and over and over there is a demand that blame be placed for the accident to the three astronauts. Those astronauts had the right to say that they did not want to go in the capsule. They have a staff to appeal to if they do not want to go into a capsule. And I believe the statement made by Col. Frank Borman is completely true—that all of us were to blame, that we had so much success that we became a little bit lax by our success, but I believe all of us were to blame, and none of us was to blame.

Mr. RYAN. Mr. Speaker, will the gentleman yield? [redacted]

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. RYAN. I am amazed that the gentleman would reply in effect that there should have been a sign on the space capsule which said, "Enter at your own risk." To say that it was up to the astronauts to decide for themselves whether the capsule was safe to enter is to absolve NASA of responsibility for the safety of the astronauts.

There were records of previous fires in 100 percent oxygen environments which were known to NASA officials, yet resulted in no preventive or emergency procedures. NASA did not follow its own literature regarding the hazard of space cabin fire.

NASA cannot wash its hands and say that the astronauts should have known better.

Mr. FULTON of Pennsylvania. Hindsight is always 20/20 vision.

The gentleman is familiar with the program. It has never occurred to me—and it never occurred to you.

Mr. RYAN. It did occur to NASA to have a study made in 1964 on space cabin atmosphere fire hazards. In this study there were warnings about the severe fire hazard of the 100 percent oxygen atmosphere into which the astronauts were placed. So it is quite clear that NASA even failed to apply safety procedures which were spelled out in advance of that fire.

As a matter of fact, NASA had experienced previous fires under similar conditions. A NASA review board report of one of those fires on April 28, 1966, said:

There is a potential fire hazard from arcing or direct short circuits.

Mr. FULTON of Pennsylvania. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain lists of figures.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LATTA. Mr. Speaker, I yield to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, since the Republican policy statement has been brought into the debate, I ask unanimous consent to insert that statement in the RECORD at this point.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Arizona?

There was no objection.

The statement referred to is as follows:

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION BILL, H.R. 15856

Under the Eisenhower Administration, the Country initiated a comprehensive research and development program that opened the skies to the American Astronaut. Since that time, there have been a number of discoveries and advances in the space program that have contributed to the growth of this Nation's technological capabilities. A balanced space program that will ensure progress and preeminence in this important field must be continued.

In this period of urban and fiscal crisis, however, every program, every expenditure must be carefully examined. Every cut that can be made must be implemented. Every program that can be deferred must be rescheduled.

The seriousness of the present situation is reflected in the fact that interest rates have soared to their highest level since the Civil War. Between December 1960 and December 1967, the consumer price index increased 18.2% and in the first quarter of this year, prices have risen at an annual rate of 4%. The day before Washington's birthday, the Treasury Department announced that for the first time in history the Federal Debt exceeded $350 billion.

William McChesney Martin, Chairman of the Federal Reserve Board, recently warned that the United States is "in the midst of the worst financial crisis that we've had since 1931."

Fiscal mismanagement by the Kennedy and Johnson Administrations has shaken the world's confidence in the dollar and in this Country's fiscal integrity. A monetary collapse has been narrowly averted through the establishment of a makeshift two-price structure for gold and the plan for the creation of a new form of international money. Unless our budget is brought under control, and the deficit in our international payments is sharply reduced, these measures will not be effective and the steep slide to disaster will continue.

The House Committee on Science and Astronautics has recommended a $153 million reduction in the Administration's $4.3 billion space request for fiscal year 1969. This is a step in the right direction. However, we believe that the request can be reduced by an additional $200 million without impairing the safety or the effectiveness of our space program. For example, substantial reductions can be made in the Apollo applications program, in administrative operations and in public relations.

Many of the missions of the Apollo applications program are in the planning stage. Moreover, the missions to be undertaken are changing from week to week and the components and hardware that may be needed are far from final selection. NASA does not know how many boosters, how many spacecraft, and how much associated components and facilities will be left over from Apollo that could be used in the Apollo applications program. It appears that $142 million can be cut from this program. And even with this reduction, NASA will have $253 million for the Apollo applications program during fiscal year 1969. This is the same amount that the President set for the program during fiscal year 1968.

We believe that NASA should place greater emphasis on research and development programs that will lead the way to future space advances. The stockpiling of expensive hardware that may be obsolete by the time it is finally needed cannot be justified.

In recent years the NASA Administrative operations appropriation has commanded an increasingly larger share of the total annual budget. For fiscal year 1964 the administrative operations appropriation represented 9.7 percent of the total NASA budget. In fiscal year 1965, it was 11.9 percent; in 1966, 11.4 percent; in 1967, 13.1 percent; in 1968, 13.3 percent. For fiscal year 1969, the NASA request for administrative operations constituted 14.8 percent of the total appropriation request. The NASA work force has increased until there is a requested level of 34,909 personnel for fiscal year 1969.

This escalating trend in civilian employment is reflected throughout the federal government. In four years, full time permanent employment in the executive branch will have increased by 454,747 to a total of 2,687,500 civilian employees—an increase of more than 20 percent. This trend can be reversed. A place where reductions can be made is the Administration's space request. The administrative operations authorization of $646.6 million can be cut by $43.5 million.

According to data supplied by NASA, an estimated 269 people will be employed in the information-public relations field in fiscal year 1969, and the budget estimate totals over $10.1 million for salaries, travel and program. A 1967 Associated Press survey estimated that $200 million is spent by defense and space contractors for public relations which is charged no doubt, in part, to the taxpayer in contract costs. Clearly, a tightening of NASA's budget can be made in this area.

We support Republican proposals which urge NASA to improve its safety program wherever possible. The safety of our astronauts on the earth, in test chambers, in flight and on the lunar surface is and must remain of paramount importance. We are concerned that despite the Appollo 204 accident, the long-range safety programs in NASA still need strengthening.

Last year, the Republicans in Congress made repeated efforts to reduce nonessential spending and succesfully led the fight to cut $5.8 billion from the President's appropriation requests. At the start of this session of Congress, we pledged "An even greater effort to establish priorities, reduce spending and revise and reform existing programs." The reductions in the Administration's space request that we have recommended are an important step in the implementation of this pledge. We urge their adoption.

Unless government spending is dramatically reduced, the cost of living may reach the moon before our Astronauts.

Mr. PEPPER. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER], the able chairman of the Committee on Science and Astronautics.

Mr. MILLER of California. Mr. Speaker, following the colloquy between the ranking minority member of the committee and others, I would like to point out to you that hindsight is a wonderful thing, but the best techniques then available were known and used in the cast of the 204 capsule.

Col. Frank Borman, who is one of the most experienced astronauts, in response to a question I asked him in committee, "Would you have gotten into that capsule the day that the accident took place?" He said in reply, "I would have willingly gotten into it." I said, "Would you get into it today?"

He replied, "No; I would not get into it today."

And it was also interesting to know that during the very period that this accident took place, this same Colonel Borman with two other astronauts in California were in an identical capsule at 19 pounds pressure instead of 16 pounds of oxygen to the square inch. They did not have an accident.

I do not like to dig up old events—but 2 days after the 204 accident there were two men lost in almost an identical accident—Air Force men.

We are dealing with an entirely new environment. There is much to learn about it. You can always go back and find out what was there, but to imply that there was negligence, on the ground that somebody did not do their duty, is quite unfair to a group of fine engineers and scientists.

Mr. PEPPER. [redacted]er, I have no further requests for time. I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. RYAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

Mr. PEPPER. Mr. Speaker, I do not know whether it would be appropriate to ask for a reconsideration of the vote by which the rule was adopted. The able gentleman from New York felt he had been assured he would be recognized for an allocation of time under the rule. I understood that the gentleman was requesting some time from the chairman of the committee when the bill comes up for consideration. I do not know how much time I have left. The gentleman from New York has asked for a quorum call.

The SPEAKER pro tempore. Does the gentleman from New York withdraw his point of order?

Mr. RYAN. Mr. Speaker, I withdraw my point of order.

Mr. PEPPER. Mr. Speaker, I ask unanimous consent that the vote by which the resolution was agreed to be reconsidered.

The SPEAKER pro tempore. Without objection, the action on the resolution is vacated.

There was no objection.

Mr. PEPPER. Mr. Speaker, may I inquire how much time I have remaining under the rule?

The SPEAKER pro tempore. The gentleman from Florida has 21 minutes remaining.

Mr. PEPPER. Mr. Speaker, I yield 15 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I wish to thank the distinguished gentleman from

Florida, the able member of the Rules Committee, for having yielded to me. I realize that there was a slight misunderstanding about the allocation of time. I appreciate his courtesy. He is always most courteous in handling bills on the floor of the House, and he is a truly splendid Representative, not only of his district but of all the people of the United States.

As we look today at the National Aeronautics and Space Administration authorization bill, I think that we recognize that Congress faces many dilemmas, the most pressing of which is the question of national priorities. In the case of the space program, the difficulty is compounded, since the question of priorities must be faced within the space budget itself as well as in relation to other programs.

Last year on June 22, during the debate on the fiscal year 1968 NASA authorization, I stated:

> The most significant omission of Congress has been the failure to give serious consideration to the question of national priorities . . . The American people have been mesmerized into accepting the idea of a $23 billion program to attempt to put astronauts on the lunar surface within this decade. At the same time only $1.5 million is spent by the Federal government for rehabilitation of narcotics addicts, only $175 million on cancer research. It is difficult to find funds to mount a serious attack on the growing menace of air pollution which poisons the earth while we seek glories in the void of space.

The question of national priorities and the relationship of the space program to human needs on earth has been raised during the past few months in some parts of the country rather harshly. It should be uppermost in all of our minds today.

I would like to concentrate on an issue which may be less obvious and perhaps more difficult, the question of priorities within the space program itself. This question involves the role of Congress in relation to the space program, the directions of potential benefits of the space program, and the level of funding and investment that will be required for years to come.

Perhaps the central issue is the question of what we seek in space.

Is it knowledge and practical benefits, or is it glory? If it is knowledge through data which may be useful to scientists, or benefits which may accrue through application of space technology on earth, then we must ask if we have chosen the means which will lead most surely to those results. If it is glory, we must ask if that glory is substantial and whether it is worth the price in potential loss of scientific data, in low priority placed on useful earth applications, and in terms of dollars and cents.

The primary role of Congress in connection with the space program should be to participate in the definition of national goals. It is not sufficient to make some cuts in NASA's budget one year when the budget-cutting fever is rampant and restore them in another year if funds are more readily available or if attitudes are more favorable.

Not only is that inefficient and wasteful, but in so doing we overlook our primary responsibility, the responsibility for leadership in this program.

Congress should determine which goals are worthy of the investment of public funds and which potential benefits are of the greatest value to the Nation.

As far as the question of knowledge is concerned, it should be made clear that the space program has made some great technological achievements, but it is not the central repository of our scientific effort and growth. Many scientists share the general enthusiasm for our activities in space, but relatively few will currently assess them as a program of great scientific value.

The space program involves advanced engineering and the development of technological tools which properly devoted can collect data of value and interest to the scientific community. The question is whether we will devote those tools to more glamorous and exceedingly costly manned space flight programs, or whether we will choose to pursue manned space flight at a more modest pace, and devote our major efforts to less costly unmanned programs with a higher yield of valuable information.

It is instructive to compare the viewpoints of two well-known scientists, one who is skeptical about the value of much of our expenditure in space, and another who is a primary supporter of the program.

On a radio broadcast aired in New York on March 25, 1968, the nuclear physicist, Dr. Ralph Lapp, made the following comments:

> (NASA) must want to go into manned space systems of long duration—of deep missions—eventually going to Mars, because there is no other reason for having such big funds—such a big budget. Man is the expensive thing in space . . . I think that the role of man in space after we've had a total of 1300 orbits is still undefined. If we don't know it now, there isn't much of a role there . . . the failure of Congress (has been) to adequately conceive of a science budget—of a unified science budget—in which we would give priority to the things that are important—especially in basic science so that this is not underfunded . . . this is the most critical thing for the future of the country—that we never let go of our good hold on basic research . . . we're not talking fantastic numbers here . . . in terms of basic science there are contributions being made by NASA, but the trouble is you spend most of your money for the platforms on which to make your measurements . . . These people are playing a king of celestial roulette with these huge pieces of (orbital telescope) equipment that cost 50 or 60 million dollars apiece, while the astronomers who have done the job on earth go begging for funds.

On August 14, 1967, Dr. W. F. Libby, director of the Institute of Geophysics and Planetary Physics at the University of California in Los Angeles delivered an address in which he said that the space program was indispensable and a great bargain, and he proposed that we establish manned bases on the moon. He described the attitude of the science community toward the space program as follows:

> The Space Program has been an engineering miracle and a very substantial scientific effort. Part of the reason that success in science has been measured is that most scientists weren't sold on the Space Program in its beginning . . . The argument was if we had the same money we had been putting into the Space Program, and every school in the country could have a Mt. Palomar, that's what we prefer to having a telescope in orbit. Well this kind of reasoning was a little impractical so far as that decision ever coming up. And the possibility of cancelling the Space Program and doing anything else for science with that money is very small. Things don't work that way. So scientists have begun to take a look around and to see that there is a great deal in the Space Program from which they can gain . . . I think we'll see the scientific community coming around more and more as the program proceeds.

A careful comparison of these viewpoints reveals the problem which Congress must face; a unified view of our science needs and the priorities within it versus an assumption that, a la Parkinson, only huge, expensive and visible programs are likely to receive funds, so we should accept this as our basis for planning.

A view somewhere in between these two was expressed on December 15, 1967, in Science magazine by Dr. James A. Van Allen, whose involvement in the space program is familiar to us through the name of the Van Allen radiation belts. Their discovery, which took place in 1958 at a mission [redacted] about $1 million, has been hailed as one of the greatest scientific achievements of the space program to date. Dr. Van Allen expressed his admiration for advancement in scientific knowledge which has come about through unmanned exploration of the planets. He said, for example:

> The observations have yielded marked advances in knowledge and understanding of the atmospheres, the ionospheres, and the thermal and magnetic properties of Venus and Mars.

Dr. Van Allen went on to list at some length further accomplishments which he believes have sprung from this unmanned planetary effort, and noted:

> All of this has been accomplished at a cost of less than 2 percent of the budget of the National Aeronautics and Space Administration.

But then he used the word "devastating" to describe what he called, "the reluctance of NASA to forcefully request adequate funding for such work during fiscal year 1969, despite the existence of well-conceived programs of great scientific potential which are being urged by its several advisory bodies. The basic technology is available, and a rich diversity of feasible experiments has been proposed by university groups and Government laboratories."

This commentary by Dr. Van Allen is of particular interest because it is reminiscent of the views expressed in November 1967 by the National Academy of Sciences in a report entitled "Space Applications Summer Study 1967." The National Academy concerned itself not with scientific exploration but another view of the potential benefits of the space program—practical application of space technology to earth needs. This involves the use of satellite technology in fields such as meteorology, oceanography, geology, agriculture, communications, navigation, and so forth. The National Acad-

emy expressed its conviction that the potential benefits in this area are enormous both socially and perhaps economically, and it urged NASA to at least double its efforts in this area during fiscal year 1969. However, the report noted the low priority that NASA itself places on such programs and stated:

That part of the NASA budget that is directly aimed at developing practical applications of space technology is now about $100 million per year or about 2 percent of the total.

In spite of NASA's public emphasis on the scientific and practical benefits which it says will flow from our space effort, in reality its own faithful supporters severely criticize its lack of interest and effort in these areas.

NASA's preference is to argue that man in space is the most valuable objective, and NASA has devised plans and programs which will help to insure the adoption of spectacular manned space missions at spectacular costs as the primary goal.

This may be the pursuit of glory, but Congress must carefully evaluate this and determine whether NASA's internal attitudes should be accepted at face value.

Even at reduced funding levels, financial commitment in the space program involves long-term efforts, and shapes the future of what will be possible tomorrow.

Congress, not NASA, should be the ultimate judge of our national goals in space.

One of the greatest obstacles to rational consideration of goals in space by Congress has been NASA's continuing lack of candor. This is true in terms of program status as we learned during the congressional hearings which followed the Apollo fire. The Administrator of NASA refused at that time to admit that there had been a high-level management review some 13 months before the fire which indicated that the Apollo program was in serious trouble.

A lack of candor is also found in terms of NASA's budget presentations, which fail to describe true program costs. It is also true in terms of NASA's accounting of the level of program personnel, which lists only the small number of civil service personnel on Government payroll and omits mention of the numerous contractor personnel involved in each program, whose salaries are, nevertheless, paid from NASA funds.

I might say to the gentlemen on the other side of the aisle, when we talk about cutting administrative operations expenses, we should ask ourselves whether or not ultimate savings will be achieved or whether those positions will be shifted from the Government payroll onto the payroll of contractors and paid for at a greater cost through the R. & D. budget. The point is that we do not know what the cost of personnel is in the R. & D. budget, and that point should be borne in mind.

I believe some policy language should be written into the bill to make it clear that Congress should have that information.

NASA's lack of candor is apparent also in terms of NASA's long-term planning, in terms of mission goals which are not presented to Congress or are played down and obscured under specific questioning from Members of Congress.

Our greatest problem in dealing with NASA is not simply to make some budget reductions but to establish the basis and relationship with the Space Administration that will provide adequate information to make rational decisions in the future. I have a number of amendments to offer on the floor today, which are dedicated to this end.

Two major program issues before us today are the NERVA program and the Apollo applications program. Both of these must be viewed as vehicles to carry out the fond intention of NASA; that is, the promotion of glamorous and costly manned space flight as the most important goal of our efforts in space. Both have been conceived to lead our present space efforts to a manned Mars mission—or its equivalent—which may cost well in the neighborhood of $200 billion. Although this has been clear to me from most of NASA's presentations, the idea is not solely my own; that is, the concept of their intentions.

I believe it is important that we understand this, so I will read from a NASA internal memorandum dated April 29, 1966, entitled "Manned Mars/Venus Planetary Exploration Program," which included the following items:

Major goal is manned flyby in 1975, but developed in such a way that manned landing hardware and mission are natural, almost immediate follow-on steps for the early 1980 time period. The Saturn Apollo applications program will be geared to support the manned planetary program by emphasizing long-life spacecraft systems development and orbital operations (EVA). Earth applications experiments, and so forth, will take a subordinate role . . . The committee at this meeting will lay out the flight system hardware and resolve such questions as . . . (2) Nuclear upper stage requirements (NERVA) . . . The committee will also lay out a planning launch schedule for Apollo Applications through manned Mars landing as an integrated whole.

In other words, NASA was frankly saying in this internal memorandum that the Apollo applications program is part of an overall goal of landing a man on Mars in the 1980's. If it is our purpose to support that mission, we ought to do it frankly and openly, and we ought to recognize what that is going to cost. If that is not our purpose, we should not be led into a program that will take us down this road, only to be confronted later with a statement by NASA that the investment is so great we cannot turn back.

If we look at the NASA budget presentation, those intentions are confirmed. In describing the Apollo applications program NASA makes such points as:

A further goal is to achieve continuous operation of the orbital workshop by having later missions overlap the earlier ones . . . the next progressive step in crew stay time . . . Saturn I workshop mission plans, definition of potential follow-on experiments and studies of configurations and systems all point to the logic of progressing to the Saturn V launched workshop as the next follow-on step in an *evolutionary* manned orbital program.

I believe it is clear that NASA intends the Apollo applications program as the basis for a spectacular manned-planetary mission, a goal which has not been presented to the Congress for discussion or evaluation, nor accompanied by any projection of the costs which will be eventually involved.

In the case of NERVA, NASA argues that its multibillion-dollar-development costs may be amortized by use in less spectacular missions for which it is really not needed. Worse yet, it is not clear that we have a firm technical basis for investment in the NERVA nuclear rocket engine even if a $200 billion manned-Mars mission were an acceptable goal.

A former NASA official, Dr. Nicholas Golovin, who is a member of the President's Science Advisory Committee, described the current technical status of NERVA in an article in the technical journal Astronautics & Aeronautics, November 1967. Dr. Golovin made the following points among others:

The Rover nuclear-rocket (NERVA) program, it is true, has made enormous strides in recent years. According to many authorities, it is by a wide margin the leading propulsion contender for manned planetary exploration. However, reliability-assurance and high-development-cost problems may greatly complicate its future in comparison with, for example, either chemical or nuclear-electric propulsion systems. A 1000 or 5000 Mw reactor, even if operated at full power for a very short time and then shut down, presents a serious radiation hazard for a relatively long time thereafter. So it is difficult to see how any large nuclear system—solid-core or nuclear-electric—that has been previously tested at full power can be assembled into a rocket payload . . . without prohibitive shielding or operational problems . . . It is possible that an ingenious solution to this reliability-assurance problem will be eventually devised. *To my knowledge, however, none has appeared during the more than 2 years since this question was first posed . . . our knowledge is currently inadequate to substantiate realistically a sensible propulsion choice for an eventual try at manned planetary exploration.* (Emphasis added.)

Yet in spite of the apparent dangers and lack of assurance about technical feasibility, NASA wants us to invest immediately in developing NERVA hardware and a flyable rocket stage. The joint NASA–AEC proposed cost of $135 million for fiscal year 1969 is just the beginning of its long-range costs. NERVA itself may be the well-known beginning of a familiar path to either a huge investment followed by a technical disaster, or an enormous and over costly mission goal of debatable value which must be adopted primarily to justify hardware and systems which have been developed with difficulty at enormous public expense.

I believe the committee acted wisely in recommending that the NERVA hardware development be deferred. The reduction of $48.3 million from NASA's $60 million request will accomplish such a deferral. It is essential that the committee position, which was adopted by a vote of 18 to 9, be upheld on the floor and later in conference with the Senate.

As far as the Apollo applications pro-

gram is concerned, again we are faced with its primary goal of implementing a program of manned-planetary exploration. I believe a key point to be noticed is the comment in the NASA internal memorandum which I read.

In that memorandum it said, "Earth applications experiments, and so forth, will take a subordinate role." These are the same practical applications and benefits which NASA advertises so highly as a major justification for continuing enormous budgets in the space program and which the National Academy of Sciences urged NASA to emphasize.

A further point to be realized is that even technical implementation of the Apollo applications program is in question. Mission plans are not clearly defined and are changed frequently.

Worse yet, the proposed Apollo applications program involves a major duplication with the Air Force planned orbiting laboratory program which shares with the NASA program the orbiting workshop approach and the definition of man's role in space over long durations as its goal. From the fiscal point of view it does not matter if the onboard experiments are considered classified or not. It is simply a gross duplication. I think before we make long-term commitments——

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I am happy to yield to the distinguished chairman of the subcommittee.

Mr. TEAGUE of Texas. Is it not true that when you compare MOL and the Workshop to date we may be doing the same as comparing a Boeing 707 with a fighter plane? They have two completely different missions. MOL has two men, and Workshop will have 10 or more. Workshop is doing experimentation for MOL. You can say that airplanes are a duplication of one another because they both fly.

Because there are some superficial similarities between the Saturn I and Saturn V workshops in the Apollo applications program and the manned orbiting laboratory program of the Department of Defense, and because the details of the manned orbiting laboratory project are classified, the question of possible duplication between the Apollo applications and MOL programs is raised from time to time. Actually, the two programs are different in nature and not competitive with each other. Insofar as they have certain aspects in common; that is, both involve the flying and use of men in earth orbit, they are complementary in nature and fully coordinated. However, the programs are different in nature and purpose, and the justification for each stands on its own feet.

The objectives of the MOL program are to develop, operate, and evaluate specialized experiments and equipment of military significance which require or benefit from man's participation in their operation in space. The experiments and systems involved are classified. In developing and proceeding with the MOL program, the Department of Defense is drawing heavily on NASA's experience and is making use of equipment developed by NASA in the Mercury, Gemini, and Apollo programs. Thus, the MOL is a specialized classified program for defense mission purposes, and represents an example of the utilization by another Department for its mission purposes of NASA-developed space technology. In this respect, it is entirely similar to the Department of Commerce's use of meteorological satellites for its mission of weather observation and forecasting, and the Department of Defense's and the Communications Satellite Corp.'s use of communications satellites for operational purposes.

The objectives of the Saturn I and Saturn V workshops in the Apollo applications program, on the other hand, are to advance further the Nation's capabilities and use of manned space flight in earth orbit for a wide variety of scientific, technological, and other applications. In this regard, the Saturn V workshop, and the Saturn I workshop which will precede it, are major steps beyond the MOL system in size, in performance, and in potential uses. For example, the Saturn V workshop will be 22 feet in diameter compared to 10 feet for the MOL. Its pressurized volume will be 10 times that of the MOL. It will accommodate six to nine men compared to only two for the MOL. It will be designed to be placed in orbit for continuous or repeated use over an indefinite period of time, as compared to 30 days useful life in orbit planned for MOL. Because of its size and capability, it can be used as the central "Antarctic" type base for a variety of operations, including working with separately orbited equipments like a large astronomical telescope, whereas the MOL is necessarily limited to experiments of the magnitude and type now planned for defense purposes. The MOL cannot do what we are setting out to do in AAP. The MOL is specially adapted to and will be fully utilized for the classified experiments the Department of Defense has in mind.

Mr. RYAN. There are two programs, both with the same objective. They are programs that have a workshop and are also designed to test man's survivability in space. The unfortunate thing is that we have not been able to obtain from the Air Force a statement as to details of its program. The Air Force has refused to brief individual Members of Congress so we do not know the details, but we do know that there is duplication. We do know the objective is the same. Until the Congress has laid before it an adequate comparison of the two programs Congress should not be asked to fund two such costly, parallel programs.

The President's Science Advisory Committee itself, in its February 1967 report on our post-Apollo space program asked what it termed a "critical" question "whether the pace of the overall manned flight program necessitates the acquisition of these longer duration flight data substantially earlier than available from the manned orbiting laboratory program."

I certainly feel this question should be answered before Congress makes a long-term commitment to an Apollo applications program.

Mr. PEPPER. Mr. Speaker, I move the previous question on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLER of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill—H.R. 15856—to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15856, with Mr. ROONEY of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. MILLER] will be recognized for 1 hour and the gentleman from Pennsylvania [Mr. FULTON] will be recognized for 1 hour.

The Chair now recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I yield [redacted] such time as I may consume.

Mr. Chairman, today we have for consideration H.R. 15856, the NASA authorization bill for fiscal year 1969.

We bring before you an austere space program for fiscal year 1969, one that has been subjected to severe cutbacks both by the Bureau of the Budget and by the committee.

The committee has squeezed the 1969 space program down to a minimum effort, curtailing and deferring many important projects and programs.

The basic space requirements for fiscal year 1969 were $4,760 million. This was the amount that NASA submitted to the Bureau of the Budget.

The Bureau cut almost $390 million from the program.

The total authorization requests submitted to the Congress by NASA was $4,370,400,000.

Our committee reviewed this request in meticulous detail. As a result of careful analysis, the committee cut $153,073,000 from NASA's request. This was carried in the committee by a vote of 23 to 1.

H.R. 15856, the bill now before the committee, would authorize appropriations for fiscal year 1969 in the amount of $4,217,323,000.

This is broken down as follows:

For "Research and development"—$3,525,650,000.

For "Construction of facilities"—$45 million.

For "Administrative operations"—$646,673,000.

Consequently, we bring before you a much reduced space program for fiscal year 1969.

We do not believe that the space program can be cut further without placing the progress of our national space effort in jeopardy.

Time will not permit me to go into this program line item by line item. However, I am to be followed by our subcommittee chairmen who will explain the programs in considerably more detail and will be available to answer any questions you may have.

I would, however, like to highlight major program elements for your information.

First, let me review briefly the research and development effort planned for fiscal year 1969 in the four program areas.

MANNED SPACE FLIGHT

The total amount in this bill for manned space flight research and development is just over $2.4 billion.

The manned space flight effort is broken down into the Apollo program, the Apollo applications program, and the advanced missions program.

The largest single project in the research and development program, and I am sure the one of most interest, is the Apollo program to land and safely return men from the moon in this decade.

The successful Mercury and Gemini flights and further test flights during late 1967 and early 1968 have placed us closer to successfully accomplishing the national objective.

NASA requested $2,038,800,000 for the continuation of the Apollo program in fiscal year 1969.

The committee has carefully reviewed the Apollo program, noting the excellent recovery in the program since the accident of January 1967.

Based on the planned increase in flights scheduled in fiscal year 1969, the committee reduced the program by $13.8 million which, in our judgment, will still allow accomplishment of the planned schedule, but will encourage more austere management of research and development supporting activities.

Therefore, the bill includes an authorization of $2,025,000,000 for continuation of the Apollo program.

The Apollo applications program will carry out an investigation of man's role in the effective exploitation of the environment of space to meet man's needs on the earth and in the long-term exploration of the universe.

The Apollo applications program will meet two basic objectives: to make unique contributions to practical applications, operational capabilities, science and technology, and to assess the value and feasibility of future space flight and the interrelated roles of manned and unmanned systems.

The committee believes the Apollo applications program provides the major U.S. opportunity to extend manned scientific, technological and utilitarian space capability in the 1970's.

The committee reduced the fiscal year 1969 NASA budget request by $44 million with the view that this reduction would still allow accomplishment of the presently scheduled Apollo applications program but require NASA to hold expenditure in supporting activities to a minimum.

Thus, $395 million is recommended for Apollo applications in fiscal year 1969 as opposed to a request of $439.6 million.

The last item in the manned space flight portion of the program is advanced missions for which NASA requested $5,000,000 in fiscal year 1969.

Advanced mission studies are intended to examine advanced manned space flight concepts, and provide for future space station studies, and intermediate size launch vehicle studies.

The committee reviewed the expenditure of previous year funds for advanced missions and determined that NASA has an unobligated balance of $5.46 million on hand which NASA plans to obligate by July 1, 1968.

After reviewing the obligation rate for funds for advanced mission programs, the committee reduced the NASA request to $2.5 million with the view that sufficient funds would be available at that level for fiscal year 1969 studies.

SPACE SCIENCE AND APPLICATIONS

I turn next to those projects which come within the space science and applications portion of the authorization request, and which fall into the unmanned space flight category.

NASA's space science and applications program has been remarkably successful to date.

Eighty-eight percent of the missions in the unmanned space effort have been flawless, and we have had a maximum return on the national investment during the past 9 years.

We have now reached the point where success is routine and failure a rare occurrence.

The highly successful surveyor and lunar orbiter programs have furnished over 89,000 detailed pictures of the moon's surface, including the far side, never seen from the earth.

These pictures, along with soil analysis data, have provided more knowledge about the physical and chemical properties of the earth's nearest neighbor than had been achieved over all previous recorded history.

The Mariner V flyby of Venus in October 1967, provided significant data on the planet's upper atmosphere and local space environment, which was highly complementary to the data from Russia's Venus V landing capsule.

In the physics and astronomy program, the orbiting geophysical observatory program will end with the last vehicle to be launched next year.

NASA has also suspended further work on the orbiting astronomical observatory beyond the fourth mission.

Project Voyager, the largest and most ambitious of the unmanned projects, has been cancelled because of financial constraints.

Nevertheless, NASA has undertaken a respectable, though austere, planetary exploration program which we believe Congress should support.

It is a good program, and one which the committee can recommend to the House of Representatives without hesitation.

The committee approved the space science and applications program in large part. The adjustment by our committee essentially were deferrals of projects which, although justified on the basis of scientific merit, can be postponed for at least a year.

The committee denied authorization of two proposed new atmosphere explorer spacecraft and postponed the launch schedule of the two 21-day biosatellites.

In both cases it is our belief that no great harm will be done by putting off these missions for the time being.

Our committee also reduced the amount requested for supporting research and technology work by more than $11 million, which will authorize approximately the same level of effort as the current fiscal year.

One of the most exciting new programs in the applications satellite area is the proposed earth resources survey project.

An effective earth resources survey system, in terms of its potential benefits to mankind, could represent the greatest direct return on investment of any aspect of the space program.

While it is impossible to predict at this early stage the precise value of such a system to farmers, foresters, fishermen, merchant marine, the petroleum and mining industries, the economic dividends will undoubtedly be great.

The National Academy of Sciences estimates that ultimately many billions of dollars will be saved each year once such a system becomes operational.

The earth resources survey program is a new start this year which the committee strongly supports.

ADVANCED RESEARCH AND TECHNOLOGY AND TRACKING AND DATA ACQUISITION

The final elements of the research and development program are those falling within the purview of advanced research and technology and the vital worldwide space tracking network indicated in the bill as "Tracking and data acquisition."

Since advanced research leads the way to improved future capabilities, we are critically sensitive to budget reductions in these fields. We did, however, reduce this area by $56.3 million.

There are only three areas out of the 10 research and development areas covered that showed an increase over NASA's fiscal year 1968 program.

The increases in the aeronautics research and the tracking and data acquisition were considered to be absolutely necessary by the committee, particularly in view of NASA's limited program in aeronautical research and also the critical nature of the tracking and data acquisition program.

It is our consensus that the total research in aeronautics falls short of the need.

For the past several years our committee has attempted to stimulate NASA to place more emphasis on this work.

This program includes work to reduce the noises generated by future aircraft engines. There are also included funds for other investigations which we hope will reduce the noises about the airports.

I do not feel that I need emphasize the importance of noise abatement to you.

The tracking and data acquisition program is of paramount importance.

It is through this program that we are able to communicate and record the im-

portant data necessary to the success of our astronauts in their space missions.

We did reduce the tracking and data acquisition program by $5 million, which was about the maximum that we thought the program could stand.

The one area in which the biggest reduction was made is the nuclear rocket program.

This project was reduced from $60 million to $11.7 million, or a total of $48.3 million below the NASA request.

This was a controversial item in the committee's deliberations. The effect of this reduction will be to terminate, or certainly phase down to a very minimal level of effort the desirable continuation of the development of a nuclear thruster.

I am fully aware of the fact that the capability of a nuclear rocket and the potential mission advantages that it offers are great.

I am also aware of the fact that the need for more thrust has always been a limited factor in our space program.

However, in these trying times with budgetary constrictions, the committee felt that this program should be phased down and kept at a minimum level.

CONSTRUCTION OF FACILITIES

New construction has been held to a minimum this year in the NASA budget request in line with the need to constrain Federal capital investment.

It totals less than $20 million for new NASA facilities, adding only a small increment to the existing NASA physical plant value.

The proposed new construction consists of two 210-foot antennae, one in Spain and the second in Australia, and an addition to our deep space network at Goldstone, Calif.

The remainder of the construction budget includes approximately $22 million for rehabilitation or replacement of existing facilities at 14 NASA installations, and $3 million for facility planning and design.

The total construction of facilities program amounts to $45 million for fiscal year 1969.

ADMINISTRATIVE OPERATIONS

The administrative operations part of H.R. 15856 provides the funds for personal compensation, benefits and operational type functions at NASA headquarters, and the 18 field centers throughout the United States.

It is from this element of the appropriation that the direct and indirect costs are defrayed for directing, managing and executing the NASA research and development programs.

Drastic cuts by the Congress in this element of the appropriation last year caused a large-scale reduction in force of civil service employees throughout NASA.

The demoralizing effect of last year's arbitrary budget cuts has caused much unrest in the NASA professional work force and has resulted in the partial dismantling of a very competent team.

Further decimation of this team undoubtedly will have an adverse impact on space progress.

NASA requested $648.2 million for "Administrative operations" for fiscal year 1969. The committee recommends a reduction of slightly more than $1½ million in the requested amount.

The majority of the reduction is in the denial of the requested increase in personnel at the Electronics Research Center.

NASA planned an increase of 150 personnel. The committee reduced the amount to 75 personnel to be added to the present complement at this Center.

There are some who would make further arbitrary reductions in this account.

Perhaps there will be amendments toward this end offered. But I would warn those who advocate such action that further cuts in this part of the 1969 appropriation will result in more reductions in force.

We need competent people to manage the research and development effort. Further cuts will lessen NASA's capability to effectively manage a program of considerable magnitude and one of major national significance.

In summary, we are presenting to you a bill which would authorize $4,217,323,000 for the Nation's space effort in fiscal year 1969.

The bill before the committee is $153 million less than the President's request. We think it is an austere program, but we think the Nation can move forward with this amount.

In due course during this debate the subcommittee chairmen will take the floor and further explain—in more detail—the various NASA programs contained in the bill.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, I wish to compliment the distinguished chairman of the Committee on Science and Astronautics, the gentleman from California [Mr. MILLER], upon an excellent statement. I agree with the gentleman that our Committee on Science and Astronautics, as well as the various subcommittees, have worked hard in evaluating into the tremendous technical details involved in the program.

The Members of the House should know that we have been careful while trying to cut as much as we could. There have, of course, been disagreements. We have had investigations made by our own competent, professional staff into many facets of the operation of this program.

Mr. Chairman, it is my opinion that the gentleman from California should be complimented for the leadership which he has displayed as the chairman of the Committee on Science and Astronautics. I am glad to join with him in recommending the passage of this bill.

At this point, I would like to state certain views on the general administration of NASA programs, the current fiscal year budget as well as surveillance by the committee over NASA operations.

I strongly oppose the administration's placing the manned orbiting laboratory—MOL—program under the jurisdiction of the U.S. Air Force.

MOL should be placed under the jurisdiction of NASA, the research and development agency of the Federal Government for space and aeronautics. Or, MOL should be placed under the joint jurisdiction of NASA and the U.S. Air Force for development.

This action is a serious mistake, both in organization and philosophy, as well as for public relations purposes.

Latest information shows that the overall cost of the MOL program has now risen to $2.9 billion over a 10-year period. This is a $1.4 billion increase in the predicted total costs of the R. & D. program since August 1965 for a seven-flight program. By the end of fiscal year 1968, about $722 million will have been expended on this costly and duplicative program. For fiscal year 1969, the Department of Defense is requesting $600 million, which is a new high. It was initially expected that MOL flights would begin in late 1968. Now, the first operational flight will not take place until 1971, a slip of at least 3 years.

Surely, prudent management and good judgment dictate a common earth orbital program where NASA launch facilities, knowledge, existing hardware, and capability are used to avoid the cost increases and [redacted] schedule slippages.

I strongly oppose the action of Secretary of Defense McNamara when, in his December 10, 1963, news conference, Mr. McNamara announced without prior notice of any kind that the manned orbiting laboratory program would be assigned to the Air Force. Neither Congress nor the scientific community of the country had had any prior notice or inkling that this was to be the case until Mr. McNamara made his bland announcement.

I also oppose the announcement by the President on August 25, 1965, at a news conference that the MOL program would be worked upon by certain major contractors. This is certainly not the way to do business nor is it appropriate to ignore the existing science and research facilities of the Federal Government without any consultation or authorization by Congress whatever.

It is complete fiction to state, as Secretary of Defense McNamara has assumed, that MOL is completely a military task and therefore can be handled by him as Secretary of Defense, as if he and the Department are the only people concerned in this tremendous development.

The announcement by Secretary McNamara makes a fiction and is in direct violation of the expressed intent of the Congress in section 102(a) of the original Space Act, Public Law 85–568, dated July 28, 1958, wherein it was expressed that:

> The Congress hereby declares that it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.

The action of Secretary of Defense McNamara is also in direct violation of the provisions of resolution 1472, "International Cooperation in the Peaceful Uses

of Outer Space," adopted by the United Nations at the 856th plenary meeting of the 14th General Assembly on December 12, 1959.

Under this resolution, the United States, along with other countries including the U.S.S.R., agreed to foster international cooperation in the peaceful uses of outer space. It was a privilege and a real responsibility for me to be able to work as one of the delegates on the U.S. mission to the United Nations for this purpose, under the leadership of Henry Cabot Lodge, chief U.S. delegate.

On January 27, 1967, the United States, U.S.S.R., Great Britain, and many other nations signed the treaty on principles governing the exploration and use of outer space. On April 25, 1967, the U.S. Senate ratified the treaty, and the U.S.S.R. similarly ratified the treaty on May 18, 1967.

The treaty specifically provides for peaceful exploration of space and bans the orbiting of nuclear weapons and weapons of mass destruction in space. It also prevents the use of the moon and other celestial bodies for military purposes. It is provided in the space treaty that space shall be used exclusively for peaceful purposes. Thus, is the U.S. policy on the use of space facing two directions? Has the United States already been violating this treaty at the time of signing?

The Congress of the United States should decide the basic national policy on space according to the will of the American people, after thorough study and due deliberation.

Being first in space for scientific and prestige purposes is one thing. Being first in space to better deliver weapons of destruction or nuclear and atomic weapons is quite another field entirely.

Do the American people want the administration to have the first manned orbiting laboratory solely dedicated for military purposes? This would have the fatal result of excluding all peaceful purpose research and development or, at best, make a poor second the research and development that could be done by NASA for the benefit and progress of the American people and all mankind.

The announced objective of the MOL program is to put two-man crews in near-earth orbit for 30-day periods to conduct experiments. This is exactly the purpose of the Apollo applications program where NASA intends to put men into near-earth orbit for periods of from 30 to 45 days to conduct experiments. This is the same program for which NASA received over one-quarter of a billion dollars in fiscal year 1968 and for which NASA is requesting about $440 million for fiscal year 1969.

The MOL program is clearly a wasteful and duplicative program. Why should the Nation, particularly in these times of financial crisis, develop another launch complex, additional launch stands, additional launch vehicles and spacecraft, additional tracking and data acquisition facilities, and additional recovery forces when all such facilities already exist in NASA?

Why cannot the Department of Defense train its crews, develop its special equipment and use NASA facilities, vehicles and spacecraft? If there is any data collected which is classified, this can be handled much like classified operations are conducted simultaneously in industrial aerospace plants together with unclassified and even commercial work?

Why spend several billions of dollars on a separate program when there is no sound reason for it to be truly separate?

In addition to insuring that our activities in space are for truly peaceful purposes, the United States, acting through the appropriate organs of the United Nations, should press for early codification of the "rules of the road" regarding all inspection and operational activities in space.

On May 5, 1961, Astronaut Alan B. Shepard, Jr., in Freedom 7 made the first manned suborbital flight. This marked the beginning of our manned space flight program and the use of a 100-percent oxygen atmosphere in our space capsules. Seemingly, without any further consideration, NASA continued to use a dangerous 100-percent oxygen atmosphere throughout the Mercury and Gemini programs. Fortunately, no accidents occurred. On January 27, 1967, while conducting a simulated launch countdown demonstration in an Apollo space capsule Astronauts Virgil I. Grissom, Edward H. White II, and Roger B. Chaffee lost their lives in a flash fire at Cape Kennedy.

With our latest and most sophisticated spacecraft, the Apollo command module, we were using a 100-percent pure oxygen atmosphere at the high pressure of 16 pounds per square inch. Since that tragic accident more than $100 million has been spent in the redesign. Approximately 2,000 pounds of additional weight has been added to the command module. On March 12, 1968, Mr. James E. Webb, Administrator of NASA, approved and subsequently announced on March 14, 1968, the decision to use an oxygen-nitrogen, two-gas atmosphere during manned Apollo launch preparations and in preorbital flight. It is their plan to revert to 100-percent oxygen at 6 pounds per square inch pressure during the orbital portions of the Apollo operations.

Flammability tests have been conducted for some time on the materials used in the spacecraft. Following the Apollo accident 1,412 potentially combustible nonmetallic items were identified in the capsule. Plastic such as nylon netting and other inflammable materials were used extensively in the capsule. It is difficult to understand why Beta cloth was not used earlier as a replacement for nylon and other inflammable plastics. Even with the elimination of 1,113 of the inflammable items, NASA's tests have demonstrated that a 100-percent oxygen atmosphere at 16 pounds per square inch of pressure could not be tolerated.

When we made the investigation at the Manned Spacecraft Center in Houston of the accident, the testimony indicated to me at that time that a two-gas system should have been adopted. Now that the decision has been made it is obvious that it should have been made earlier.

At this late date why has NASA finally reached the conclusion that they must use a two-gas system on the launch pad and prior to orbital flight? The Soviet space program for sometime has used a mixed atmosphere in their space capsules. It is unthinkable that it should have taken this length of time to come to this conclusion. Most important it is still likely that even by using a mixed gas atmosphere on the launch pad and in preorbital flight the problem will not be eliminated. For the safety of the astronauts and the success of the program, NASA should continue to review the problem of the space capsule atmosphere to insure the safety of the astronauts and the success of the program.

As I have stated previously, one of the most important gaps in our space program is the development of an efficient, long-duration and highly maneuverable upper stage. Such a stage should utilize nuclear propulsion. This Nation must be able to place into orbit for extended periods of time a vehicle which can change plane or orbit on command from the earth on numerous occasions.

Under our present policy, our first response to an unidentified object in space is military. This is wrong.

To think in terms of neutralizing such spacecraft by use of military missiles like the antiballistics missile is foolhardy. Military action would be wrong and irretrievable [redacted] would be no time for meaningful discussions with other countries on the nature of such unidentified spacecraft.

A highly maneuverable, long-duration upper stage conceived and developed by NASA would serve the purpose. It would be able to remain in orbit for long periods of time and could be rerouted to approach and identify any objects of concern to the Nation. If necessary, such an upper stage could also use its superior on-board propulsion to force the unidentified spacecraft into a different and safer plane or orbit while discussions were being held with the interested parties.

Such a development would prove to be a peaceful substitute for the only capability existing, that is, of possibly using military missiles to destroy objects in orbit which could ultimately prove to be of a peaceful nature.

I continue to be concerned over the apparent apathy in NASA toward establishing a viable safety organization with appropriate checks and balances to insure the safety of our astronauts whether they be on the earth in test chambers, in flight, or on the lunar surface.

NASA is to be criticized that only five members of the Aerospace Safety Advisory Panel, which was literally forced on NASA by the Congress in fiscal year 1968, have been appointed to date. These appointments, significantly, were made just prior to the President's budget message for fiscal year 1969.

Despite the internal actions taken by NASA as a result of the Apollo 204 accident, there is still no long-range safety program or separate safety organization established. I have on many occasions said that a preliminary step toward developing such a program and organization would be to establish an Office of Inspector General which could continu-

ously inspect and audit internal activities to insure that safety is not compromised by operational considerations.

In 1966, the staff of the House Committee on Science and Astronautics undertook a study of space flight emergencies and safety. NASA in its published reply promised the committee that it would present by the fall of 1967 a comprehensive 5-year plan to identify programs and funding requirements necessary, in their words, "for provision of safety in future recommended space programs." This 5-year program has yet to be furnished to the House committee.

One of the recommendations of this same staff study read in part as follows:

That, in addition to the space flight safety efforts that are integral to specific programs of the two Government agencies (NASA and DOD), there be established and maintained in each agency a separate and unique flight safety group which would be responsible for, among other tasks, providing separate inputs, on an overall system basis and keyed specifically to the problems of space flight safety, into the design of systems for specific missions.

It is obvious to me that no such separate and distinct inputs are now being fed into the design of specific missions by experienced safety engineers who are separate and apart from any operational elements concerned with meeting deadlines.

I have yet to see any alternative designs or plans based on providing more safety to the Apollo astronauts, even at the expense of eliminating some of the present payload. The weight budget on the Apollo spacecraft is now at its limit. Yet NASA has not given any serious consideration to reducing the experimental payload so as to provide more safety features for the astronauts.

Nor have any plans been presented which provide for an emergency escape procedure should astronauts be stranded on the lunar surface through a malfunction of the ascent engine or for other reasons. There should be some way to provide for an emergency solid fuel escape booster pack that the astronauts could use to escape from the lunar surface and rejoin the command and service module orbiting around the moon. Even more appropriate would be the development of an escape platform which could use the fuels common to the descent and ascent engines, thereby eliminating the need for carrying emergency escape fuel.

Likewise, no provision has been made for emergency escape or aid should the astronauts returning from the moon find it impossible to achieve their landing pattern. It would appear feasible, as an emergency measure, to have an earth orbiting vehicle on station at the time of the lunar landing mission to provide for an emergency rescue in earth orbit should it become necessary.

Safety cannot be considered a one-time measure to be invoked after a disaster has occurred, as in the case of the Apollo 204 accidents. The measures taken by NASA as a result of this accident are commendable but do not take into account the many other hazards that can occur, particularly in space flight.

Safety is a matter of continuing surveillance.

The organization, as well as the design of vehicles and spacecraft, should be modified so as to permit separate and unique safety reviews by nonoperational personnel who are in a position to immediately suspend operations when they believe that safety considerations are being compromised. Such an independent organization would be invaluable in providing an avenue of appeal to an astronaut who desires to question the safety features of a particular spacecraft or mission. Such questions should not be directed to contractors or program-oriented personnel.

There should also be provision to require vehicle and spacecraft contractors to post performance bonds to insure that such vehicles and spacecraft are of acceptable materials and workmanship. This would have prevented many of the equipment problems which occurred during Colonel Glenn's flight.

I have long insisted that NASA provide candid and full disclosure of their activities in all operational and management elements of the organization. In a monthly statistical summary under a section called "Policy Notes" NASA states:

PUBLIC INFORMATION

It is NASA's policy to encourage prompt and complete release of information of its activities except that information classified to protect national security. The intent of this policy is that information will be issued in advance of events as well as after events, and both success and failure will be reported.

These are fine words, but NASA has failed to follow its own stated policies with respect to disclosure of information. Year after year the committee and the Congress are asked to endorse legislation for support of NASA programs.

Without clear statements of the intent of NASA in specific programs;

Without thorough analysis of NASA program costs; and

Without adequate presentation of NASA schedules and priorities.

In short, Congress does not have the facts on which to base judgment of the program.

In this year when we need hold expenditures to a minimum while supporting the necessary aspects of our space program, the ranking minority leader of the House, Congressman FORD, and I jointly requested Mr. James E. Webb, Administrator of NASA, to advise me on what the effects of various levels of budget reduction would have on NASA programs. Mr. Webb's reply was as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, D.C., February 28, 1968.

Hon. JAMES G. FULTON,
House of Representatives,
Washington, D.C.

DEAR MR. FULTON: Responding to your joint request with Congressman Gerald R. Ford regarding the effect on NASA programs of a reduction in the fiscal year 1969 budget of $200, $400, $600, or $700 million, you are advised that under the provisions of the Budget and Accounting Act of 1921 NASA is not at liberty to answer such questions.

Sincerely yours,

J. S. BROWN
(For ROBERT F. ALLNUTT,
Assistant Administrator for Legislative Affairs).

There was no thought to "encourage prompt and complete release of information" by NASA.

This year, as last year, a new section, section 6, has been added to the NASA authorization bill to require NASA to keep the Congress fully and currently informed. This was accepted by the House last year and deleted in conference with the other body. Inclusion of section 6 in this year's bill is as important as last year.

If this committee is to properly discharge its responsibilities to the public at large, it is essential that NASA establish adequate information practices. The confidence of the American people in the worth and direction of our national space effort has been shaken. NASA must respond to congressional needs for adequate information if that confidence is to be restored.

It is very apparent that there is a complete absence of an adequate technical review of all NASA programs by technically qualified people, both in the Bureau of the Budget and in Congress. At no other time does this lack become more apparent than during the period of authorization and appropriation of NASA fiscal year budgets.

Up to now, the Committees on Science and Astronautics in the House and Aeronautical and [redacted]ences in the Senate, the Bureau of the Budget, and the General Accounting Office are forced to consider the enormous scientific and technological complexity of the national space program in relation to the proposed expenditures solely on the evidence presented by NASA. This raises serious questions with regard to the validity and the thoroughness of considerations given to factors affecting the judgments of the Bureau of the Budget and the Congress.

Using only very few people, four to be exact, over a period annually of 5 to 6 weeks, the Bureau of the Budget makes sweeping and drastic decisions as to the NASA budget which in turn has equally sweeping effects on NASA programs. The committees of the House and Senate are strictly limited to knowledge and evidence produced by a limited number of committee staff members and from the testimony of NASA officials themselves in attempting to arrive at logical and realistic conclusions. This is obviously a very poor procedure that leaves open the possibilities of gross mistakes by the Bureau and the Congress.

The General Accounting Office has made very few comprehensive management surveys or audits of NASA and its installations, and those few have been made only in recent weeks. True, the Accounting Office has investigated contractual and procurement activities of NASA, but not management to any extent.

To insure a reasonable understanding and grasp of NASA's management of its programs, and a thorough knowledge of the many factors that are involved in NASA's management and policy decisions, current and continuing program evaluations of NASA's management is badly needed and sorely lacking at this time.

For several years members of the committee have been urging the Science and Astronautics Committee to increase its technical staff by at least five scientists, engineers, and accountants, for continuous field investigatory duties. This recommendation is most relevant today, particularly in view of the fact that the committee seldom uses all of its allocated funds.

To safeguard the interests of the U.S. taxpayers and for efficiency in management of research and development, involving so many highly technical programs, the Government must have sufficient research and development, construction and technical management personnel assigned exclusively for field evaluation and monitoring duties separate and apart from program responsibilities or contractor personnel.

There is apparent misdirection and lack of long-range planning in NASA's planetary exploration program. My basic criticism is that there are serious imbalances in this Nation's planning for planetary exploration starting in fiscal year 1969.

NASA's present plan is strictly Mars-oriented, consisting of: two flyby missions to the planet in 1969; two orbiting missions in 1971; and two orbiters plus two small, survivable hard lander capsules in 1973. There is only limited "study money" in the NASA fiscal year 1969 budget for the future exploration of the other planets.

The committee view contained in the legislative report accompanying H.R. 15856 concerning the planetary exploration program states:

> It is to be hoped that sufficient flexibility will be retained in the planetary exploration program so that other scientifically attractive missions such as the Venus swingby to Mercury, the flyby of Jupiter, and the "Grand Tour" flyby of Jupiter, Saturn, Uranus, and Neptune can be given serious consideration beginning with next year's budget presentation.

I endorse the committee view insofar as it expresses concern over the lack of diversification in our Nation's planetary exploration efforts. But I do not feel that our future efforts should be based on the hope that better balance will be achieved. The Congress must forcefully insist on a more diversified program.

I have always strongly supported the early exploration of Mars. Last year I supported the Voyager program and as a House conferee, insisted on the restoration of funds for the program that had been cut by the Senate. Unfortunately, because of budgetary restraints, that program is now dead. In lieu of Voyager, NASA now plans a six-mission program over a 5-year period at a cost of $639 million plus $34 million for the construction of two 210-foot antennas in Spain and Australia.

The proposed 1971 and 1973 missions are really only an extension of the Mariner Mars 1969 flyby spacecraft uprated for orbital operations. This spacecraft has considerably less scientific capability for measurements from orbit than previously planned for the Voyager orbiter. The useful orbiter weight planned for Voyager was about 4,000 pounds compared to 900 to 1,000 pounds planned for the 1971 and 1973 orbiters.

Likewise, the landers proposed for the 1973 missions are much smaller than planned for Voyager. The Voyager lander would have weighed 6,000 pounds. The proposed 1973 hard landers will only weigh between 800 and 1,000 pounds. Since both the orbiters and landers in the proposed missions are much smaller than previously proposed for Voyager, the same scientific results cannot be attained.

The United States should plan to be the first Nation to impact Mars. I have always said that our earlier Mariner flights to Mars should have contained probes or impact devices.

I favor more and wider use of landing capsules in the Nation's planetary effort. I oppose the extensive use of the flyby concept of planetary exploration. The results obtained through occulation experiments in flyby missions are not nearly as comprehensive nor as reliable as can be obtained through hard or soft landers, or even probes for that matter.

The hard landing attempt on Mars under NASA's present plan will not be made until 1973. Scientists speculated while testifying during the recent hearing that the Soviet Union may attempt unmanned Mars landings as early as 1969. Again, the United States will be "too late with too little" as was the case in the recent Soviet and United States flights to Venus.

The Russians impacted Venus, thereby relegating our flyby Mariner to the secondary role of only filling in some of the details. While our scientists now say that the results of the two missions complimented one another, the sad fact is that the United States again has played second fiddle. Our mission to Venus should have impacted the planet instead of merely flying by. As one scientist put it, "We need not always be first, but must not always be second."

Favorable launch opportunities for planetary flights to Venus and Mars occur relatively infrequently, only every 18 months for Venus and about every 24 months for Mars. We must take advantage of every favorable opportunity by either landing a capsule or injecting a probe and not rely on flyby missions alone.

The President's Science Advisory Committee in its report of February 1967, strongly advocated a planetary probe to Venus in 1970 to measure atmospheric properties—temperature, pressure, and molecular constituents. I support this objective, even though the Russians have already gleaned much of the data.

The Science Advisory Committee also urged that more attention be given to the possible use of unmanned systems to obtain and return samples of the surface material of both Mars and Venus. Unmanned missions of this nature will doubtless be expensive but they will be far less expensive than manned missions and would require a much shorter development time. I also support this view and repeat that objectives of this nature cannot be accomplished by flyby spacecraft.

I would also place almost as high a priority on new pioneering missions to Mercury and Jupiter. Technically, such flights are feasible as early as 1970 and could lead to results of even greater scientific and national prestige value than did Mariner IV, because existing ground-based information is even less definitive for the more distant planets.

Opportunities for Jupiter occur almost yearly and a presently available excess Saturn V launch vehicle from the Apollo program could be used for such a mission. A Venus swingby to Mercury is possible in 1970 and 1973, but not again until the 1980's. The existing Atlas-Centaur launch vehicle would be adequate for such a mission. NASA has these launch vehicles already in the stable awaiting a mission and the spacecraft to do the job.

We are not exploiting the use of already developed and highly successful technology in our planetary exploration program.

The Saturn V booster is capable of placing 80,000 pounds of payload in the vicinity of Mars. NASA plans to use either a Titan III–D/Centaur or a Titan III–C at an estimated cost of $38.4 million for the 1973 Mars mission. If the Titan III–D/Centaur combination is chosen as the launch vehicle, an additional $30 million in nonrecurring costs will be incurred [redacted] these two stages and to establish a launch capability at the Kennedy Space Center.

The Titan III D/Centaur launch vehicle can only place 8,000 pounds of payload in the vicinity of Mars, while the Titan III–C would limit the payload to around 3,500 pounds. Again, we are proceeding with the development of another launch capability tailored to a specific mission rather than using existing technology.

We have surplus Saturn V boosters in the inventory. Why cannot these surplus boosters be used for unmanned planetary exploration?

The 80,000 pound capability of the Saturn V could place multiple mission space vehicles in the vicinity of Mars, or other planets for that matter. A tremendous potential would be provided to accommodate hundreds of experiments with plenty of onboard power and without the usual competition for critical space within specified weight limitations imposed by the use of marginal thrust launch vehicles.

Likewise, NASA is not exploiting the already proven technology developed in the recently concluded and most successful Surveyor and Lunar Orbiter programs.

The soft landing techniques developed and used on the surface of the Moon in the Surveyor program should not go to waste, nor should the photographic and soil sampling technology developed in that program be set aside.

With comparatively limited expenditures and development time, this vehicle could be uprated and soft landed on Mars, in lieu of the hard landers proposed, and with a relatively good chance of returning more valuable scientific data than will be possible from the planned 1973 hard landers. In my opinion, should such a program be initiated in fiscal year

1969, this Nation could effect a soft landing in 1971 instead of a hard landing in 1973.

The Lunar Orbiter project has been unusually successful. The technology developed in the lunar exploration program by this amazingly discrete spacecraft now lies idle, while NASA orients its planetary program toward the use of the Mariner class of vehicles.

In the short lifespan of the Lunar Orbiter, modern day scientists have learned more about the surface of the Moon than their predecessors learned since the beginning of time. It is inconceivable that proven technology should be wasted in this manner.

This most versatile spacecraft could be uprated for photographic coverage of Mars and Venus at comparatively little expense and in much less time than developing new payloads from scratch. With the addition of radar sensing equipment it could prove to be of inestimable value in the topographic exploration of Venus and other planets.

I am in favor of the exploration of Mars and we should proceed promptly. I feel that our landings on this planet should be accomplished sooner than presently envisioned in the NASA plan and with capsules that will provide more sophisticated data. However, I do not subscribe to the theory of putting all of our eggs in the "Martian basket."

This Nation's planetary program must be more viable and diversified and must point toward broader objectives and goals than the NASA fiscal year 1969 program indicates. We must insist upon the development of carefully conceived plans, not only for the exploration of Mars, but for Venus, Mercury, Jupiter, Saturn, Uranus, Neptune, and Pluto, as well as the Astroid Belt.

This Nation is rapidly approaching the post-Apollo period and my evaluation is that our plans are now well laid. We appear to be living from budget year to budget year with little regard for long-range planning and with little regard for the further exploitation of proven technology to gain scientific knowledge and national prestige.

In the absence of firm leadership on the part of the executive branch in this regard, the legislative branch must exercise its prerogatives.

The Congress must insist that NASA develop and present a 10-year plan for unmanned planetary exploration which will assure diversification; economy through the use of surplus boosters, existing launch complexes and teams; exploitation of developed technology; and balance within the program.

I have always been a strong supporter or basic and applied research throughout the Federal Government and more particularly in NASA. It is through the exertion of scientific and engineering effort in the research field that better defined projects and programs emerge.

Basic and applied research, as well as the advance studies related thereto, provide sound bases for the early definition of objectives for future programs, more firmly establish technological criteria in advance of hardware development, and undoubtedly lead to economies in final project costs.

The proposed NASA level of effort for basic and applied research and advance studies was $397.3 million or 10.8 percent of the total research and development budget request. According to information received from NASA, $108 million of this amount will be spent on basic research—$12 million for advance studies—and $289.3 million on applied research. NASA should be commended for holding the line by warding off cuts by the Bureau of the Budget in these areas and maintaining a relatively stable program.

But not enough is being spent in this area. There are tremendous imbalances in the NASA program. We should discontinue the advance purchase of unneeded equipment, such as boosters, which undoubtedly will require expensive modifications later to permit lateral transfers of new developmental hardware. We must reduce operational activities and reorient the NASA team and its resources toward the fields of research.

It is only through a redirection of efforts of this nature that the options will be kept open for the future. We must continue a vigorous research program so as not to freeze the state of the art.

Also within NASA's available resources for basic and applied research, there should be a realinement of priorities. The success of this Nation's effort in space exploration lies in better propulsion systems. I have consistently emphasized basic and applied research in high-energy liquid fuels, solid fuels, and advanced propulsion technology and engines.

More research effort in this direction will result in larger payloads, longer missions, space storable fuels, weight decrease of boosters and increased payloads, and the elimination of heavy and bulky insulation materials now required. Likewise, adequate research emphasis should be placed on nuclear propulsion and power.

The exploration of the eight other planets of our solar system as well as their 31 moons will be too expensive using the present generation of boosters, capsules, components and hardware.

I have been urging the development of boron-fluorine-hydrogen combinations that will give much greater specific impulse. Specific impulse, of course, means "push per pound." Experiments have already shown that with the use of boron and fluorine additives or mixtures, there can be additional power and energy output varying from 30- to 45-percent increase with the fuel used. Such a surprisingly productive avenue should not be overlooked by NASA.

My criticism has been, and continues to be, that NASA tends to be a large engineering, plumbing, and manufacturing concern with the emphasis on science becoming less and less. The emphasis on programs has increased geometrically through the successful Mercury program, through the successful Gemini programs, to the staggering size of the Apollo moonflight program.

It must be kept in mind that these programs are really production, engineering, and development, with very little scientific knowledge or invention being added in the process. It certainly takes research of a high level to have the equipment and personnel adequately perform under these programs and to be able to take advantage of the tremendous new fields in which they will be operating.

But this research and development is in the nature of refinements of processes and present components and parts. This is using much present knowledge in new conjunctions, rather than the basic and applied research necessary for the new generation of boosters, fuels, capsules, components, and hardware that are so necessary. My estimate is that 95 percent of the NASA budget is not research and development in the ordinary scientific meaning of the term.

In addition, NASA should be conducting research programs to develop an all-purpose booster vehicle which can be used by both NASA and the Department of Defense. Such a vehicle should be capable of recovery and reuse. Likewise the costly and complex guidance and control instrumentation units associated with such vehicles should be developed so as to be recoverable and reusable.

The Congress must assure itself and the public that the Nation's resources are being us[redacted] and that funds are being applied to program areas which will result in the best possible payoff in the future. The Congress is in a position during the annual legislative process to correct misdirection of effort. We must insist upon more basic and applied research in the NASA program and less emphasis on hardware development.

Adequate funding by NASA and the Congress should be provided now to continue the development of the NERVA nuclear-powered rocket engine.

Congress strongly supported NERVA nuclear engine development last year. Congress authorized $73 million of the amount of $74 million requested by the President to develop the large NERVA II rocket, of 200,000 pounds thrust. Because of appropriations restrictions NASA was forced to reduce the program to the smaller NERVA I, 75,000-pound-thrust engine.

The request approved by the Bureau of the Budget for NERVA I in fiscal year 1969 was $60 million. The committee, on a divided and strongly contested vote, approved a subcommittee reduction of $48.3 million. These funds are necessary for the continuation of the U.S. nuclear rocket development program. Otherwise contracts must be canceled, laboratories and installations dismounted, and scientific and technical personnel discharged.

NERVA I will be used for earth-lunar transportation. The NERVA third stage booster will represent a real economy as it doubles the size of the Saturn V payload. The United States, through NASA and AEC, must do the research and development to reduce the tremendous and soaring costs of space travel and transportation. Clear, forward-looking vision and planning require development of U.S. nuclear space power.

Therefore, I fully support the development of the 75,000-pound NERVA I.

The United States must develop adequate power systems for space. Our country must have a full range of propulsion capability available to the space program for peaceful and military purposes. The future of the U.S. space program and the very existence of our people as a nation depend upon long range programs constantly developing newer and more efficient vehicles, with higher capabilities and efficiency. The ability to perform research and to apply this research to U.S. future needs in the strategic area of space is the key to U.S. survival in future decades.

It is rather ironic that those who attack this program have made not a single comment in opposition based on lack of technical progress or mismanagement of the effort or, for that matter, have they questioned the value of the funds expended to date. The reason is there is no justification for any such criticism. We are being asked to sacrifice the nuclear rocket program on the economy block this year with vague references to there being no national goal which justifies development of the nuclear rocket engine, or that it is a backdoor maneuver to gain justification of a manned planetary landing sometime around 1986.

The hotly disputed action by the House Committee on Science and Astronautics cutting the authorization for NERVA nuclear engine development is a tragic and short-sighted mistake. Further growth in U.S. future space capability is held back, freezing U.S. space power at present levels. The United States would have to rely on our current inventory of boosters during the decade from 1975 to 1985. This technology is now approaching 10 years in age. It has been successful as first generation booster and space vehicle development. But it is weak in terms of need, horribly complicated and terribly expensive.

For these reasons I believe that we should continue the development of the NERVA I this year. The United States cannot succeed in space nor hope to compete with the U.S.S.R. further in space without aggressive research and development programs of this type, to insure adequate power. The United States will continue to lag behind the Russians in space power and military programs if Congress does not do so.

Congress must and should seriously consider the impact of the Science Committee's divided decision in canceling and closing down completely the U.S. development of the NERVA I nuclear rocket engines. Congress is now deciding irrevocably whether the American people are going to be shocked and embarrassed before the world again just 6 years from now, by canceling research and development programs that wise counsel and judgment require. Congress is deciding now whether the United States is going to concede to the Soviet Union a tremendous advantage in space.

Finally, consider the implication of our decision on the future national security. It is evident that we remain under technological attack by the U.S.S.R. We read reports of fractional orbital bombardment systems, of planned reconnaissance and surveillance stations manned by Soviet personnel, and of the whole variety of new Soviet space undertakings. Our security will be greatly strengthened in the decades ahead if we have a nuclear propulsion system. It will enable us to maneuver heavy manned spacecraft through different orbital altitudes or orbital planes and enable us to rendezvous with and inspect unknown spacecraft. No chemical rocket engine, even if developed to its theoretical optimum, can compete with a nuclear rocket engine in performance of such missions.

Red China is placing now much emphasis on space development. China has established a large space center in western China, a space institute at Peking, and is greatly expanding training, engineering, and technical personnel for space development and rocket capability at various universities and technical institutes, including principally the Nanking University—reported working almost around the clock. National security and national defense require that the United States not become complacent in forward thinking and research or other nations by foresight will obtain a strategic advantage in space and rocketry that the American people by tardy later action might not be able to offset.

The nuclear rocket is a major new advance in propulsion capability. It is an important step in insuring that this country continue to exercise leadership in space in the years to come. The NERVA nuclear rocket engine is a versatile system which provides significant payload and operational benefits in a wide variety of large payload and high energy missions.

NERVA can double the payload and mission capabilities of the Saturn V launch vehicle for maneuvering heavy payloads in earth orbit, for landing heavy payloads at any point on the moon's surface, and for sending unmanned probes into deep space. For such missions it is clear that the payload capability of the Saturn V will increase by as much as 100 percent. In addition, NERVA can be the power system for a moon-earth shuttle in continuous vectored flight, or earth or moon parking orbit, available at all times for payload and for earth orbit or moon orbit rendezvous. This is a terrific advance, in efficiency of operation, and cost reduction.

The NERVA system is the only rocket under development that can supply the needed thrust to perform rendezvous and inspection in orbit of a foreign payload and permit neutralization or deflection in orbit. These performance gains for U.S. missions, lunar and planetary, manned and unmanned, also simplify operations and are translatable into cost benefits which can pay off the development cost in a relatively few missions.

During the past several years the nuclear rocket program has been establishing the base of technology required for this development. The progress has been good, demonstrating the high performance which the nuclear rocket has promised.

Technology work required for the NERVA engine is nearing completion. There have been nine successful test firings of the experimental reactors. They have performed phenomenally for 70 minutes, of which 60 minutes was at full power and having a specific impulse two times that of any other rocket engine now in use. This is engine technology research, not basic research. This has all been completed to date most successfully. To defer the NERVA nuclear engine project as recommended by the divided House Science Committee is the kiss of death. Shall NASA be forced simply to abandon the results of the 200,000-pound Phoebus reactor, already delivered to the Nuclear Rocket Development Station at Jackass Flats, Nev., and scheduled for test firing this spring?

I would not be acting with responsibility as a concerned member of the House Science and Astronautics Committee if I let this action go unchallenged. I compliment NASA for continuing on this bold research and development project leading toward this powerful nuclear rocket propulsion system.

The nuclear rocket is a long lead time development, but not longer than that of other systems required for advanced missions. Because of that fact, it is necessary that the development of the NERVA engines xxxxxxxxxx now in order for the system to be available in 1975 for the missions of the late 1970's and the 1980's.

The current NERVA program capitalizes on the outstanding U.S. development competence that has been established. This effort assures an orderly progression toward the establishment of this propulsion capability on a time scale consistent with the logical evolution of the U.S. space exploration and defense programs. To defer the program will cause cancellation of contracts, ruin of physical equipment and loss of laboratories and scientific working teams.

In my firm opinion, the key to success in the exploration of space and space defense, is propulsion and space power systems tailored to future needs. It is as simple as that. The United States is now at the point in planning for future missions where the present outstanding chemical propulsion systems cannot produce the performance that the United States needs to accomplish U.S. required future objectives. The United States needs big booster power, and big power for space. I recommend these strongly. Space storable fuels, reusable boosters as well as space vehicles, reusable lunar modules, reusable command modules, guidance and control systems are absolute necessities. Development of alternative power systems, such as large solid boosters, higher energy liquid fuels, and nuclear space power must absolutely be pressed vigorously.

The NERVA engine development technology that is coming within our grasp can be funded well within the budgetary limits that I consider practical and manageable. I believe the Congress should suport this program as indispensable to our future progress in the exploration of space. Congress should not cut NERVA development, which results in shameful

retreat and abandonment at the peak of our U.S. nuclear research success.

I strongly oppose the committee action in reducing the SNAP–8 nuclear electric generator by $2,500,000. This turnabout action of the committee is appalling since it has done so much in the last 2 years to get this program on its feet. This is particularly true in view of the progress that has been made in the last 6 months in component testing. Testimony reveals that in the last 6 months more cumulative component test hours have been completed than in the 3 prior years. There were 60,150 component test hours completed in this period against 50,200 test hours in the past 3 years. This is another example of bringing a program almost to completion and then failing to carry through to a logical conclusion.

To date NASA has spent $76,100,000 in developing this important power source. Now the committee's action would bring the program to a halt without it having made its full contribution to our future capability. Not only is this the sole nuclear reactor powered electric generator under development for space use but it is the major item being researched to provide the many kilowatts of power needed in space. The lack of on-board space power now seriously limits our space capability. The advantages of a reliable, long lifetime power source such as SNAP–8 would make direct broadcast satellites for television a reality. It would provide the power to allow man to live in space for periods up to a year rather than limit us to about 2 weeks as is now the case in Apollo which is power limited.

It would allow us to use electric propulsion, which has almost unheard of specific impulse, in excess of 10,000 and very high efficiencies. This compares with a specific impulse range of 225 to 400 with current propulsion systems. We could have large orbiting space stations, advanced lunar base concepts, and advanced military reconnaissance and command post systems for our Nation's security.

I have always been a strong proponent of research in these new fields. If our country does not step out vigorously in these high-potential payoff areas our programs will suffer from outdated methods. Our technological capability will not be utilized and our program costs in the long run will be excessive. These new program requirements will be upon us before a reduced program such as that imposed on NASA by the committee's action can come to fruition. In fact, the requirements for these new systems, made possible by these new propulsion and power generators which are proposed, are already upon us. The problem is that the country does not have the capability to perform them, the reason being that the needed research has not been performed. We must do more research, not less. We must direct our work to give us the capability that is within our grasp. We must help, not hinder, our Nation's progress.

Being a strong supporter of research, I have insisted that adequate research emphasis should be placed on nuclear power and propulsion. We should have a forward-looking research program in electric power generation that is more than refinement of current processes and parts.

There is considerable concern caused by the lack of recognition given to increased propulsion development by NASA and the administration. Although the Committee on Science and Astronautics has shown some minor concern on this subject, I remain almost a one-man show in pushing hard for more booster and for additional upper stage propulsion capability. I have consistently advocated more funds to insure our future superiority in this important field. Only by my efforts have we been able to get NASA to place emphasis on exotic fuel research. This has resulted in research in boron and fluorine mixtures that can provide upward to 45 percent more push-per-pound or specific impulse to our rockets. This is the type potential that needs to be explored. My criticism continues to be that NASA tends to emphasize the large engineering and manufacturing projects with less and less emphasis on science and research. It is necessary that NASA respond to these needs to push back the frontiers of science. This research is needed to keep this country abreast of our Russian competitor so that we will not be overwhelmed by them.

There is the imminent possibility of another shock such as October 1957 when because of our too little and too late booster capability the Russians were able to put tons in orbit and all we could do is belatedly launch a "grapefruit." Now, in testimony before our committee, Administrator Webb stated that the Russians are expected to have a new booster of more than 10 million pounds of thrust. He also testified that the Russians have always had a forward-thrusting development program with respect to large boosters. Their new booster will be almost one-third larger than our Saturn V rocket. Where does that leave us?

This leaves us with the same second-best propulsion capability that has throttled us since the inception of our space program. Therefore, NASA should place all propulsion research under the authority of the Office of Advanced Research and Technology. It should provide sufficient funding to provide a broad, forward-looking, and vigorous program in this field.

The current NASA program leaves us without a single new booster project in our space program, as well as no new research for boosters in NASA. They have a contingency for $3.1 million which they may utilize for further development. I contend, as I have for years, that NASA needs to complete the development of the 260-inch large solid booster. This development has progressed remarkably, but as NASA gets close to the final item they begin to reduce the funds. Now we have no project at all, only a contingency. The important thing about the 260-inch solid booster is that it is a means for placing large weights in orbit economically. Additionally, its propellant is storable for long periods of time. It provides momentary reaction capability. It is easily strapped together to double or treble the thrust at boost.

It is much simpler than the more expensive, more complex liquid engines. It is a part of the advanced technology which should be fully supported to make progress in our space program. I recommend that NASA organize a sustained effort to bring their large solid technology to fruition and to plan programs which could utilize this booster. This is particularly true for the advanced nuclear engine stages, the spike nozzle concept for upper stage use and engines using the boron and fluorine and other exotic additives. Such a program would give our country the propulsion capability it needs to stay foremost in the space field.

On May 25, 1961, President John F. Kennedy said:

> First, I believe that this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to earth. No single space project in this period will be more exciting, or more impressive to mankind, or more important for the long-range exploration of space; and none will be so difficult or expensive to accomplish. Including necessary supporting research, this objective will requi[redacted]ional $531 million this year and still higher sums in the future. We propose to accelerate development of the appropriate lunar spacecraft. We propose to develop alternate liquid and solid fuel boosters much larger than any now being developed, until certain which is superior. We propose additional funds for other engine development and for unmanned explorations—explorations which are particularly important for one purpose which this Nation will never overlook: the survival of the man who first makes this daring flight. But in a very real sense, it will not be one man going to the moon—we make this judgment affirmatively—it will be an entire nation. For all of us must work to put him there.

On May 24, 1961, the House and later on June 28, 1961, the other body unanimously endorsed the national goal of a manned lunar landing in this decade. We have adhered to this goal year after year recognizing that the Apollo lunar landing program is contributing to the growth of our technological capabilities as a nation. Any major reduction in the Apollo program at this time would endanger the safety of our astronauts because of the lack of weight margins in our spacecraft. We must and should honor our commitment to land and safely return men from the moon in this decade.

Over the years I have strongly supported the manned space program and am still one of its strongest advocates. The space program has provided unparalleled gains in scientific knowledge, communications, weather observation and prediction, navigation and improvement in national security. These gains must not be lost.

NASA has requested $2.038 billion for the Apollo program for fiscal year 1969. This is $517 million less than the current year operating plan. Last year it was my amendment that reduced the Apollo program by $25 million. We cannot make that much of a reduction this year. After careful review, I proposed a reduction of

$13.8 million in the Apollo program for fiscal year 1969 which has been supported by the manned space flight subcommittee and the full committee. There should be no more than this amount cut from the Apollo program. The gains we have made should not be lost.

The secret of advancing our programs beyond Apollo is in developing greater booster power and more maneuverability. I have consistently supported large booster development even though not supporting the outsized NOVA concept. In the report accompanying the authorization bill last year it was my view and still is that there should be a serious study made by NASA as to integrating the research and progress on solid fuel boosters into the NASA programs for Apollo and Apollo applications programs and other efforts.

Recognizing our national commitment, the safety of the astronauts and the lower level of funds in this year's Apollo program budget, I must warn against large, across-the-board reduction without consideration of specific programs. The Apollo program should be supported at the level recommended in the bill accompanying this report.

In the committee report of the last session of Congress on the authorization of the NASA budget, I expressed my firm conviction that NASA is not managing its professional manpower as efficiently and broadly as it could, that scientists and engineers make up 40 percent of the total civil service personnel within NASA. The same is as true today as it was then.

An example is the Electronics Research Center located in Cambridge, Mass. NASA has repeatedly requested additional personnel for this Center which it expects to house in rented quarters. As yet, not one single building has been constructed to shelter their activities.

This year, 150 people were requested for the Electronics Research Center. The testimony revealed that these people would be engineers whose duties would be to translate the research of the Center into practical devices and components. It is not possible that engineers already part of the NASA organization who are less than fully occupied could not be assigned to that mission?

The committee has recommended the authorization of 75 people for the Center to concentrate on aeronautical applied research. It is difficult to conceive the possibility that research at the Electronics Research Center will be seriously restricted if these engineers are not hired.

This serves to illustrate the major questions concerning NASA's personnel management. Is NASA using the people they have on board at this time in the best possible fashion? Is NASA responding properly to the sudden changes in the space program and the Nation's aeronautical programs as projects phase out and new ones phase in?

I do not think there are any reliable answers to these as well as many other questions until a comprehensive survey is conducted by a competent, experienced and nongovernmental management organization of the management techniques and the utilization of scientific and technical personnel in NASA. Such a survey is of paramount importance to the decisionmaking process of the President, the National Aeronautics and Space Council and the Congress with regard to the human resources really necessary to our space and aeronautical research programs.

A study in depth of NASA manpower utilization by the appropriate committee of Congress—the House Post Office and Civil Service Committee or the House Government Operations Committee—is a vital need. This study should take into consideration the effects of the Vietnam war, the current inflationary trends of our economy, the professional personnel requirements for defense industries, private industry, and educational institutions. I strongly recommend these actions be taken before the fiscal year 1969 authorization bill for NASA is enacted into law.

I strongly support the earth resources survey program, but I am not satisfied that NASA's efforts in the development of an earth resources technology satellite are sufficiently vigorous to bring about early benefits for the public good.

For fiscal year 1969 NASA had requested $12.2 million for the earth resources survey program. Of this amount $10.2 million was for the aircraft program and only $2 million was for the earth resources technology satellite. The aircraft part of the program is to develop and test remote sensing techniques, sensors, and data handling systems. The $2 million requested for the satellite was merely for definition and design study effort of an earth resources satellite system.

The committee wisely redirected NASA's efforts for fiscal year 1969 in this program by reducing the amount for the aircraft program by $2.5 million and making a commensurate increase in the earth resources technology satellite part of the program. I strongly endorse this action on the part of the committee.

NASA is not moving ahead fast enough on this program. An operational satellite system of this nature in terms of its potential benefits to mankind would represent a greater direct return for dollars spent than any other aspect of our space program. The actual value of such a system will become apparent only when it is in operation. In my opinion, the development of a satellite of this nature should be among the higher priority programs of the Nation's space effort.

The natural resources of the world become more critical as the world population expands. The efficient use and conservation of these resources is most important. Space technology developments over the past decade now make it possible to move forward toward improving controls over food, water, and mineral resources. The basic objectives are to discover new resources, exploit, manage, and conserve known resources, and apply them for the public good.

In agriculture alone the economic benefits would be tremendous. Farm productivity is essential to all of us. Studies conducted by the Department of Agriculture have indicated a dire need for comprehensive land-use surveys and have shown the cost advantage of making these surveys from space.

Repetitive inventories of land use would show changes as urban areas and roads encroach upon croplands, ranges, and forest areas. Detection of diseased crops and estimated crop yield would represent another benefit of inestimable value. For the individual crop farmer an operational earth resources satellite would provide information for crop selection, development of disease resistant strains, irrigation needs, and timing for harvest.

Tremendous benefits would accrue to the mining and petroleum industries. These groups spend millions of dollars in their search for oil, metallic ores or other valuable mineral deposits. Pictures from space can be of great benefit in focusing these ground search efforts on likely areas.

Mere spacecraft mapping will neither furnish specific mineral identification nor supplant aerial photography and ground exploration. The value of spacecraft data lies in its ability to identify, in remote areas, terrain features which are normally associated with mineral deposits.

We need to deemphasize the accumulation of earth resources data from aircraft surveillance and place further emphasis on the development of an operational earth resources satellite system. Aerial photography will never be totally supplanted. There are some jobs it can do, some levels or detail it can attain that surveillance from space cannot equal. However, for covering large areas it is a slow, expensive system, always at the mercy of the weather and severely limited in capability.

It is clear that the development of our spacecraft technology is far enough along to handle most requirements for earth resources satellites. We can design, orbit, and control a satellite with enough power, communications capability, and reliability to do the job but this is the only area that is far enough advanced for a fully operational program. Sensors, resources identification components, and data management need considerable work before their application can be fully operational.

Because of the tremendous benefits that would accrue from a satellite system of this nature I strongly urge that NASA proceed with a vigorous development program for an earth resources technology satellite. This program should receive a relatively high priority in our Nation's space program.

NASA continues to request funds for advanced mission planning and studies far in excess of its capability to effectively use such funds.

In fiscal year 1968 NASA requested $8 million for advanced mission purposes despite the fact that it still had over $8.2 million unobligated from prior year authorizations. At that time I recommended that NASA not be granted any funds for fiscal year 1968. The Congress agreed with this recommendation and deleted all funds for that year.

This year the situation has not improved. NASA is requesting $5 million for advanced missions for fiscal year 1969. Despite the fact that no funds were provided for this purpose in fiscal year 1968, NASA still has, as of this time, over $5.45 million unobligated from fiscal year 1967 funds.

Because of NASA's inability to use the funds provided to date, the committee accepted my amendment to reduce the current request from $5 to $2.5 million. Even this lower figure may be too high in the light of available funds from prior year appropriations.

It is hard to believe that NASA, which has only obligated $2.7 million from January 1967 to the present, will be able to obligate all of the $5.45 million remaining from fiscal year 1967 funds by June of this year. To do this, NASA would have to obligate funds at a rate more than six times the rate that has been in effect for the last 13 months. NASA may begin fiscal year 1969 with at least several millions of dollars of fiscal year 1967 funds still unobligated and hence available for use.

Consistent with my views on the minority staffing I firmly believe that the professional staff available to the members as well as to other Members of the House not on the committee is understrength. It is impossible for the 12 professional and technical staff members to handle adequately the workload associated with the committee's broad responsibilities in the fields of science and space. The committee staff is one of the smallest in Congress to assist in the authorization and oversight of one of the largest budgets in the Federal Government. This must be corrected.

Additional technical, scientific, and engineering staff is vitally necessary. In the committee meeting of April 5, 1967, I made the following observation.

> I do believe we need extra staffing for people to go and see * * * we have brought it up time after time * * * we should have three, four, or five people in the field.

On February 21, 1967, I also commented in the organization meeting of the committee.

> On staff, I have suggested previously that we have an outside permanent liaison staff (at appropriate locations) * * * reporting back * * * so there is a closer liaison with the contracts, contractors, as well as the facilities.

On February 18, 1967, in full committee I again raised the question:

> I have made a suggestion previously that we ought to have * * * staff members who are really field representatives.

This point has been made again and again in the reports accompanying NASA authorization bills in 1963, 1965, 1966, and 1967.

Regardless of the individual competence of the committee staff the committee is hampered in its operations by the fact that it does not contain enough people trained in technical management, in engineering, electronics science, and other aerospace disciplines to assist in this important work.

The committee is frustrated in fully meeting its responsibilities of reviewing the National Aeronautics and Space Administration budget, analyzing thoroughly the management and costs of scientific research and development sponsored by the Federal Government, which is costing the taxpayers approximately $17 billion a year, and in its continuing legislative oversight not only of NASA but also the National Science Foundation and the National Bureau of Standards. Here is an instance where the legislative branch of Government, because of inadequate staff, is unable to monitor properly huge departments of the executive branch. The situation contributes to the inefficiencies of our system of government.

Congress must be capable of exercising to the fullest practical extent its constitutional prerogatives and responsibilities. To do otherwise will compound a waste of taxpayer dollars in large quantities, thereby undermining the Nation's fiscal strength and contributing significantly to inflation.

Last year I recommended that $30,000 be added to the committee budget to begin the creation of a committee of much broader scope and capability. This was denied in the committee and on the House floor. In my view this is short-sighted, channel vision. I maintain the same position and urge again the addition of funds to the committee budget to initiate my proposal.

Over a period of many years, in committee meetings and on the House floor, I have pointed out the dire need for committee staff support for members holding minority views to committee decisions. These views have not and cannot receive sufficient attention and understanding by the committee without an adequate staff of professional people to implement them adequately through more extensive research and documentation. The appointment of a minority staff along with other staff specialists added to the existing staff will broaden the committee capabilities to meet steadily increasing responsibilities.

The exploration of space, research and development in science and aeronautics, has had vigorous bipartisan support over the years. There are certainly significant divisions of opinion in the scientific community, the business community, among research and development personnel, and among members of the Science and Astronautics Committee that are important, and transcend partisanship. These differences of opinion are to be found in any research and development activity, whether in Government or in business, in universities or in research foundations. This means progress.

The development of a staff to serve the minority regardless of party will provide such technical scientific, research, engineering, and management know-how for the members on particular issues. This is a vital necessity if balanced judgments leading to sound committee and congressional decisions can be achieved.

This is not to say that the present committee professional staff assistance is unavailable to all members of the committee to help in individual problems. Nevertheless, the present situation does not permit the concentration of a staff team on the really big problems. It does not allow the urgency and need for evaluation to be called to a member's attention. This means the individual member is unable to have the full benefit of the technical personnel resources of the committee on issues that require definite professional staff assistance and guidance.

Therefore, [redacted] recommend that a minority staff be developed on the House Committee on Science and Astronautics at the earliest practical time.

Mr. MILLER of California. Mr. Chairman, I would like, at this time, to compliment all of the members of the Committee on Science and Astronautics, particularly the three subcommittee chairmen who have done such an outstanding job, as well as our very efficient staff which has worked so hard and faithfully in the formulation of this program and in the presentation of this bill.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have been asked to make a statement with reference to the Russian participation in the space program.

We must remember that we are in a peacetime competition with the U.S.S.R., for preeminence in space science and research. We must consider the number of launches by the United States and by the U.S.S.R.

APPROXIMATE COMPARISON OF UNITED STATES AND SOVIET SUCCESSFUL SPACE LAUNCHINGS PRIMARILY CIVIL ORIENTED VERSUS PRESUMPTIVELY MILITARY ORIENTED

Year	Primarily or ostensibly civil				Presumptively specialized military	
	NASA	DOD	U.S. Total	U.S.S.R.	DOD	U.S.S.R.
1957	0	0	0	2	0	0
1958	0	5	5	1	0	0
1959	5	0	5	3	5	0
1960	5	1	6	3	10	0
1961	10	0	10	6	19	0
1962	18	2	20	15	32	5
1963	10	3	13	10	25	7
1964	22	2	24	17	33	13
1965	24	8	32	24	31	24
1966	30	9	39	20	34	24
1967 [1]	19	5	24	22	21	25
Total	143	35	178	123	210	98

[1] Through Oct. 4, 1967.

SUMMARY LIST OF MANNED SPACE FLIGHTS

Launch date	Vehicle name	Crew	Weight (pounds)	Duration	Revolutions	Highest altitude (statute miles)	National cumulative man-hours
1961							
Apr. 12	Vostok 1	Gagarin	10,419	1.48	1	203	1.48
May 5	MR-3	Shepard	2,845	.15		117	.15
July 21	MR-4	Grissom	2,836	.16		118	.31
Aug. 6	Vostok 2	Titov	10,432	25.18	16	159	27.06
1962							
Feb. 20	MA-6	Glenn	2,987	4.55	3	162	5.26
May 24	MA-7	Carpenter	2,975	4.56	3	167	10.22
Aug. 11	Vostok 3	Mikolayev	10,412	94.22	60	156	121.28
Aug. 12	Vostok 4	Popovich	10,425	70.57	45	157	192.25
Oct. 3	MA-8	Schirra	3,028	9.13	6	176	19.35
1963							
May 15	MA-9	Cooper	3,033	34.20	22	166	53.55
June 14	Vostok 5	Bykovskiy	10,408	119.06	76	139	311.31
June 16	Vostok 6	Tereshkova	10,392	70.50	45	144	382.21
1964							
Oct. 12	Voskhod 1	Komarov Yegorov Feoktistov.	11,731	24.17	15	254	455.12
1965							
Mar. 18	Voskhod 2	Belyayev Leonov	12,529	26.02	16	307	507.16
Mar. 23	GT-3	Grissom (2), Young	7,111	4.53	3	139	63.41
June 3	GT-4	McDivitt, White	7,879	97.56	62	184	259.33
Aug. 21	GT-5	Cooper (2), Conrad	7,947	190.56	120	215	641.25
Dec. 4	GT-7	Borman, Lovell	8,076	330.35	206	203	1,302.35
Dec. 15	GT-6	Schirra (2), Stafford	7,817	25.51	16	189	1354.17
1966							
Mar. 16	GT-8	Armstrong, Scott	8,351	10.41	7	185	1375.39
June 6	GT-9	Stafford (2), Cernan	8,268	72.21	44	205	1520.21
July 18	GT-10	Young (2), Collins	8,248	70.47	43	476	1661.55
Sept. 12	GT-11	Conrad (2), Gordon	8,509	71.17	44	851	1804.29
Nov. 11	GT-12	Lovell (2), Aldrin	8,297	94.34	59	188	1993.37
1967							
Jan. 27 **	AS-204	Grissom (3),* White (2),* Chaffee.*	67,000				1993.37
Apr. 23	Soyuz 1	Komarov (2)*	13,000?	23.377	17	139	532.53

*Fatalities.
**Date of ground test accident.

NOTES

1. All known manned launchings are arranged in chronological order including 2 U.S. suborbital flights and all orbital flights; additionally the ground test accident with Apollo 204 is listed for reference because of the special circumstances.
2. Launch dates are in GMT (Zulu time).
3. The spacecraft name is the most abbreviated official form.
4. Crews are named.
5. The weight is given in pounds either as supplied by NASA for U.S. flights or as listed at Paris with the FAI by the Soviet Union. The weight of Soyuz 1 was fixed arbitrarily on the assumption that it was lofted by the same vehicle used for the Voskhod series (see elsewhere in the report for the full reasoning).
6. Flight durations are either from the NASA program office of United States or from Tass if Soviet and are stated in hours and minutes.
7. All Soviet data on number of orbits have been converted to earth revolutions to match the NASA information.
8. The highest altitude attained in the flight as published either by NASA or appearing in the Goddard satellite situation report has been given converted to statute miles.
9. The cumulative man-hours of time in space have been calculated by nation from the duration column and are stated in hours and minutes.

Source: Tass and NASA announcements respectively have been used together with supplementary data as given above. xxxxxxxxxx

SUMMARY LIST OF PLANETARY FLIGHTS

Launch date	Spacecraft name	Weight (pounds)	Cumulative national weight (pounds)	Mission	Results
1960					
Oct. 10	Unannounced	1,400?	1,400	Mars	Failed to reach Earth orbit.
Oct. 14	do	1,400?	2,800	do	Do.
1961					
Feb. 4	Tyazheliy Sputnik 4	1,400?	4,200	Venus	Earth orbiting platform failed to launch probe.
Feb. 12	Venera 1	1,419	5,600	do	Communications failed, passed planet at 62,000 miles.
1962					
July 22	Mariner 1	446	446	do	Destroyed by range safety at 100 miles altitude.
Aug. 25	Unannounced	2,000?	7,600	do	Failed to leave Earth orbit.
Aug. 27	Mariner 2	447	447	do	Returned Venus data, passed planet at 21,648 miles.
Sept. 1	Unannounced	2,000?	9,600	do	Failed to leave Earth orbit.
Sept. 12	do	2,000?	11,600	do	Do.
Oct. 24	do	2,000?	13,600	Mars	Exploded in Earth orbit.
Nov. 1	Mars 1	1,970	15,600	do	Communications failed, passed planet at 120,000 miles.
Nov. 4	Unannounced	2,000?	17,600	do	Failed to leave Earth orbit.
1964					
Mar. 27	Kosmos 27	2,000?	19,600	Venus	Do.
1964—Continued					
Apr. 2	Zond 1	2,000?	21,600	Venus	Communications failed, passed planet at 62,000 miles.
Nov. 5	Mariner 3	575	1,468	Mars	Communications failed; shroud did not come off, throwing off course.
Nov. 28	Mariner 4	575	1,943	do	Returned Mars pictures and data, passed planet at 6,118 miles. Still active.
Nov. 30	Zond 2	2,000?	23,600	do	Communications failed, passed planet at 930 miles.
1965					
July 18	Zond 3	2,000?	25,600	[Mars]	Engineering test toward orbit of Mars, returned lunar far side pictures.
Nov. 12	Venera 2	2,123	27,700	Venus	Communications failed, passed planet at 14,800 miles.
Nov. 16	Venera 3	2,117	29,800	do	Communications failed, struck planet.
Nov. 23	Kosmos 96	2,100?	31,900	do	Failed to leave Earth orbit.
1967					
June 12	Venera 4	2,434	34,300	do	En route.
June 14	Mariner 5	540	2,483	do	Do.
June 17	Kosmos 167	2,400?	36,700	do	Failed to leave Earth orbit.

NOTES

1. All known planetary attempts are listed in chronological order.
2. Launch date is given in terms of GMT (Zulu time).
3. Spacecraft names are those assigned by the launching country, if acknowledged.
4. Weights are given in pounds, and those of the United States are as announced by NASA and those of the Soviet Union are either as announced, or as inferred from the repetitive nature of certain flights.
5. Cumulative weight figures are given as a partial clue to the relative commitment of hardware to such missions, keeping in mind that if there are additional Soviet failures which did not appear in the table that their apparent weight lead of 15 to 1 may be even greater.
6. Mission results are given insofar as known.

Sources: Most data are from TASS and NASA releases respectively, with additional Soviet attempts which reached Earth orbit only inferred from their characteristics of orbit, decay from orbit, and time of launch. 2 Soviet attempts of 1960 which did not attain orbit were disclosed by the Administrator of NASA.

The following comparative United States-U.S.S.R. record shows the number of successful launches and payloads achieving earth orbit or escape for the 4-month period starting on January 1, 1968:

	Jan. 1 to May 1, 1968	
	United States	U.S.S.R.
Launches	14	24
Earth orbit payloads	16	33
Escape mission payloads	1	1

Because of lack of information on the Soviet program, we cannot compare the degree of success achieved by each payload in accomplishing its mission. The significant point to be made is the definite acceleration of Soviet activity during the first 4 months of 1968 and the deceleration of the United States.

The Soviets have begun to show strong interest in the space applications fields in which the United States has had so much success, particularly in meteorology, communications, and navigation.

A total of nine meteorological satellites have been launched: One in 1964, two in 1965, two in 1966, three in 1967, and one in 1968. The "cold line" between Moscow and Suitland, Md., is used to exchange weather pictures between the United States and the U.S.S.R. The Soviet pictures, as received in Suitland, are of a lower quality than those taken by the Essa and Nimbus series of U.S. satellites. It is possible, however, that the transmission process between Moscow and the United States degrades the quality. The Soviet meteorological satellite program, known as the Meteor program, appears to be a practical approach to provide valuable weather information.

A total of eight communications satellites of the Molniya–1 series have been launched: two in 1965, two in 1966, three in 1967, and one in 1968. These spacecraft use a highly elliptical 12-hour orbit inclined 62° to the equator. Each is therefore available for about 8 hours per orbit to stations in the Northern Hemisphere. A constellation of three satellites properly spread provide 24-hour coverage not only for the U.S.S.R. but for the complete Northern Hemisphere.

Very little is known about the Soviet navigation satellite program. A total of five spacecraft, three in 1967 and two in 1968, have been launched whose characteristics resemble those of the U.S. navigation satellite system.

The Soviets achieved a significant "first" when they successfully penetrated the Venusian atmosphere with an instrumented probe on October 18, 1967, and obtained environmental data during this descent. This was the first of the Soviet's numerous planetary attempts which successfully returned useful scientific data. Otherwise, they have had an estimated 18 planetary attempts which failed during various phases of flight: two in 1960, two in 1961, six in 1962, three in 1964, four in 1965, and one in 1967. The U.S. program, on the other hand, consisted of the five Mariner flights, of which Mariner 2, 4, and 5 returned significant data.

The Soviets are conducting an active lunar exploration program, using flybys, orbiters, and semisoft landers. The Luna program to date has had 14 launches: three in 1959, one in 1963, four in 1965, five in 1966, and one in 1968. The United States attempted nine Ranger hard landers, seven Surveyor soft landers, five Orbiter orbiting spacecraft, and six pre-1960 attempts. The Ranger, Surveyor, and Orbiter programs have successfully surveyed the lunar surface and made possible the confident selection of suitable Apollo landing sites.

The next phase of lunar exploration may involve manned flights. The Soviets may first make a series of manned circumlunar flights before actually landing. The Proton launch vehicle, if used in conjunction with earth orbit rendezvous, has the capability to perform this mission. A vehicle of the Saturn V scale is required for the manned lunar landing and return mission.

While the Soviets have achieved first manned flight and first extravehicular activity, the United States has exceeded in total statistics in all significant elements of space flight.

	United States	U.S.S.R.
Number of flights	16	9
Man-hours in flight	1,994	533
Manned rendezvous	[1] 10	0
Manned docking	9	0
Extra vehicular activity	[2] 12	[3] 20

[1] Times.
[2] Hours.
[3] Minutes.

Both programs suffered a severe setback by their respective disasters, the Apollo fire and the Komarov death. It is expected the Soviet program will resume manned flight this summer with lunar landing objective in mind. While it is not strictly a part of manned space flight, it should be noted that the Soviets have conducted successfully two rendezvous and two dockings of unmanned spacecraft.

The U.S.S.R. appears to be pursuing a fairly extensive geophysical research program with the use of satellites. It is difficult to specifically identify this type of spacecraft from its orbital behavior. It is estimated, however, that approximately 60 spacecraft can be included in this category.

Mr. TEAGUE of Texas. Mr. Chairman, would the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Chairman, I know the gentleman from Pennsylvania has much knowledge as to what the Russians are doing in space, and I sincerely believe he has made the comparison very mild.

Would the gentleman agree with me that the Russians are making a tremendous effort in space, maybe as much or more than our effort is going to be, and they are not cutting back, as we are doing? In fact, manned space flights have been a major factor in the Soviet space program since the launch of Sputnik I on October 4, 1957. The program has enjoyed a high priority and has shown elements of caution in planning and implementation. Through 1965 Soviet manned space efforts were extremely successful and achieved many firsts. Since that time, however, they have not continued at this rapid pace and suffered a serious setback in the death of Cosmonaut Vladimir Komarov in April 1967.

The U.S.S.R. began to test their manned spacecraft in the spring of 1960. At this time, the Soviets launched the first of a series of unmanned recoverable test vehicles containing first a dummy and then dogs. These flights led to the world's first man in space, Yuri Gagarin in Vostok I in April 1961. This flight was then followed by the 24-hour flight of Gherman Titov in Vostok II in August. The basics were well laid for what was to follow.

The years 1962 and 1963 were those of the dual flights—two spacecraft in orbit simultaneously. Vostoks III and IV was the first of these flights—of 4 and 3 days duration, respectively. These flights increased Soviet knowledge of the effects of space flight on man as well as investigated problems associated with rendezvous and the control of two spacecraft simultaneously.

Vostoks V and VI increased the length of manned space flight to 5 days and introduced the world's first woman cosmonaut. [redacted]

The next phase of the Soviet man in space program was to modify the Vostok as a multiseated spacecraft and culminated in the launch of Voskhod I in October 1964.

This spacecraft was commanded by Cosmonaut Vladimir Komarov—the cosmonaut later to be killed during the flight of Soyuz I. Two other passengers were an engineer and a doctor in an apparent attempt to test nonpilots as crew members. During the second and final flight of the Voskhod spacecraft, the Soviets successfully demonstrated the ability to perform extravehicular activities with Aleksey Leonov performing the world's first space walk.

There was then a hiatus of over 2 years. This time was apparently spent in the development of a new spacecraft, the Soyuz. The first manned flight of this spacecraft was in April 1967 when, with the death of Cosmonaut Komarov, the program suffered its most serious setback to date. The causes of this catastrophe apparently have not as yet been fully resolved. The investigating commission organized at the time of the accident has not as yet made a full public report, and there have been no subsequent manned flights by the U.S.S.R.

Although there have been no manned flights since April 1967, the development of space hardware and techniques related to the manner space program continues. In October 1967 the Soviets performed the first unmanned rendezvous and docking using Cosmos 186 and Cosmos 188. The event was a major technological achievement because it was conducted automatically without ground assistance when the vehicles were out of sight of the Soviet Union. The Soviets released pictures of the two spacecraft which showed some features common to earlier manned spacecraft. This suggests that

the next phase of the Soviet manned space program will, like the U.S. Gemini program, involve multiple flights and rendezvous and docking. Such a program might culminate in a small space station.

The development of Soviet space hardware usually is hidden from detection until flight tests begin. Thus, a new space booster was revealed for the first time in 1964 when the Soviets orbited the first of three Proton satellites each weighing about 25,000 pounds. This indicated the existence of a Soviet launch vehicle similar in capability to the U.S. Saturn I. Although Soviet releases of information on the launch vehicle have been very limited, what little has been said about it can be taken to mean that it may be capable of putting a 40,000 to 60,000 pound payload in orbit. This vehicle has several possible roles in the near term Soviet space program including manned circumlunar flights, manned space stations and unmanned exploration of the moon, but it is not large enough to support manned lunar landings.

The Soviets have long indicated an interest in manned lunar landings with the end goal of establishing a manned base on the moon. Most statements about their program was vague and many are contradictory, but there have been some recent indications that the target date for their first manned landing might be 4 or 5 years from now. If this is their objective, the Soviets should soon begin to test a space booster even larger than used for the Proton launchings, equivalent to the U.S. Saturn V.

In summary, the Soviet man in space program, which in its early stages was extremely active and aggressive, and as such accomplished many firsts, has now slowed perceptibly. This slowdown was no doubt due first to the time needed for the development of a new Soyuz spacecraft and then prolonged by the death of Komarov. It has also probably partly been due to the increasing complexity of mission objectives.

On the other hand, the increased space launch activity by the Soviets during the month of April may be the prelude to an active manned space program. Specifically, the second successful rendezvous and docking of the two unmanned space ships in April may encourage the Soviets to a manned rendezvous and docking mission in the forthcoming months.

Following is a list of Soviet accomplishments:

Vostok I, Yuri Gagarin, 12 April 1961.
Vostok II, Gherman Titov, 6–7 August 1961.
Vostok III, Andrian Nikolayev, 11–15 August 1962.
Vostok IV, Pavel Popovich, 12–15 August 1962.
Vostok V, Valeriy Bykovski, 14–19 June 1963.
Vostok VI, Valentina Tereskova, 16–19 June 1963.
Voskhod I, Vladimir Komarov, Konstantin Feoktistov, Boris Yegorov, 12–13 October 1964.
Voskhod II, Pavel Belyayev, Aleksey Leonov, 18–19 March 1965.
Soyuz I, Vladimir Komarov, 23–24 April 1967.

The Soviet Union shocked the United States out of its complacency in the space field by its launching of Sputnik I in October of 1957. This shock resulted in the Space Act of 1958. The Space Act has enabled the nation to mobilize the technologies of our time to insure our leadership and capability in space.

Now, as then, national security, technological leadership, and the general welfare of the United States are the most compelling reasons for keeping our efforts in space at a competitive level.

It is important to note that our chief competitor in space, the U.S.S.R. is increasing its monetary investment in space activities at a regular rate—now up to 20 to 30 percent more in real dollars than the United States while the U.S. space program through Congress is being regularly reduced. In terms of gross national product the U.S.S.R. is spending two or three times as much as the United States.

B. P. Konstantinov, vice president of the U.S.S.R. Academy of Sciences, in January 1968 stated that—

> We are a big state with more than 250 million inhabitants. . . . Some 700,000 people are engaged in scientific work—this is one-fourth of all the scientists in the world.

Comparatively, the United States has some 550,000 scientists.

The Soviets have consistently led the United States in power of operational boosters. Their current vehicle is more powerful than our S1B and the Administrator of NASA advised Congress that he believes the Soviets are developing a vehicle, not yet flight tested, more powerful than the SV.

The U.S.S.R. has launched over 18 spacecraft to date this year, including 12 between April 1 and April 26. NASA has launched six missions this year. It is apparent from the automatic docking of Cosmos 212 and 213 in earth orbit as the U.S.S.R. reported on April 21 and from the recent flurry of Soviet launches this year that the Soviet Union is stepping up its space activity to a new threshold of operation involving space stations for potential planetary and earth orbital operations.

Since the U.S.S.R. is currently spending more on their space program than the United States, their launch rate and operations in space will most certainly continue to increase at the expense of the United States. Our space program based upon recent budget cuts is currently in what amounts to a holding action. Further cuts in the fiscal year 1969 space program budget will most certainly jeopardize our program, our technology, and our competitive standing in the eyes of the world.

Mr. FULTON of Pennsylvania. The Russians are scheduling a great many flights.

Of course, we have had a 6- to 8-month delay because of the Apollo 204 accident. We have now recovered from that, but we certainly must press forward on our U.S. space program.

We must remember that we have received a tremendous amount of fallout that has been good for our own economy, and for the economy of the world, such as in communications and weather satellites. I would say that space is the new strategic area of the world.

To answer the gentleman's question further, the U.S.S.R. is spending more, in proportion, twice the amount of its gross national product than the United States of America is spending on space.

Mr. MILLER of California. Mr. Chairman, would the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I believe that all of us who are interested in this saw an article that appeared in the paper just the day before yesterday to the effect that the British had withdrawn from ELDO, that is, the European Launching and Development Organization, a group of European nations that have joined to compete with the United States and Russia in the field of space. With the British withdrawing, it means that ELDO will decrease in influence. The only other competition to the United States and the Russians has now been removed.

If we are to uphold and to garner the benefits from space, we have to do it on our own.

Will the gentleman agree with that?

Mr. FULTON of Pennsylvania. I certainly do. As a matter of fact, I want to tell you we believe we in the United States are far ahead on communications satellites. But, if we look at the Russian program, they [redacted]dy had a total of eight successful communicaton satellites on the MOLIYNA series. They have launched two in 1965, two in 1966, three in 1967, and one in 1968. They are highly elliptical orbits, and inclined at 62 degrees to the equator.

These satellites are farther up from the Equator than ours and suits their purposes to cover China, Russia, and Eastern Europe.

There is one other point I would like to make. We must remember that the prime primary contracts for the Apollo program have already been awarded. These contracts have a leadtime of 5 to 7 years on many of the pacing items in these programs. We have monitored these leadtimes to insure that they are reasonable and do not result in obsolescence or surplus equipment.

I have criticized any practices leading to surpluses, such as the purchase of four additional Saturn IB launch vehicles after 12 vehicles were already under contract.

Again, I criticized the purchasing of two additional Saturn V vehicles after 15 vehicles were already under contract.

We are monitoring this closely. We have the staff and committee members working on it and I must say it has been a pleasure to work this year on the program. I am pleased to see the success in recovery by NASA from the Apollo 204 accident. I also note that Mr. Webb now states that there is a good possibility of a moon landing in calendar year 1969 and within the decade that President Kennedy proclaimed as the national goal in May 1961.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. GROSS. The gentleman from Pennsylvania has made quite an issue of competition with the Russians. I do not recall that the Russians are compet-

ing with us to the tune of spending $30 billion a year for fighting a war anywhere.

The gentleman is cognizant of the fact that we are spending $30 billion a year on a war and that this Nation has a financial crisis in part because of this?

Mr. FULTON of Pennsylvania. This program has been cut $1.1 billion, from the original submission by NASA field centers to the amount unanimously recommended by the Republican policy committee. That is, from $15,100,000,000 to $4,031,000,000.

The Bureau of the Budget reduced the request by more than $300 million. The committee reduced it by $153 million. By the time we are through here, it will have been reduced by another $189 million.

Mr. GROSS. Let us have some recent figures. Let us compare the spending for this year with what you propose here today.

The budget this year called for $4,370,000,000. You have cut only $153 million out of this, according to the figures that I have.

Where is your startling saving? Only yesterday, I will say to the gentleman from Pennsylvania, the agriculture appropriation bill was before the House and it was cut 24 percent. You do not have any part of a 24-percent cut in this program to put a man on the moon, and I have no intention of voting for it unless it is drastically reduced.

Mr. FULTON of Pennsylvania. The farm bill was cut between $1.1 billion and $1.2 billion.

In contrast, the research and development request for the national space effort will be reduced by $1.1 billion. What is there to complain of?

Mr. GROSS. I am complaining about the fact that you have not properly cut this bill.

Mr. FULTON of Pennsylvania. We did. We reduced it by $1.1 billion from NASA's original requests.

Mr. GROSS. How long ago was that? Ten years ago?

Mr. FULTON of Pennsylvania. The original requests were submitted when the President submitted his budget message in January.

Mr. GROSS. Of this year?

Mr. FULTON of Pennsylvania. Of this year.

Mr. GROSS. You had a budget request of $4,370,000,000 and you cut only $153 million out of it.

Mr. FULTON of Pennsylvania. The original NASA request was $5.1 billion. The Bureau of the Budget considered $4,760.3 million in its markup, and made an initial reduction of $339.7 million and a further reduction of $389.9 million. The committee further reduced this by $153.77 million. The Republican policy committee agreed to a further reduction of $185.9 million.

So, it does total to $1.1 billion.

Mr. GROSS. I just got the figures from the staff. I do not find any $1 billion cut in this program. I do not know how the gentleman arrived at that figure. He must have a very sharp pencil.

Mr. FULTON of Pennsylvania. We are concerned about Cuba, 90 miles from the shore of our country.

Mr. GROSS. Apparently the Johnson administration is not worried about Castro. It seems to do nothing about him.

Mr. FULTON of Pennsylvania. While Castro may have missiles in place that can travel from 200 to 350 miles, he has no guidance or control, nor has he the ability to mount them in any of his capsules.

However, an orbiting body traveling at the rate of 17,500 miles an hour can go around the world in 89 minutes. We would not know what is in such a capsule. The hydrogen bomb has been reduced to the point where it could be placed in a relatively small craft.

We could have, traveling at 17,500 miles an hour, unidentified capsules that could destroy whole cities within 10 or 15 minutes.

I have looked into the situation of Mainland China.

China made its first nuclear launch in 1965–66, and has progressed since that time. There is a Nuclear Institute and a Space Institute in Peking. At the University of Nanking, China is working around the clock training technicians and is developing an intercontinental missile rocket for the Pacific area. China is also developing another space launch area like Turitam in the U.S.S.R.

Mrs. Shafly, a Republican, has said, "The enemy will strike from space. Watch yourselves, you Republicans going backwards." You appear to be disagreeing with her.

Mr. GROSS. It is not strange that I might disagree with her. I do not know whether she is an expert on this subject or not. The gentleman evidently thinks she is. I would not know.

Is the gentleman saying Cuba is stocked with intercontinental ballistic missiles?

Mr. FULTON of Pennsylvania. No. I said Cuba has missile sites, and I believe she has missiles capable of traveling several hundred miles without guidance or control.

Mr. GROSS. The gentleman is giving us information that is denied on every other hand. The missiles were supposed to have been carted out of Cuba long ago. The gentleman is saying as a result of his committee hearings, and so on, that his committee has ascertained there are intercontinental missiles in Cuba?

Mr. FULTON of Pennsylvania. My judgment, after talking with various people, is that there are missiles and missile installations there, but they are not of the intercontinental or intermediate-range types.

Mr. GROSS The gentleman evidently cannot tell the House with any degree of certainty that they are stocked with missiles in Cuba?

Mr. FULTON of Pennsylvania. The gentleman and I both believe they have them. I do not believe they have taken them out.

Mr. GROSS. I do not know whether they have or not. I would like to hear from other members of the committee as to whether or not Cuba is now stocked with missiles. They were supposed to have been taken out of Cuba. I would like to know.

Mr. FULTON of Pennsylvania. I have a logical deduction that probably they are still there.

Mr. GROSS. I thought the deal was made by President Kennedy that we would not invade Cuba if the missiles were removed. They were supposedly removed, and therefore we did not invade.

But I would like to ask the gentleman about the vehicles he talks about that may be weapons of destruction floating around out in space.

Mr. FULTON of Pennsylvania. They are orbiting under Keppler's second law.

Mr. GROSS. Do we have any means of detecting whether they are carrying nuclear warheads?

Mr. FULTON of Pennsylvania. We have no means. We should proceed with research and development on nuclear rocket propulsion for space, the Nerva I nuclear engine for space. This engine will be increased during the coming year from 55,000 pounds thrust to 76,000 pounds thrust.

We should go further and faster on nuclear power in space, with Nerva II. That will increase the Nerva I engine from 55,000 to 100,000 pounds thrust.

Why does the gentleman not say he is for the Nerva II development in space if he is for something like that?

Mr. GROSS. I must tell the gentleman, I did not know it was snowing outside. xxxxxxxxxx

Mr. FULTON of Pennsylvania. Well, if one gets into a field, one he is not in orbit in, he had better watch himself. The members of the space committee are space buffs.

I say on Nerva I, we should go ahead with research and development. It will give us a third-stage engine that will provide a 100-percent increase in payload. With this development, we will catch up with the Russians and be able to inspect these orbiting vehicles that are going to be orbiting the world in the next 2 or 3 years.

Mr. TEAGUE of Texas. Mr. Chairman, the full committee and the Subcommittee on Manned Space Flight have conducted thorough and extensive hearings on the fiscal year 1969 NASA authorization. In the face of the need for holding the line on spending it would be easy for all of us to simply make an indiscriminate cut in the NASA budget. The committee, however, has thoroughly reviewed the complete NASA program, including the manned space flight program, in hearings with NASA personnel and the Manned Space Flight Center directors.

The reductions which have been made by the committee have been made with careful consideration and recognition of the need not only for reducing the NASA authorization but also in maintaining a strong and progressive space program.

In the area of the manned space flight budget request several changes are included. It is important to note that NASA has proposed no new manned space flight programs for fiscal year 1969 devoting its full efforts to accomplishing previously approved programs.

Also, it is important to note that the Apollo program has recovered well from the tragic accident of a year ago with the launch of the first unmanned Saturn V—Apollo 4—and the first un-

manned lunar module test flight on a Saturn IB—Apollo 5. The Apollo program is continuing at a decreasing annual cost—$457.2 million decrease from the fiscal year 1968 appropriation—with the peak effort having been reached in fiscal year 1967. Apollo applications has now reached the hardware development and fabrication stage, and therefore, shows an increase—$186.4 million increase from the fiscal year 1968 operating plan—in planned effort. A request for $5 million for advanced mission studies also has been included to support future studies effort. This was not funded in fiscal year 1968 and operated from unobligated previous year funds.

The committee made the following changes in the bill submitted by NASA:

In the area of research and development, NASA requested $2,483,400,000 for research and development in manned space flight as follows:

NASA requested for continuation of the Apollo program for fiscal year 1969 $2,038,800,000.

The committee has carefully reviewed the Apollo program noting the excellent recovery in the program since the accident of January 1967. Based on the planned increase in flights scheduled in fiscal year 1969 the committee considered a reduction of $13.8 million would allow accomplishment of its planned schedule while encouraging austere management of research and development supporting activities.

Therefore, the committee recommends an authorization of $2,025,000,000 for continuation of the Apollo program.

For fiscal year 1969 NASA requested $439,600,000 for the Apollo applications program. The committee reduced this amount by $44 million to $395.6 million.

Prior to coming before the committee, the Apollo applications program was reduced $86.0 million by the Bureau of the Budget.

The committee believes the Apollo applications program provides the major U.S. opportunity to extend manned scientific, technological and utilitarian space capability in the 1970's. Because of budget reductions and Apollo schedule changes occasioned by the Apollo accident the following changes have made to the Apollo applications program in fiscal year 1968:

Deferral from 1970 to 1971 of extended lunar activity.

Deferral from 1968 to 1970 of the Saturn I workshop.

Canceled second Saturn I workshop and revisit flight.

Canceled second Apollo telescope mount to be flown in conjunction with the second Saturn I workshop.

Deletion of the lunar mapping and survey system.

Canceled earth resources flight—AAP–IA.

Delivery of Saturn I–B's reduced to rate of two per year in fiscal year 1969.

Delivery of Saturn V's reduced to rate of two per year in fiscal year 1970.

Considering these facts the committee reduced the fiscal year 1969 NASA budget request by $44 million with the view that this reduction would still allow accomplishment of the presently scheduled Apollo applications program but would require NASA to hold expenditure in supporting activities to a minimum.

Mr. Chairman, the recommended committee level of authorization for Apollo applications of $395.6 million for fiscal year 1969 is a minimum level for effective progress in the Apollo applications program.

For fiscal year 1969, NASA has requested $5,000,000 for advanced missions studies to examine advanced manned space flight concepts, future space station studies, and intermediate size launch vehicles studies. The committee reviewed the expenditures of previous year funds for advanced missions and determined that NASA has an unobligated balance of $5.46 million on hand which NASA plans to obligate by July 1, 1968. After reviewing the obligation rate of funds for advanced missions programs the committee reduced the NASA request $2.5 million with the view that sufficient funds would be available at that level for fiscal year 1969 studies. Therefore, the committee recommends a $2.5 million authorization for fiscal year 1969 for advanced missions studies.

For fiscal year 1969 NASA has requested a total of $18,569,000 to cover the cost of 14 line items at three of the manned space flight centers and at seven Government-owned testing and manufacturing facilities.

Of the funds requested $3,560,000 is required to pay for judgment claims against property acquired by condemnation at Kennedy Space Center during fiscal years 1962–63. Another $1,950,000 is for the only two projects which can be classified as new construction. One is to add to an existing flight crew training facility at Houston and the other is to build an air pollution control facility to meet Los Angeles pollution regulations.

The remaining $13.1 million is for capital rehabilitation, alterations and modifications to existing facilities at nine separate centers and facilities. The total value of manned space flight plant is estimated at $2.3 billion. The amount requested this year for capital rehabilitation is on the order of six-tenths of 1 percent of the plant value. A rough indicator for major industries is that about 5 percent of the capital value of the plant is used annually for capital rehabilitation, modification and alterations.

The original request from the manned space areas for fiscal year 1969 was $68 million and was reduced by NASA headquarters to $31 million. The Bureau of the Budget further reduced this amount to $18.6 million or to a level about one-fourth of the original request.

In view of these factors, the committee approved the full amount requested.

For fiscal year 1969, NASA requested a total of $312,984,000 to cover "Administrative operations" at the manned space flight areas. This amount is a reduction of $4.2 million from the fiscal year 1967 level and exactly $27,000 higher than the level for fiscal year 1968.

The fiscal year 1969 funds will be required to sustain the full year effect of the first incremental pay raise under the 1967 Federal Employees Pay Act, whereas the same pay raise was operative for only a part of fiscal year 1968. Fixed personnel costs for manned space flight have now risen, due primarily to pay raises for civil service personnel, to the point where they constitute 61.5 percent of the total administrative operations budget. If one includes related travel of civil service personnel to administer contracts, supervise operations and similar activities, this percentage rises to 64.5 percent of the total budget.

Additionally, the field centers requested $364.1 million for their administrative operations costs. This was reduced by NASA headquarters and the Bureau of the Budget by over $51 million, or about 14 percent.

The committee concluded that the total funds requested for administrative operations in manned space flight was extremely austere. Therefore, the committee approved a token reduction of $27,000 to make the fiscal year 1969 manned space flight portion of the request exactly equal to the fiscal year 1968 operating plan for this budget category.

Mr. Chairman, a responsive and thorough effort has been made in examining this year's budget and I recommend that the floor sustain the actions taken by the committee.

Now I would like to discuss several other aspects of the program including our national security.

NASA's space [redacted] contributes greatly to ultimate military applications. In the manned space flight programs, we have developed and built very powerful launch vehicles, highly sophisticated spacecraft, complex test and launch facilities, better electronic devices, improved materials, and more accurate guidance systems, as well as gaining valuable data on how well man can function in space and for how long. In addition, the ability to maneuver and to rendezvous and dock with another object in space is of tremendous importance to the Nation's overall goals in space. The technology, equipment, hardware and trained personnel thus being developed by NASA for today's space programs, particularly the lunar landing and Apollo applications, have direct military applications and greatly enhance the national security of the United States.

For example, the two-man lunar module, being developed to land a man on the moon, could also be used in earth orbit to make rendezvous with any other satellite and land on the satellite. The lunar module crew could get out and inspect, test or repair the other satellite, and even operate as a "boarding party."

NASA's space vehicles could be used not only for interception and inspection, but also for surveillance and other missions similar to those for which high-performance aircraft are now being used. There is no doubt but that the Soviets are considering space potentials in this light.

With the advent of major space stations—such as the Saturn V workshop in the Apollo applications program—the support available to military applications from NASA programs will increase tremendously beyond what we have today.

All of these elements and capabilities constitute a national resource of enduring value which will provide the Nation with freedom of operation in space, with

which it will be possible to carry out the wide variety of missions that may be required by the national interest. Such freedom of operation is essential to the national security and the preservation of peace in space.

In the international area, our space programs—and manned space flight in particular—are considered as a measure of our ability to compete with the Soviet Union and, in a larger sense, as a measure of the worth of our system of government.

Let us not forget that the basic stimulus for the major U.S. effort in space in the late 1950's and early 1960's was competition from the Soviets. That competition is just as real today as it was 10 years ago.

The fact is that the Russians today are accelerating their space program while we are cutting back on ours.

There is no doubt that we shall continue to be confronted by the Soviets on many fronts for the rest of this century. Whether it be a Berlin airlift or a Berlin wall, a Korea or a Vietnam, a ballistic missile race or a space race—they will confront us on all fronts where they can expect to make gains.

There is nothing the Soviets would rather see than to have the United States dissipate our total efforts in Vietnam while they win the battles on the frontier of technology—battles on the space frontier which allow them to win the minds and the imaginations of uncommitted peoples throughout the world.

It is clear that the American people do not want to be second to anyone—and if we fail to support a vigorous space program now, we can surely expect to hear a great hue and cry about 3 years from now to "catch up."

The contributions of the space program to our national security and to our international position are quite obvious. Not so obvious, but of equal importance in the long run, are the basic contributions of the program to bringing together people from all disciplines—from medicine and the life sciences, through physics, astronomy, and engineering to economics and public administration—and causing them to work together toward a common goal—the long-term survival of men in space. I believe that this forced intermingling of knowledge and skills will do much to create new solutions to many of our immediate as well as long-term social and urban problems.

The real problems we are facing today in our cities are associated with the fact there are more people in the cities than the cities need to maintain their operation, and there has not been a way found to use these people's talents effectively to produce something that someone else wants. I believe that a society will only succeed to the extent that each member of that society is producing rather than accepting. Clearly, it is impossible to guarantee full employment of all the people in this Nation, and maintain a stable society, if the number of people in that society continues to increase each year, unless at the same time we create new technology, new industries and new outlets to provide new opportunities for all of these people to make positive contributions to the society.

There is no question that advancing technology, along with education, are the long-term answers to the social and economic problems this Nation faces. And the space program is one of the major contributors to the advance of both education and technology.

Nonetheless, there are still those who complain, "Why should we spend this money to explore space when there is so much to be done right here on earth?"

To these people, I say that there was plenty to be done in Europe when Columbus left it. And there is still plenty to be done there. If Columbus had waited until Europe had no more internal problems, he would still be waiting. But the opening up of the New World did more to revive the European culture and economy than any internal actions could possibly have done.

Similarly, I strongly believe that, because of Vietnam and the crisis in our cities, a dynamic space program becomes of even greater importance than before. Our Nation's accomplishments in space serve to inspire a rewakening of the American spirit and a rebirth of our national pride, at a time when our purpose is faltering at home, and our image is being tarnished abroad.

This Nation did not declare the "technological" war, in space or on earth. We were challenged by international competition. We have now reached the point in space where the opportunity to excel in our competition is clearly within our grasp. This is not the time to retrench. This is the time to capitalize on the money and the work we have invested over the past 10 years.

Mr. Chairman, I would like to quote from the August 2, 1967, edition of Space Daily which has some very relevant and interesting material from the Harris poll. The poll found that only 43 percent of the people interviewed favored the Apollo program, while 46 percent opposed it. However, Harris found 58 percent of those who were 35 years or younger were for the space program. Among those under 50 years of age, 52 percent were in favor, while only 26 percent were in favor of the space program who were over 50 years of age.

The Harris poll also discovered that 56 percent of those with an income of $10,000 a year or more favored the program, and that approval diminished as the level of income diminished.

Space Daily concludes, I quote:

From the Harris Poll two significant conclusions: One—those who favor and support the national space program are young in mind and/or body, ambitious, hard working, far-sighted, and educated; two—those who oppose the space efforts are aging, tiring, lazy or uneducated or deprived and parochial.

End of quote.

Space Daily may have been a little sweeping in its conclusions, it could have added the name of the greatest opposition to the program in just one word: "Republicans."

Certainly, Mr. Chairman, the Harris poll indicated that the leadership of the Nation—the leaders in every walk of life—are the greatest supporters of our space program.

We are faced today with a blatant piece of crude political expediency, in which the Republicans are trying to repair their damaged position with the electorate by attacking the very heart of one of the most essential and forward-looking programs the Government of the United States has ever attempted.

This is no new thing. The entire history of our effort to explore space has been pockmarked by Republican oppositionism. I intend to make the full and sordid history of opposition a part of the RECORD so that if we ever, God forbid, have to take a back seat in space, the blame can be laid where it belongs—at the doorstep of the Republican Party.

If the Republicans can get any political advantage out of bearing the responsibility for making the United States a second-class power in space, then they possess a genius for political manipulation which has not been apparent in their leadership for many years.

It is true the space program was initiated—unwillingly and half-heartedly—during the Eisenhower administration. President Eisenhower, however, repeatedly argued against the expense and diversion of resources in Project Apollo. Mr. Chairman, you will remember that Mr. Eisenhower was reported as referring to the whole program as a "moondoggle"—a witty speech writer's phrase, but hardly very [redacted] our ultimate success in space.

I remember having a conversation in 1957 in New York—before the Russians put Sputnik I into orbit—with Dean John Ray Dunning, of Columbia University, who is dean of engineering and applied science. He said at that time that the United States could put an artificial earth satellite into space within 60 days—any time the Republican administration decided it was worthwhile to do so.

The Republican administration did not decide it was worth the Nation's while until after October 4, 1957, when the Russians startled the world and caught the United States entirely by surprise by putting her sputnik into orbit. There has hardly been any event in recent history which did more damage to the prestige of this Nation throughout the world. The reverberations of this failure of leadership and narrowness of scope are being felt throughout the world today and are still being felt in our own country.

We did manage to get into the space race in 3 months' time. We had planned originally to send an earth-orbiting satellite, Vanguard—touted to be the world's first artificial satellite—during the Geophysical Year of 1957–58. We were so certain that we were so comfortably ahead of the competition that we dawdled along with insufficient funds, insufficient sense of urgency, insufficient understanding of the impact of leadership in space—and let the Russians beat us by 3 months. Our own effort on February 1, 1958, was a pallid anticlimax and put us in the unenviable position of playing catchup with the Soviets.

We did not catch up with the Soviets during the Eisenhower administration. As a matter of fact, we did not really make it back into the big leagues of space until the late President John F. Kennedy infused the program with a giant dose of initiative and imagination by an-

nouncing on May 25, 1961, that the United States was determined to land a man on the moon within the decade.

This bold concept by a Democratic President backed by a Democratic Congress retrieved leadership in space from the Russians. We have continued to hold that leadership—albeit by the narrowest of margins—ever since, despite the foot-dragging and carping from the other side of the congressional aisle.

For the RECORD I would like to insert at this point a tabulation of the significant positions taken by the Republican leadership in the space program.

The CONGRESSIONAL RECORD for the first 3 years of the Kennedy-Johnson administration is replete with attacks upon the space program by prominent Republican Members of this body.

Then in 1963 the Republican leadership opened up its largest guns and started a withering barrage upon the program.

The Republican policy committee of the other body and of this body, issued statements doubting the wisdom of placing emphasis on the moon program. The other body Republicans, through their policy committee, called the program overrated on May 10, 1963, and argued that it would give the United States "a momentary advantage" if we were successful, adding:

> It is hardly worth $40 billion to get a few weeks of headlines. For momentary transcendence over the Soviet Union we have pledged our wealth, our national talent, and our honor.

It would be hard, Mr. Chairman, to imagine a more narrow or more misinformed evaluation of the implications of the lunar landing program than this.

On April 8, 1964, Gov. Nelson Rockefeller, of New York, in a speech at Johns Hopkins University, said that in his opinion we were moving too fast on the Apollo program, which he was reported to have described as "unsound." He added that the moon program was not worth the cost, and urged us to stop racing the Russians to the moon and to return to the slow unchallenging program of the Eisenhower administration.

In the next month, on May 28, 1964, the Republican Critical Issues Council, of which Dr. Milton Eisenhower was chairman, issued its Paper No. 7, which reiterated the stand taken by Governor Rockefeller. The paper included one passage which, to me, exemplified perfectly the historic inability of the leadership of the Republican Party to see any further ahead than the tips of their noses:

> The exploration of our universe is a goal too vast, too hazardous, too costly and too important to all mankind to be financed and conducted by one country alone, and least of all in an atmosphere of unfriendly competition.

Mr. Chairman, if the pioneers who settled this country and made it great had been modern-day Republicans, they would never have crossed the Ohio River. The Pacific Ocean would be still an unconfirmed rumor and any attempt to reach the manifest destiny of America would have been a project too vast, too hazardous, too costly, and too important to undertake.

The Critical Issues Council, incidentally, was a notable blue-ribbon committee representing the power and the glory of the Republican Party. Besides its chairman, Dr. Eisenhower, it included the following eminent Republicans:

REPUBLICAN CITIZENS COMMITTEE CRITICAL ISSUES COUNCIL

Chairman: Dr. Milton S. Eisenhower, president of Johns Hopkins University.

Adm. Arleigh A. Burke, USN, retired.

Arthur F. Burns, professor of economics, Columbia University.

Albert L. Cole, general manager, Readers' Digest Association.

James H. Douglas, former Secretary of Air Force.

Marion B. Folsom, former Under Secretary of Treasury and former Secretary of Health, Education, and Welfare.

Thomas S. Gates, former Secretary of Navy and former Secretary of Defense.

T. Keith Glennan, former member of AEC, former Administrator of NASA, president of Case Institute of Technology.

Oveta Culp Hobby, former Secretary of Health, Education, and Welfare, president of Houston Post Publishing Co.

Walter H. Judd, former Member of Congress, Fifth District of Minnesota—78th to 87th Congress.

Mary P. Lord, former delegate to United Nations General Assembly.

Clare Boothe Luce, former Member of Congress from Connecticut, former Ambassador to Italy.

Deane W. Malott, former president of Cornell University.

James P. Mitchell, former Secretary of Labor.

Gen. Lauris Norstad, USAF (retired), former Supreme Allied Commander in Europe.

Don Paarlberg, former Assistant Secretary of Agriculture and professor of economics at Purdue.

Mr. C. Wrede Petersmeyer, president, Corinthian Broadcasting Co.

Mr. Samuel R. Pierce, Jr., former judge, New York court of general sessions.

Charles S. Rhyne, former president of American Bar Association.

Raymond J. Saulnier, former Chairman of President's Council of Economics Advisors, professor of economics at Columbia University.

Lewis L. Strauss, former Chairman of AEC and former Secretary of Commerce.

Walter N. Thayer, president of New York Herald Tribune.

Henry C. Wallich, former member of President's Council on Economic Advisers and professor of economics at Yale.

When the remarkable, retrogressible statement of this council on the space program was released, I felt that the Subcommittee on NASA Oversight should be permitted to benefit from the thinking of these eminent Republicans. I sent a telegram to each member of the council inviting them to appear before our subcommittee to "present any evidence which would indicate that our space exploration program is too vast, too hazardous, too costly, and too important to all mankind to be financed by one country alone."

Every member of the council respectfully declined to appear before the subcommittee. Not a single member was prepared to support the position of the council under questioning. Not a single member of the council was prepared to encumber his mind with factual information.

The drumfire of constant opposition from the Republican Party has continued to this day. It has not been accompanied by any instances of constructive or helpful thinking.

Mr. Chairman, I have tried to limit my criticism to the Republican Party and its leadership. I do not want to seem to be castigating all Republicans and certainly not all Republican members of the Committee on Science and Astronautics.

We have an excellent committee and its members are as hard working as any Members of this body. As laymen, we all have worked extremely hard to become knowledgeable in our own area of responsibility. Many Republican members of the committee has been outstanding in their industry and application. I want to pay special tribute to the gentleman from California [Mr. BELL] and the gentleman from Florida [Mr. GURNEY], who are veterans—distinguished veterans—of our committee. I also want to pay tribute to some Republican members of the committee who have shown a most commendable desire to learn and cooperate with us a[redacted]slate for the benefit of the entire Nation instead of for the benefit of a handful of political partisans. I refer specifically to the gentleman from Michigan [Mr. VANDER JAGT], the gentleman from Kansas [Mr. WINN], the gentleman from New Jersey [Mr. HUNT], and the gentlemen from California [Mr. BELL and Mr. PETTIS], and the gentleman from Florida [Mr. GURNEY]. They all deserve the commendation of the American people.

On July 19, 1967, the gentleman from Arizona [Mr. RHODES], speaking for the Republican policy committee of the House, was eager for his party to take credit for the amendments which have damaged the space program. He entered in the CONGRESSIONAL RECORD of July 19, 1967, the following statement:

> Mr. Speaker, the House Republican Policy Committee urges the House-Senate conference on the National Aeronautics and Space Administration authorization bill to accept the key Republican amendments which were adopted on the floor of the House. These amendments would reduce the funds requested by NASA by $201.4 million, establish an independent safety panel in NASA and require the Space Administration on its own initiative to keep Congress full and currently informed of problem areas in the space effort.

This places the blame exactly where it belongs—on the shoulders of the Republican Party. The party may take bows today for effecting what they claim to be "savings" in this program—but let them not try to take cover in their political cyclone cellars when the winds of violent public disapproval start to whistle, once the American people learn the enormity of the blow they have struck against future American leadership and dominance in space which, cannot be repeated here. They know from these briefings that we have no reason to believe that the Russian effort is less than ours, and we also know that the Russian effort could be greater.

Knowing these facts, the action of the Republican leadership in trying to make political capital out of the space program was both irresponsible and reckless.

Mr. Chairman, I have tried to make the record clear with careful documentation of the obstructionism of the Republican leadership in this space program which is so essential to our future as a nation and to the future of the free world.

The future of this Nation depends to a great extent upon the achievement and maintenance of technological excellence. Many of us would prefer the simpler life which prevailed in this country a half century ago, but the choice is not ours to make. The world has changed and we must change with it—or, better still, we must see to it that the world is changed in the way that we want it to be changed.

We are accused of putting too much emphasis on the landing of a man on the moon during this decade. I do not think there is any truth to this. The moonshot is the most dramatic element of the space program, but it is only one element in a hugely complex program which will enrich the life of generations of Americans to come. It is a hugely complex program which, if carried out successfully, will insure the freedom and the security of our children, and our children's children.

If Russia beats us in the race to the moon, we shall no longer be considered the leader of the world. We shall be considered as a secondary nation, a nation that has lost its scientific and industrial preeminence, a nation no longer capable of reaching its primary goals, a nation that has reached its peak of achievement and has started its descent down the other side of the hill.

Mr. Chairman, we cannot—we must not—permit this to happen.

I may have sounded somewhat partisan in my remarks today. I regret if this is so. I have had to sound partisan in order to document the political maneuvering of the minority party leadership in trying to milk votes out of the ruination of the space program.

Mr. Chairman, it is important to remember that there are a host of important reasons for us to have a national space program.

First, that the often used argument that we should spend on earth rather than out in space is sheer nonsense. It is all spent here.

Second, that less than 1 percent of the gross national product is being spent for the entire space program, and that spending for such purpose generates more employment, more production, more technological advances, and makes the United States wealthier than does any other program except possibly our educational system.

Third, that the potential of space for increasing the known quantity and the effective use of our food, mineral, and water resources is alone sufficient to pay the costs for the entire space program.

Fourth, that the individual who urges that space expenditures should be reduced so that the funds might be spent for other purposes—such as housing, and the lessening of poverty and crime—is approaching the problem in a negative way, as space activities generate both technology and funds to help solve those problems.

Fifth, that medical instruments and electronic instrumentation, improved as a result of the space program, offer opportunities to revolutionize the equipment of clinics, hospitals, and doctors' offices and that, with computer-aided diagnosis, the possibility of more nearly automated hospitals should help meet the shortages of both doctors and nurses and at the same time improve the quality of the individual patient's care.

Sixth, that we are using the dimension of space to increase our alertness to dangers and to lessen the likelihood of aggressive action by others; and, in so doing, we find that space progress is making a major contribution to our national security.

Seventh, that, as a result of the aerospace revolution, the rate of invention has been increased, the quality of goods has been improved, and the potential for a higher standard of living has been underscored.

Eighth, that the space program has brought us many new and improved products and services, including transoceanic communications, global weather reporting and forecasting, improved forest fire detection and observation of natural resources, and many new metals, alloys, and plastics as well as vast improvements in electronics.

Ninth, that the national space program has indeed been a catalyst and stimulus to education throughout the entire country, while at the same time increasing greatly our supply of basic knowledge.

Tenth, that our aerospace leadership has shown people throughout the world that the most successful nation is one which offers individual freedom, encourages private enterprise, acknowledges its failures as well as successes, and provides a government to serve rather than to rule.

Eleventh, that the national space program can properly be labeled as a worldwide ambassador for peace, since space activities offer a substitute for aggression, as well as provide major tools for international cooperation, arms control, and disarmament.

Twelfth, that the systems-analysis approach, brought to such a high degree of development in the national space program, can contribute to community planning, improvement of police and firefighting organizations, and modernization of transportation. In addition, this management approach is applicable to the distribution of power and handling of cargo, the more effective use of our natural resources, the elimination of water, air, and soil pollution, and many other vital fields for bettering man's life.

I say, Mr. Chairman, let us now, once and for all, declare a truce on political partisanship in our space program. There should be no politics in space, only statesmanship. Let us forget our political differences and work together from here on—forgetting what is past—and building for a greater universe in which all humankind will henceforth live in peace, in progress and in mutual respect and cooperation.

AN OVERVIEW

Because of the pressing need for a review of the importance and contributions of our national space program I offer the following, I say, our 200-year history of expansion and opening of new frontiers is a national characteristic and inheritance. The Nation's success in moving ahead has resulted because Americans believed in themselves and had confidence in the future. It was this confidence that brought the first colonists westward across the Atlantic to settle the eastern shores. It was that same confidence which brought other generations across the continent to build up our country all the way to the Pacific.

Our free enterprise system is based on confidence. Since the turn of the century, the automotive industry has become one of the dominant forces of our economy and has changed the complexion of transportation and manufacturing throughout the world. The early auto pioneers had the daring and imagination to move ahead into uncharted and unexplored economic areas. Who would have thought at the turn of the century that the newfangled "horseless carriage" would make it economically profitable to build a major industry around the rubber tree. Or that oil, which was being replaced by electricity as a means of illumination, would find a new and far greater market as a fuel for the automobile?

Columbus' voyage to America captured the imaginations of men of his time even though he went to the wrong place and found a land and a people quite different than he had anticipated. Yet, the real contributions which this new continent was to make were certainly well beyond even the wildest imagination of men of that time. It was not until many ships had traveled regularly from Europe to America that, in fact, man really began to explore and exploit this continent.

The Wright brothers' first flight at Kitty Hawk dramatized the possibility of flight, but it was not until airplanes were numerous and barnstorming had given way to commercial flight that profit began to come from aeronautics. The history of the airplane is interesting for another reason. Although the United States was first in its invention, it remained for the Europeans to adopt it for practical use, so that this Nation was forced to borrow British and French designs for use in World War I and in fact, no American-designed plane flew in combat.

The submarine was invented by an American named Holland but was first exploited by Germany. Robert Goddard of this country proved that a rocket would work in a vacuum, but the Germans used the principle to build ballistic missiles, and the Soviets first achieved space flight.

It is hoped that we are perceptive enough to profit from history and that we do fully use and exploit this space capability we are developing at such a heavy investment of resources, and that we do allow ourselves the time and free-

dom to use this capability in space for the benefit of mankind.

OUR SPACE PERSPECTIVE

The advancement of man from cave dweller to space explorer is soundly based upon his continuing curiosity, exploration, discovery, adaptation and exploitation of elements of his environment.

The Apollo program has focused our national effort on developing the capabilities and the resources for continued exploration of space. Now these hard-won advantages can be used for our next step—the Apollo applications program for the exploitation of what we have already learned in space.

In Apollo applications we can operate in space to observe phenomena and processes which we cannot reproduce in laboratories on earth. The immense range of pressures, temperatures, densities and super-high energies—all of these can be employed in the new natural laboratory which we have already found in space.

The Saturn I workshop, an early phase of the Apollo applications program, is a first generation space laboratory, an outpost for scientific discovery, which will operate in orbit, using and studying the unique physical conditions of space.

The experiments in the Apollo applications program fall into three distinct categories, each with specific objectives and all with "earth-benefit goals."

Some will look up at the sun and into the outer reaches of our solar system.

Some will look down to examine the lands and waters, the fields, and forests of earth.

And some will look in—into the physiology of man and his reactions to a new environment, and into the technologies and sciences which are clamoring for answers to questions which cannot be answered on earth.

Those that look up are concerned with studies of our solar system, to learn more about the origin of our universe and the nature of influences upon earth, with particular concentration on its center, the sun.

People ask, "Why study the sun?"

To answer this question one must only realize that the earth and all its processes are dependent upon the sun, the heart of our solar system, the sustenance of all life, and the source of all energy on this planet.

We know that the sun is also directly responsible for many of our problems, good weather and bad, hurricanes, typhoons and tornadoes. Damage from these presently insoluable problems amounts to untold billions of dollars annually throughout the world.

Students of solar physics are well aware that the key to controlling the weather lies first in a thorough understanding of the sun.

A most important part of the experiments programed for the Saturn I workshop in the Apollo applications program is the study of the sun from beyond earth's veil of atmosphere and during a period of heightened solar activity. This opportunity will not occur again for many years, so the date, 1971, becomes important.

Looking down at the earth, one group of experiments that is planned for these flights involves the use of a platform to experiment with a survey of earth resources. Knowledge currently available indicates that great benefit may be realized through improved knowledge and management of our natural resources. We already know some of the ways in which space-borne sensors may be applied to examination of the earth from orbital altitude. It is possible, with proper sensors, to distinguish some diseased from healthy forests and crops, to measure the distribution of certain types of crops, and to detect incipient water shortages and forecast their effect on crop production. Geologists believe that photographs from a spacecraft orbiting the earth will reveal undiscovered mineral deposits.

Cartographers are excited about the new look which parts of the earth have on photographs taken by the Gemini astronauts.

Information in many fields, collected on a global scale, can go far toward improving the management and utilization of our natural resources and thereby contribute to the reduction of some of mankind's greatest problems.

Many of the experiments in the Apollo applications program will teach us more about the way to live and work in the space environment. Numerous medical investigations are an important part of this program. Man's physiological and psychological reaction to the environment are being explored through a variety of experiments.

How does a man eat and sleep in zero gravity? How is food stored and prepared? What is the best way to handle waste? What tools are most effective? How does one move about inside a large gravity-free area? The results of these experiments will provide the knowledge necessary to design and execute the missions of the future, and the intensive research which will provide the answers, will also give us new information to use in our daily lives.

Medical monitoring devices, very similar to those devised to measure the physical response of our astronauts to the space environment, are already being used in the Nation's hospitals relieving overworked nurses. Machines are taking over some of the functions of monitoring the condition of seriously ill patients, instantly notifying a central console should some condition deviate from normal. Lives are being saved as a result.

An accelerometer has been developed that is sufficiently sensitive to detect the smallest ripple of motion in a spacecraft. Its sensitivity is such that it can also detect the heart beat of a chicken embryo within its shell or the initial, heretofore undetectable, muscle quivers that precede Parkinson's disease.

Our manned space flight experience to date has been directed toward our ability to meet the requirements of the lunar landing objective. The Gemini program accomplished progressively longer duration missions up to 14 days. The results are completely positive and produced no evidence to preclude continuing the progressive buildup of mission length.

There will be increases in mission duration by several orders of magnitude. Crew size will not only be larger but will be augmented by astronauts trained in the scientific disciplines. The spacecraft volume in which the astronauts will live and work will be adequate for research activities. Equipment and experimental devices will be more extensive and much more refined than any flown before. These improvements, which are felt by many to be rather rudimentary when considered in the light of what will be available in the years beyond, will make it possible for us to begin to realize a dollar and cents return on our investment in space. At least we will have available the tools needed to develop the great potential that exists.

Through scientific exploration, the Apollo applications program provides the mechanism which will return direct benefits to man on earth.

This program will sustain our competitive position in the world market for technological products and services, and will permit the nation to meet the scientific challenge of the future at minimum cost.

The Apollo applications program supports our international prestige as well as our national security.

PRACTI[redacted]TIONS

There are basically two categories of practical applications benefits that are coming out of the space program. These are applications which require financing by the Federal Government and those which can be supported by private enterprise. For example, our weather satellites are financed by the Environmental Science Service Administration of the Department of Commerce, whereas our communication satellites are funded by private enterprise; namely, the Comsat Corp.

In addition to the benefits of our present communication and weather satellite programs, flights of cameras and sensing equipment will help us progress toward very long-range weather prediction and control, determination of the status of crops and forests, detection of pestilence and forest fires, the location of schools of fish at sea, the discovery of new deposits of ores and oil, the updating of maps on a global basis, the measurement of air and water pollution and the assessment of earth resources as a whole.

The Nation spends billions on health problems. Most of this is directed toward sickness. The space program is monitoring healthy people—the astronauts. The benefits of knowing more precisely what constitutes a healthy person are incalculable.

The management techniques which have been developed as a consequence of the new and formidable requirements of the Apollo program are being closely examined. Throughout the world, administrators whose problems are as varied as slum clearance, mass education, complex science technology programs, national planning, long term development projects, and the concurrent development of diverse systems are benefiting from space program management techniques.

New concepts of satellite navigation

have been developed by the Navy for Polaris and other naval requirements. Vast improvements have been yielded over traditional systems. It is interesting to note that satellite navigation was not even conceived at the time the Polaris program was initiated.

The space program has provided the tremendous stimulation for the development of large-scale digital computers. In the Apollo program there are some 600 computers and data-handling complexes all linked together on a common project and on a common basis.

The Apollo IV mission in November demonstrated this system. Prior to this first launch of the free world's largest and most complex space vehicle, it was moved to the launch pad and checked out with the world's most sophisticated electronic and mechanical gear. From the moment of launch it was followed every step of the way in its mission by a worldwide ground network of more than 600 automatic and semiautomatic telemetry and computer systems which performed some 300 million computations. After a trip of more than 140,000 miles, Apollo IV landed on its target in the Pacific Ocean. All of this equipment worked together on the first try without error.

The Apollo program computer complex may supply the know-how to use these computers to solve complex global enterprises such as control of air and water pollution, evaluation of earth resources, or other, as yet unthought-of projects.

The space program is fostering new technologies such as high efficiency solar cells, improvements in semiconductors and the development of new power sources such as the fuel cell. The fuel cell is an extremely efficient source of power and has been available for over half a century, yet it took the stimulus of the space program to bring it to a high degree of development and to practical application. A commercial application is now underway sponsored by gas companies throughout the country in the development of a power cell for use in the home to supply heat, power, and air conditioning.

The space program is providing advances in the state of the art involving materials and processes. The Apollo program has fostered advances in the metallurgy and heat treating of titanium. Information provided by NASA in the technology utilization program has helped a steel producer improve its ultrasonic testing practices, a metal powder production company to improve its control of particle size and product purity, an Ohio firm to solve a problem in high temperature electrical insulation, a Nebraska company to solve problems in welding and galvanizing, and a manufacturer of rubber components to solve lubrication difficulties in a high temperature pressure transducer. Other ample evidence exists to show that technology being developed in the course of NASA programs is helping the Nation solve materials and process problems.

EXAMPLES OF TRANSFER

I would like to mention a few specific examples of transfer:

Researchers at the University of Minnesota Medical School are seeking the causes of the tendency for the bones of our bodies to become brittle with age. Little data has been collected on the elasticity of bones in the living state. Special instrumentation is needed. Reporting this problem to a biomedical application team resulted in the identification of a miniature stress transducer—reported in NASA Tech Brief 65–10023—developed at Jet Propulsion Laboratory to measure stresses in solid rockets. The medical investigators plan to use this transducer in their research.

A solid-state device, developed in the course of fuel cell research, was reported in NASA Tech Brief 66–10682 and has been nonexclusively licensed to a large manufacturing firm which is investing the full time of several senior scientists and substantial facilities in further development with the hope of a major breakthrough in dry battery commercial technology.

Flintkote Co., New York, has been licensed to practice the technology of thermoplastic materials developed at Jet Propulsion Laboratory and announced in Tech Brief 66–10453. The firm is expending considerable effort in market research and the improvement of manufacturing processes to bring these materials onto the commercial market soon.

The University of Minnesota Medical School reports it will use a substantial amount of know-how developed and reported by NASA in the design and construction of its sterile operating and postoperative rooms.

A Pittsburgh company reports information provided by a regional dissemination center on selection and use of milling media in metal powder production has permitted improvements in control of particle size and product purity.

Information provided by a regional dissemination center permitted a steel producer to improve its ultrasonic testing practices.

Several critical helicopter design decisions were made by one RDC client on the basis of information obtained from the RDC.

A small Pennsylvania company has reported using the results of eight services provided by an RDC to improve its products and processes.

An Ohio firm solved a problem in high temperature electrical insulation on the basis of NASA technical information supplied by an RDC.

Another company found in the NASA information the basis for development of reinforced plastic springs.

A New York company has tested and now plans a pilot production run of instruments for commercial sale based on an avian ballistocardiograph developed at Ames Research Center and described in a technology utilization report.

An Ohio company is marketing an implantable telemetry system for research use with animals that is reportedly based in large part on a miniature telemetry system developed at Ames Research Center and announced via Tech Brief 66–10624.

Western Electronic Products Corp., San Clemente, Calif., is now marketing two products based on NASA inventions. The first, reported to this committee last year, was a coaxial cable cutter and stripper developed at Ames Research Center and announced via tech brief. The second is an electronic component lead bender developed by Marshall Space Flight Center and announced in Tech Brief 66–10346.

Information on tactile simulation devices and data on cutaneous stimuli, both provided by a biomedical application team form the basis for establishing critical parameters of an electronic conditioning device for smokers, now in development.

Space Craft, Inc., Houston, Tex., developed a bit error rate detector for Goddard Space Flight Center and has since begun to commercially market the device which automatically analyzes the recording capabilities of magnetic tape recorders used in instrumentation systems.

The Laboratory of Sensory Sciences at the University of Hawaii is planning to fabricate and use three biomedical amplifiers developed at Ames and reported in Tech Brief 65–10203 in two studies dealing with nerve potential in sharks and in sensitive plants.

A comparison of heartbeats of various species of birds by a doctoral student at the department of poultry husbandry, University of California at Davis, was made possible by use of ballistocardiograph technology developed at Ames Research Center and reported in Tech Brief 64–10004 and NASA technology utilization special publication 5007.

Work by the NASA Space-Nuclear Propulsion Office reported in Tech Brief 66–10333 has led Cleveland Vibrator Co. to a new use for mechanical vibrator equipment sold by the firm, which has published promotional literature on the new application, involving use of vibration to improve the efficiency of spark erosion metal shaping processes.

A small company in Fort Wayne, Ind., which designs and builds artificial heart models, received from RDC services three specific leads for incorporation into its research and development processes: a brushless direct-current motor, originally developed for satellites lending itself to both reliability and compactness, was adapted to refined heart models; several computer programs for making calculations in evaluating pump test results were employed, saving the company 200 man-hours in development time and leading to increased pump efficiency of 30 percent; and reliability forecasting techniques, developed for space program reliability and quality control, were applied to evaluating and predicting performance of heart models.

A NASA-developed complex wave generator has been incorporated into a manufacturer's commercial product line. The low-cost design was developed for specific acceleration qualification of components for the Centaur rocket.

A firm is using a modification of a NASA technique to polish metal masters for shaping elliptical glass mirrors to be used in bowling score projectors. Presently, 400,000 such mirrors are being produced. The same company reports that this method also has utility for polishing combination aspheric-parabolic surfaces.

Another company, through consultation with the firm mentioned above, has used the modified method to produce an aspheric-collector lens for a light concentration system.

A New England electronics firm is using a NASA-developed self-oscillating converter as the basis for a battery operated direct-current-to-alternating-current inverter in an aviation runway system. The lightweight, portable system consists of a number of plastic tape electroluminescent lamps operated from batteries by the NASA device.

One small electronics firm reports extensive use of NASA information. Two specific examples are NASA Tech Briefs 64–10069, "Metal-Bending Brake Facilitates Lightweight Close-Tolerance Fabrication," and 64–10171, "Subminiature Biotelemetry Unit Permits Remote Physiological Investigations." The bending brake described will be used in the company's production operation, and the biotelemetry unit will become an addition to their product line.

A Nebraska company has been helped in various ways by RDC information on, first, jigs and fixtures; second, welding, and, third, galvanizing. The company is now getting better protection, through a cold galvanizing technique, of welds on counter tops, window louvers, and shop tables which are subject to either hard wear or weathering. This new procedure can be performed onsite where formerly the work would have been sent out, thus resulting in a cost saving. The firm is also using Lewis Research Center "electric razor" method of etching or roughing metal, giving them a new capability of getting into tight spots and avoiding removal of too much material.

A South Dakota firm specializes in the design and development of telemetry units for high altitude research balloon systems. Generally, the requirements of these systems include the minimization of size, weight, and power consumption. The company recently had a need for a compact, high input impedance solid-state amplifier circuit. The circuit in Tech Brief 64–10143 was the readymade answer to their problem and they were able to apply it without any alteration.

Yearly savings of $15,000 have resulted for an electronics company. The firm was greatly disturbed by the high number of rejections of assemblies due to bad joints and joint failures. Through reference to NASA SP5011, "Welding for Electronic Assemblies," company personnel were able to determine proper settings, isostrengths, electrode materials, repeatability, and distribution curves resulting in process control and proper inspection procedures.

A manufacturer of rubber components was encountering difficulties in the lubrication of a pressure transducer which was designed to operate at 320° F. and 2,500 pounds per square inch. Through a regional dissemination center, the company learned that silicone lubricants should perform better than conventional lubricants in this particular application. Use of these lubricants, although still being perfected, as already significantly improved the operation of the transducer.

Publications received from a regional dissemination center led a Minnesota manufacturer to improvements in bearings on its equipment and to solving a problem in bonding an elastomer to aluminum. The publications included Tech Brief 64–10113 and a technology survey on advanced bearing technology.

A small company making precision parts for instruments and electronic systems needed small high-speed lathes to maintain proper cutting speeds. No appropriate equipment was commercially available. Using information from a regional dissemination center, the company was able to design its own small lathes, incorporating gas journal bearings, to meet the requirements.

A large Pennsylvania firm is marketing a "microcircuit pack" developed at Ames Research Center and announced via Tech Brief 66–10309.

A sponge-type electrode developed by NASA has found use at a Veterans' Administration hospital in monitoring the EEG of active victims of epilepsy. Use of this electrode has permitted researchers to perfect a method for effective attachment of the electrode on the patient and has established a high-quality system for short-term observations.

A research psychologist at the University of Hawaii's Newborn Psychological Laboratory has employed two Ames technological advances announced in Tech Briefs 64–10171 and 65–10203 in monitoring systems developed at that laboratory.

EPEC Industries, Inc., of New Bedford, Mass., learned from Tech Brief 66–10660 of a technique developed at Langley to insure accurate front-to-back spacing of fine line printed circuit boards and has incorporated the technique into its routine manufacturing processes permitting it to obtain close tolerance work which might otherwise be difficult to acquire, a company spokesman reports.

An Iowa firm was encountering problems with faulty and nonuniform welds in their die- and jig-making department. By implementing the technique described in Tech Brief 64–10058, the company was able to improve the quality of the weld to an acceptable level.

A small Arkansas firm designs and develops electronic subsystems and circuits to meet the specialized requirements of its customers. The company's project engineer says that the circuit technique of Tech Brief 63–10553, "Transistorized Trigger Circuit Is Frequently-Controllable," was employed, with minor alteration, in the development of a "black box" for one of his customers.

A large manufacturer of firearm ammunition learned of magnetic metal forming from a NASA RDC. The center suggested that they use the magnetic forming process to swage a brass ring on one of their standard sizes of ammunition. The firm investigated the process and found it to be completely satisfactory. Tests on the new process indicate that it will eliminate a long-standing serious manufacturing problem. The company is proceeding to design the automatic feeding equipment that will be used with the magnetic forming machine.

A small manufacturer of solid-state industrial control equipment sought the assistance of an RDC in finding a means to simplify construction and reduce size of a power controller it was manufacturing. The RDC furnished information that indicated that a specialized plastic coating approach was the answer to their problem. The RDC supplied additional data on the state of the art of this technique leading the company to the development of a process for the application of a specially developed finish for metal parts which provides excellent electrical insulation and heat transfer. This finish has enabled the company to effect a 75-percent reduction in size of the power controller, while maintaining equivalent power capability.

DEVELOPMENT OF NEW POWER SOURCES

The fuel cell which is an extremely efficient source of power, has been available for over a half a century, yet it took the stimulus of the space program to bring it to a high degree of development and to practical application.

Not only the fuel cell itself, but nationwide production capability for liquid hydrogen has expanded from a few hundred pounds a day to several hundred tons per day. Similarly, there has been developed superinsulations and safe techniques for handling the fuels and power sources.

But how can this space technology be used by the economy? One example is that this develo[redacted]s led to the formation of a consortium involving Consolidated Gas Co. of Michigan and 29 other gas companies throughout the country in the development of a power cell for use in the home to supply heat, power, and air conditioning.

Similarly, the fuel cell is in an advanced state of development by the auto companies and could have a tremendous effect on industry and the Nation. First it would reap a dramatic change in automotive production; and secondly, it will not release pollutants in operation.

To summarize the following list indicates the importance of the practical benefits or spinoffs being derived daily from our space program:

SPINOFFS

All being applied to everyday nonspace needs of our society:

1. Cartography—basis of taxation, *road* planning.
2. COMAT—Characteristics of Materials Test Data Listing.
3. Geological survey—infra-red sensors with 1° differential surface temperature capability.
4. Vertical stretcher (18" opening) mine/mountain rescue.
5. Chemicals.
6. Plastic materials.
7. New metal alloys.
8. Improved electronics.
9. Medicine:

(a) Switch operated by eye movement for use by paralyzed patient to, i.e., control wheelchair.

(b) "Lunar Walker" used as walking chair by crippled or limbless persons where conventional wheelchair could not navigate.

(c) Miniature TV camera to discover and examine ulcers (after swallowing of camera by patient).

(d) Use of cleansing techniques developed to cleanse photos of Mars to sharpen medical x-rays for examination by doctors.

(e) Extension of space simulation concepts to create computerized manikin for training in anesthesiology.

10. Products:

(a) Air bearing developed for Saturn Launch Vehicle adapted to household ap-

pliances to enable effortless movement by housewife.

(b) Development of a family of paints for coating of spacecraft with high resistance to heat, cold, abrasion and acids. These will be manufactured and marketed by 22 private companies under license from the space agency.

(c) A dry lubricant compounded by space engineers is available for commercial use. When sprayed on ball bearings and heat treated, it lubricates at temperatures up to 1200° F.

(d) A small (satellite program developed) remote-sensing unit is available for use in obtaining accurate temperature measurements in difficult access locations in laboratories and plants.

(e) An aluminum coating process used on a Navy satellite is now being employed to tint cookware, aluminum siding and auto trim.

(f) Lightweight fibers first used in rocket cases are being wound into chemical storage tanks, railroad tank cars and highway tractor trailer tankers to make them stronger.

(g) An aluminized plastic developed to protect satellites has been fabricated into a camper's blanket which will fold small enough to fit into a shirt pocket.

(h) Miniaturized electronic circuits created for rockets and spacecraft are being utilized in radios, television sets, record players, computers and tape recorders.

SPACE AND SOCIETY

The direct economic and technological impact of the space program is quite obvious. Not so obvious, but of even greater importance in the long run, are the basic contributions of the program to bringing together people from all disciplines—from medicine and the life sciences, through physics, astronomy and engineering to economics and public administration—and causing them to work together toward a common goal, the long-term survival of men in space. I believe that this forced intermingling of knowledge and skills will do much to create new solutions to many of our immediate as well as long-term social and urban problems.

I do not believe that it is possible to guarantee full employment of all the people in this Nation, and maintain a stable society, if the number of people in that society continues to increase each year, unless at the same time we create new technology, new industries and new outlets for all these people.

There are those who complain, "Why should we spend this money to explore space when there is so much to be done right here on earth?"

To these people, I say that there was plenty to be done in Europe when Columbus left it. And there is still plenty to be done there. If Columbus had waited until Europe had no more internal problems, he would still be waiting. But the opening up of the New World did more to revive the European culture and economy than any internal actions could possibly have done.

Similarly, I strongly believe that, because of Vietnam and the crisis in our cities, a dynamic space program becomes of even greater importance than before. Our Nation's accomplishments in space serve to inspire a reawakening of the American spirit and a rebirth of our national pride, at a time when our purpose is faltering at home, and our image is being tarnished abroad.

MEDICAL BENEFITS FROM SPACE

Dr. Charles A. Berry, M.D., Director of Medical Research and Operations, NASA Manned Spacecraft Center, Houston, Tex., has furnished me with a significant review of space medicine and its application to our daily lives, as follows:

Selection and medical care of astronauts:

1. Better definition of the range normality and thus disease.

2. Use of tests of boby systems in dynamic state for prediction of future performance (will become part of annual medical checkup for all).

Protection against environment of space and provision of habitable spacecraft.

1. Space helmet use in respiratory tests on children thus requiring no nose clip and mouthpiece.

2. New non-flammable materials for use in surgery, etc.

3. New materials and techniques of application seen in artificial organs, joints, etc.

4. New atmosphere contaminant evaluation techniques and understanding of chronic toxic effects applicable to our city air pollution problems and industrial activities.

5. Need to simulate 1/6 g has created training devices being used by crippled patients in a Texas Rehabilitation Institute.

6. Need to have desirable diet in flight has called for new food technology and storage and packaging techniques which have many uses in everyday life.

7. The possibility of returning living disease agents from the moon has created a lunar receiving laboratory where isolation techniques and diagnostic procedures are being developed which will aid hospitals involved in organ transplants, etc.

This unique facility also has the only animal and plant colony of its type available for basic bioscience investigation.

8. A lunar walker developed for unmanned exploration of the lunar surface is now being used by crippled and paralyzed children at a California Rehabilitation Center for locomotion.

9. Computer techniques used for intensification of TV images in the Surveyor spacecraft are being used to improve diagnostic X-ray images.

10. Laminar flow clean room techniques used in assemblying spacecraft equipment are now being tried in hospitals to reduce infection spread.

11. Systems analysis techniques are being applied to hospital design and many specific medical problems.

12. Hyperbaric (high pressure) chambers necessary in the treatment of reactions to decreased barometric pressure are being used in treatment of tetanus, gangrene and for certain surgical procedures.

13. The need for data on low dosage radiation effects in humans has resulted in a cooperative project to obtain this information of value to us in planning spaceflights and to physicians treating patients with such doses.

14. The liquid cooled garment used under our lunar spacesuit is being used to control fever in patients and in persons exposed to high temperature working conditions.

Monitoring man in the space environment and noting physiological changes:

1. The need for miniaturized sensors capable of measuring function of many body systems has created a technology used in recovery rooms, intensive care, and coronary care units as well as in diagnostic medicine.

Soon coronary patients and persons with high blood pressure can be evaluated as they go about their job, home, recreation, etc. allowing better scientific care.

2. The ability to telemeter and record data has been instrumental in outpatient evaluations.

3. The need to provide comprehensive medical care to the American populace is jeopardized by shortages of physicians, nurses, etc. Hospitals designed with control stations displaying and recording data on wards of instrumented patients can bring adequate care nearer reality.

4. The need to analyze and handle many hours of spaceflight data has led to research and development culminating in the use of computers to:

a. Analyze electrocardiograms and electroencephalograms (brain waves).

b. Assist in diagnosis and treatment.

c. Provide trend data and rate of change data.

These techniques will allow the physician more time with the patient and put the necessary human relationship back into medicine for they can pick out the abnormal data for the physician to evaluate and not waste his time with the normal.

5. Bed rest studies are used to obtain physiological data simulating weightlessness and we are learning a great deal about this time honored method of medical therapy which will aid in its intelligent use by physicians.

6. We are observing early adaptive changes to a peculiar environment and thus learning about the physiology of body system adaptations.

7. The red blood cell losses noted in our space flights have led to detailed studies on red blood cell destruction having wide application to blood diseases.

8. The same blood studies led to use of the electron microprobe to identify metals in white blood cells and a finding of increased levels of titanium and zinc in certain cancer cells which may be of significance in the assault of this disease.

9. The need [redacted]cise regimes which will protect against calcium and nitrogen loss as well as cardiovascular deconditioning has led to studies of exercise effects valuable to all citizens.

10. The concern about the effect of the weightless environment on sleep has led to development of some new, simple, easy to wear in a skull cap electrodes for obtaining the electroencephalogram, and to detailed research in associating physiological data with effective sleep.

11. The instrumentation need has created all sorts of diagnostic devices like a pocket oscilloscope for determining presence of life in an apparently dead patient and various electronic pills for determining the state of bowel acidity, etc.

12. The need for physicians and engineers to understand each other and work as a team has created an effective team which must be transferred to all of medicine for progress in medicine is now intimately tied to artificial organ development and engineering simulation of biological systems which require such team work to succeed.

Mr. DADDARIO. Mr. Chairman, Sputnik I was orbited on October 4, 1957. This dramatic technical achievement inaugurated the space age and at the same time surprised everyone with the powerful emotions it aroused everywhere. The spectacular success of Sputnik I gained enormous prestige for the U.S.S.R. at the expense of the United States.

Thus, the orbiting of this first manmade satellite became a powerful challenge to the technological capability of the United States. The Congress responded to this challenge by enacting the Space Act of 1958. Sputnik I made this Nation realize at great cost to our national pride that as a great nation we must acquire and retain a second-to-none position in aeronautics and space, and that this requires that we command the great technologies of our time. The general welfare and security of the United States are irrevocably bound to our leadership and capability in space.

Earnest pursuit of difficult and worthwhile objectives is necessary to maintain the greatness of the Nation. This is particularly true in the fields of science and technology. Since our space program is primarily a scientific and technological undertaking involving difficult and worthwhile objectives, it is important that it be sustained on a viable and orderly basis.

The economic effects of the space program are radiating throughout our society. Everywhere it has widened our horizons. Its energizing force permeates our economy. It is a seedbed for invention, a stimulus to higher productivity and a task-master for precision and reliability.

To be a technological nation requires a high order of educational skills and excellence. Programs like the space program stimulate young people to higher educational levels. This, in turn, provides gainful employment which helps to resolve sociological problems.

Technological progress in the United States has a significant effect in stimulating worldwide progress. The leaders of countries in Western Europe have noted the advantages that flow into U.S. industry from the space program and are quite concerned about what has been called the technology gap. One of Europe's leading finance ministers has estimated that every dollar spent by the United States on space research 10 years ago is worth four times as much in economic value to this Nation today.

In an effort to bridge this "technology gap," European leaders in government, science, and industry are working with renewed energy to establish broader bases for international cooperation than they have thus far been able to obtain. This exemplifies in yet another way, a basic benefit of space that is significantly purposeful in bringing peoples of the world closer together.

Scientific discovery will provide the basis for many practical benefits for mankind here on earth. The main achievement in space science so far has been in learning about our environment. We have learned that there is not a perfect vacuum in interplanetary space. We have learned about solar wind and we have discovered the Van Allen radiation belts around the earth. Basic benefits we can foresee from a scientific standpoint concern what we can learn about the origin and evolution of the earth, the sun, and the planets.

Academician Anatoli Blagonravov, Chairman for Space Research and Uses, U.S.S.R. Academy of Sciences, has recently stated:

> The science and technology of our days are no longer satisfied with the information which may be obtained in terrestrial conditions. They require the continuous expansion of the sphere from which information is obtained—in receiving an ever-increasing amount of information from space.

We expect to learn much about the origin and evolution of life and much about the dynamic processes that shape man's earthly environment. History has taught us that the greatest payoffs from scientific discoveries, the ones which will be the most significant, and have the widest application, may well come from some unforeseen aspect of our space program.

A viable and orderly space program will insure that the Nation will not be forced to embark on costly crash programs to recoup lost prestige and leadership as a result of international competition.

National security and technological leadership are the most compelling reasons for continuing our efforts in space. No nation of our stature can afford to lag in any technology, to surrender the leadership in that technology to others. The U.S.S.R. continues to press forward in space exploration. A continued strong effort will be required by the United States to maintain a competitive position in space. The Saturn I workshop which is now under development in the Apollo applications program will provide the capability to maintain our competitive position in space at an economical cost.

The Nation's investment in space to protect its security and technology generates many other basic benefits. This investment is paying off in economic and social progress. New and unimagined vistas are being opened up. History tells us that we can expect many unforeseen wonders. In 1937 a technological forecast totally missed the computer, atomic energy, antibiotics, radar and jet propulsion. Each of these has become either a major industry or a group of industries employing millions of people, good evidence that today's idea may well be tomorrow's industry.

Economists are agreed that the prime stimulator of a nation's economic growth is technological innovation. And the space program is in the forefront of that technological innovation. Space age technology has resulted in a revolution in the past decade. While it is difficult to precisely measure the exact impact of this technology in the United States, it is real and it is significant.

There is no question but that the political importance of a country today is closely connected with its technological development; that is, the most powerful States are those that are the most advanced in technology. It has been further pointed out that those nations in the world which do not persevere in research and development programs are, at the same time, those which fail to develop an economy which adequately feeds, clothes, educates, and houses its people.

Even in its early stages, the space program has already forced development in the state of the art in hundreds, or perhaps thousands, of areas of science and technology. Not only have new combinations of materials been fabricated, but new uses have been made of old products and resources.

The fuel cell, for example, which was invented in the last century, found no marketable application until it was recently used for supplying electrical power on board the Gemini and Apollo spacecraft.

The use of liquid hydrogen in the fuel cell and in the Saturn launch vehicles has resulted in the expansion of the Nation's liquid hydrogen production capability from a few hundred pounds a day to several hundred tons per day. Similarly, there have been developed superinsulations and safe techniques for handling these fuels and power sources. A consortium involving 30 gas companies throughout the country was formed recently to develop a "power cell," using this technology, for use in the home to supply heat, power, and air conditioning.

Perishable and portable tools of many kinds have been redesigned and improved in order to accomplish the particular tasks which new metals and new alloys in launch vehicles and spacecraft have required. These are being used throughout industry in their modified forms and are accomplishing notable savings in manpower and inventory.

The space program has provided the stimulation for the tremendous development of large-scale digital computers. Even conservative bankers have not hesitated to utilize these latest advances in computers to keep better records more efficiently.

In the Apollo program there are some 600 computers and data handling complexes all linked together on a common project and on a common basis. This is the largest single computer installation ever created. Once we learn how to handle these massive computer complexes on something like a manned lunar landing mission, it [redacted] simple step to undertake efforts on far larger enterprises such as global evaluation of earth resources, national control of air and water pollution, or other, as yet unthought-of projects.

In addition, the management techniques which have been developed as a consequence of the new and formidable requirements of the Apollo program have shown the way to increased efficiency and to getting more for every dollar spent. These management techniques are flowing into all forms of ordinary industry and business and are being closely examined throughout the world by administrators whose problems are as various as slum clearance, national planning, and mass education.

One of the most valuable transfers from the space program to our daily lives has been the immense improvement in the understanding by the medical profession of the "well" human being. For centuries doctors have treated illness. Because of the importance of actually evaluating the health of NASA's astronauts, a great deal of material about well people has been amassed which is being avidly studied throughout the medical profession. The need to know at all times the exact physical condition of the astronauts while in orbit forced the development of biosensors which are now being used throughout the world. Temperature, pulse rate, blood pressure, electrocardiograms, electroencephalograms—all of these can be accomplished with bioinstruments.

It is now possible for the doctor to monitor the heart of his patient who is at the golf club or working in his garden within a distance of 20 or 30 miles. A new hearing aid will soon be commercially available in which closed-loop body currents replace the unwieldy batteries which have always been a part of this instrument. An oscilloscope which a doc-

tor can easily carry in his top pocket can detect heart action in the apparently drowned or fatally injured accident patient.

Medical research information has been computerized so that work which formerly took days can now be accomplished by a doctor in a few minutes. Automatic techniques for many of the body chemistry evaluations have been developed and are already in use.

Internationally, the U.S. balance of payments is in a critical condition, as we all know, but perhaps the healthiest part of it is what we might call the "technological balance of payments." U.S. receipts for technological exports for the year 1966—the most recent year for which figures are available—were $1.316 billion, while our expenditures for imported items of a technological nature were only $137 million. This is a favorable exchange ratio of almost 10 to 1, and it is increasing every year.

Our 200-year history of expansion and opening of new frontiers is a national characteristic and inheritance. The Nation's success in moving ahead has resulted because Americans believed in themselves and had confidence in the future. It was this confidence that brought the first colonists westward across the Atlantic to settle the eastern shores. It was that same confidence which brought other generations across the continent to build up our country all the way to the Pacific.

Our free enterprise system is based on confidence. Since the turn of the century, the automotive industry has become one of the dominant forces of our economy and has changed the complexion of transportation and manufacturing throughout the world. The early auto pioneers had the daring and imagination to move ahead into uncharted and unexplored economic areas. Who would have thought at the turn of the century that the newfangled "horseless carriage" would make it economically profitable to build a major industry around the rubber tree. Or that oil, which was being replaced by electricity as a means of illumination, would find a new and far greater market as a fuel for the automobile?

Columbus' voyage to America captured the imaginations of men of his time even though he went to the wrong place and found a land and a people quite different than he had anticipated. Yet, the real contributions which this new continent was to make were certainly well beyond even the wildest imagination of men of that time. It was not until many ships had traveled regularly from Europe to America that, in fact, man really began to explore and exploit this continent.

The Wright Brothers' first flight at Kitty Hawk dramatized the possibility of flight, but it was not until airplanes were numerous and barnstorming had given way to commercial flight, that profit began to come from aeronautics. The history of the airplane is interesting for another reason. Although the United States was first in its invention, it remained for the Europeans to adopt it for practical use, so that this Nation was forced to borrow British and French designs for use in World War I and in fact, no American-designed plane flew in combat.

The submarine was invented by an American named Holland but was first exploited by Germany. Robert Goddard of this country proved that a rocket would work in a vacuum, but the Germans used the principle to build ballistic missiles, and the Soviets first achieved space flight.

It is hoped that we are perceptive enough to profit from history and that we do fully use and exploit this space capability we are developing at such a heavy investment of resources, and that we do allow ourselves the time and freedom to use this capability in space for the benefit of mankind.

Mr. CABELL. Mr. Chairman, this is a day of major decision as the House gives consideration to the 1969 budget requests from the National Aeronautics and Space Administration—NASA.

The question is far more important than meeting current space commitments.

Diverted by the economic problems, by poverty, by the massive needs of our cities, and by Vietnam, all of which are closer home than the moon, the stars and the planets, many Members of the Congress seem even more eager to take slices out of the NASA budget than some were 1 year ago.

The public itself appears to be growing so familiar with the space program that it is measuring merely the length of time it takes us to get a man on the moon rather than the far more serious implications involved in the ever-present challenge of Soviet interest in outer space.

There has been little stir even with the new Soviet successes in automated space-docking and few letters cross my desk related to the dramatic events now underway in this important field.

Our space program is in good shape. Despite such setbacks as the limited success of our latest Saturn test rocket and the flash fire in the Apollo cabin, there has been no serious disruption of the NASA timetable and we should have Americans on the moon within this decade. We are assured that this Nation has the skill and the manpower to stay abreast of any conceivable Soviet achievement.

But keeping step with the visible Russian program is only a small part of it. Unless we maintain far-reaching independent goals far beyond merely putting a man on the moon and bringing him back, there is no way to keep step with the Russian scientist working in secret on projects of unimagined scope.

It is this important field, far, far beyond the moon, that much of our economies have damaged. You can free a man's hands, but if you limit his imagination, you condemn him to slavery.

Without such research, those who know say it would be easy to wake to a new sensational space step that would force us into the same expensive, desperate game that followed our discovery of a Soviet sputnik circling the globe.

There is no way to calculate the costs of playing "catchup." There is no substitute for sound planning on a continuing basis, particularly when the penalties that could follow might well mean loss of national sovereignty.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Chairman, I hesitate to use the term "austere" in any matter relating to a budget since this term seems to have different meanings to different people, but I will say concerning H.R. 15856, the NASA authorization bill for 1969, that the funds provided by this act certainly indicate a minimum effort with curtailment of many programs.

As is typical in such cases, NASA sent the budget first to the Bureau of the Budget, and I think it would be enlightening to the Members of the House to know that NASA asked for something in excess of $4.7 billion. The Budget Bureau, in their wisdom, considered this program and this request and reduced it by approximately $390 million.

Therefore, in our committee we received a request for an authorization from NASA and the Bureau of the Budget amounting to $4.3 billion. Our committee is divided into three subcommittees to consider this amount requested and each subcommittee considers the budget in detail according to the category and the function for the use of such money. These subcommittees then report to the whole committee, and I think it would again be of interest to know that the aggregate cut of these three subcommittees in funds requested amounted to $153 million. Therefore, the bill before us today would ask this House to authorize appropriations for fiscal year 1969 in the amount of $4,217,323,000.

Actually, this money is broken down into three general categories. Research and development would receive the lion's share of the money. This budget proposes $3,525,650,000 for research and development. It also provides for administrative operations $646.7 million and only $45 million for construction of which about one-half is for rehabilitation of existing facilities.

Consequently, regardless of how one feels toward our space effort and the necessity for the same, I think we must conclude that your committee presents a greatly reduced space program for the House consideration for fiscal year 1969.

I think all of us on the committee are acutely aware of the dilemma concerning the budget and the President's pronouncements concerning reductions in expenditures. For purposes of comparison, I would like to say here that the authorization request contained in this bill is approximately $700 million less than we appropriated in fiscal year 1967 and over $300 million less than we appropriated for fiscal year 1968.

It becomes difficult to determine where we can feasibly reduce this program further, but I will say that in my opinion it would be difficult to reduce the program to a lower figure without actually discontinuing either actual ongoing programs or programs planned for the future. Therefore, as we consider this budget, the decision must be resolved as to what programs can be pared down to

even lower figures and where additional reductions in funding can be accomplished.

Here, I think it is necessary that we review the space effort planned in fiscal 1969. Naturally, with the Apollo program nearing maturity, the bulk of our space dollars are dedicated to our manned space flight programs. Such money would be expended for the present Apollo program or as it is more popularly known, the landing of man on the moon. Another facet of this program is the Apollo application program which provides funding for future programs to utilize the hardware and techniques developed in the Apollo program. And finally, our advanced missions program to determine the future course of our space effort.

As we all know, NASA has successfully completed both our Mercury and Gemini programs and now is dedicating a great deal of effort to the Apollo program. I am pleased to report here that NASA has made an excellent recovery in the Apollo program since the tragic accident of January 1967, which claimed the lives of three of our astronauts. The Manned Space Flight Subcommittee pared $13.8 million from this program which will allow the program to go forward with good planning and according to schedule. The total money allowed for the Apollo program is $2,025,000,000.

I previously mentioned the purposes of the Apollo application program, and I am most hopeful that this program will make unique contributions to mankind in the practical usage of the knowledge which we have gained in our manned space flights to the moon. It is necessary that the program be funded at this time even though the Apollo program has not been completed due to the leadtime involved. Unless we have an Apollo application program, the space effort will largely disintegrate following the completion of the Apollo program. The Manned Space Flight Subcommittee reduced the request by $44 million. We are recommending a net of $395 million for Apollo applications in fiscal 1969.

The advanced missions program, which is the third category of manned space flight in the research and development field, is mostly a study program to determine the direction of future space efforts. This committee recommends $2.5 million for this program reducing that figure from a requested $5 million by NASA.

The next category of space expenditures in the field of research and development is that for space, science, and applications. These are the type of programs which fall entirely into the unmanned space flight category. It has been one of the most successful of NASA's programs. We have a success of 88 percent of all the shots and experiments attempted during the past 9 years. Actually, success has been almost routine and failure rare. I am sure all of us are familiar with the successful Surveyor and lunar orbiter programs which furnished over 89,000 excellent pictures of the moon's surface and returned valuable analysis data of the surface and composition of our moon. Probes of more distant planets such as the Mariner V flyby of Venus in October of 1967, provided a great deal of data on that planet. Additional programs are the physics and astronomy program, which is highlighted by the orbiting solar and geophysical observatory programs.

There are reductions made by the subcommittee in this field. However, most of these could be categorized as deferrals and postponements rather than a change of direction of this program. Several programs were deferred with a belief that no great harm would be accomplished by delaying these missions for the time being. As previously stated, the reductions in this field were limited, amounting to $36.5 million. However, the rate of funding is not nearly as high as the number of dollars dedicated to our manned space program.

And finally, I would like to discuss the efforts of our third subcommittee in the field of advanced research and technology as well as tracking and data acquisition. This area was reduced by $56.3 million. I think we all must agree in a program of highly technical and scientific complexity, advanced research leads a way to improved future capabilities. There were only three areas out of the 10 research and development fields covered that showed an increase over fiscal year 1968. Our committee, although it is not generally known, has responsibility in other fields besides the peaceful use of outer space. One program that is not generally considered in our field is that of aeronautical research. This important field in addition to tracking and data acquisition is most important to our Nation. Our committee for many years has attempted to stimulate more emphasis in the field of aeronautical research. This program includes work to reduce engine noise in jet aircraft and in noise abatement.

One of the biggest reductions made in advanced research and technology was accomplished in our nuclear rocket program with a reduction from $60 million to $11.7 million or a total of $48.3 million below the NASA request. The effect of this reduction will certainly phase down to a very minimum level the continuation of the development of the NERVA I nuclear thrust for our future space efforts.

I mentioned earlier that the construction of facilities program totals $45 million and a great deal of that amount is for the rehabilitation and renovation of facilities already in existence at 14 NASA installations. The only new construction involved is the construction of two 210-foot antennas, one in Australia and one in Spain, which are necessary additions to our deep space network and critical to our Apollo program. One other small antenna system at Goldstone is planned to support Project Sunblazer.

Just briefly about the administrative operations of NASA. This bill provides funds for compensation of personnel and operational functions at NASA headquarters here in Washington and 18 field centers throughout the United States. Drastic cuts were made in this field last year and caused considerable reductions in force of civil service employees throughout NASA. The amount requested was $648.2 million for fiscal year 1969, and the committee reduced this amount by more than $1½ million. I believe this can be reduced further.

As we proceed in the debate of this bill, unquestionably further amendments to reduce these amounts will be made on the floor. My support of these amendments to be offered will depend on my personal evaluation of their effect on the program.

I cannot conclude without inviting your attention to the committee's report which accompanies this bill. A number of viewpoints are expressed by the minority members of the committee as well as on occasion some of the majority members. I hope that before the bill comes to a vote, each Member will have a chance to give careful consideration to these additional viewpoints. They cover a wide range of subjects, and I am sure would be of interest to the Members.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I am happy to yield to my distinguished colleague and friend, the gentleman from Florida.

Mr. GURNEY. Mr. Chairman, we can now look back on the first decade of space exploration, 10 years of fantastic development that already is being accepted as commonplace. In January 1968 the United States launched its first satellite into earth orbit. The space flight missions conducted by this Nation in 1958 resulted in the orbiting of four satellites and one launch vehicle. The total payload weight for these launches 10 years ago was slightly more than 250 pounds. Today in 1968, one Saturn V can easily launch into earth orbit 250,000 pounds of payload weight.

Ten years ago, no man had ventured into space; today the United States alone nas logged nearly 2,000 man-hours of space flight.

Today we can see the substantial contributions of space technology all around us here on earth. In meteorology, for instance, cloud-cover pictures from weather satellites in space help us to understand and to predict the weather. The early expectations of the Communications Satellite Corp. have already been surpassed by current development of satellite communications across the Atlantic and the Pacific Oceans. Work is proceeding on the development of the global system for communications to be provided by the international consortium headed by ComSat. Future concepts from several sources envision worldwide direct radio and television broadcasting to the home, a global data bank for medicine and other professions, and an orbital post office for immediate worldwide transmission of letters by satellite. New concepts of satellite navigation have been developed and are being used for Polaris and other Navy requirements.

In 1961 this country set a goal of landing a man on the moon and safely returning him to earth before the end of the decade of the 1960's. We have maintained our program toward that goal despite the demands and problems of a research and development undertaking of this magnitude. We have now successfully flight tested and proven every piece of the Apollo-Saturn space vehicle, the vehicle that will be used for the lunar

landing mission and for space exploration in future years. We have developed the skills, the launch facilities and the equipment to control a lunar flight. With the recent successes of Saturn V launch vehicle and the lunar Module spacecraft, NASA officials have expressed the belief that we have a reasonable chance to complete the lunar landing mission before 1970.

Over the past 10 years this country has made a large investment in the development of the space program. Much of the attention has been focused on the manned lunar landing program, yet the funds expended for landing an astronaut on the lunar surface and returning him to earth represent only about 10 percent of the national investment in space over the decade. Of the $30 to $35 billion spent in space activities, the equipments for the manned lunar landing represent about $3½ to $4 billion. The balance of the equipment developed in the Apollo program, approximately $19 billion, provides the basic capability for lifting large payloads into space and out to lunar distances. This capability will be used in many ways besides the lunar landing; the Apollo applications program will incorporate a number of such uses.

The Apollo applications program as the follow-on to Apollo, will be a major technological step forward. It will also provide this Nation with the potential for future space station operations which can have far-reaching effects on the use of national resources.

This is a critical year for the future of the U.S. space program. We have now reached the point where we can begin capitalizing on our investment in space by making profitable use of the capability being developed for Apollo in the next program beyond Apollo. The follow-on Apollo applications program is designed to expand the Nation's activities and knowledge in the areas of space operations, experiments and practical applications, to establish man's usefulness in space, and to insure the maximum return from our present knowledge, hardware, and skilled people. However, under the current budgetary restrictions, it is a very limited program. The level of funding we have set for Apollo applications is austere.

The Committee on Science and Astronautics recognizes the urgent need for economy in our national expenditures, even for most worthy programs. We have acted to meet that need, and we have reduced the overall NASA budget request by $153,077,000. The program content has been pared down to the minimum level for maintaining a manned space flight program in the early part of the next decade and preserving a basic capability for future manned operations in space.

The fiscal year 1969 budget request for Apollo applications is 60 percent below the estimate given the committee last year. NASA stated in testimony last year that the Apollo applications program would need $1 billion in fiscal year 1969 to continue at the planned level. The fiscal year 1968 level of funding was cut by the Congress and the administration from $454 million to $253 million. Now the fiscal year 1969 estimate of $1 billion has been pared down to a request of $439.6 million by the administration and further reduced to $395.6 by your committee. This program has taken all the reductions it can stand.

The funding for advanced manned missions studies and planning has been cut in half by your Committee, $5 million requested to $2.5 million reported. A realistic study program should encompass a reasonable spectrum of future projections for proper planning of future manned space flight missions. These studies are essential. However, I believe that NASA can operate on this reduced funding.

For the Apollo program, the committee approved $2.025 billion of the $2.039 requested. I agree with this funding as presented by the committee. We, in Congress and we, as a nation adopted the course of landing men on the moon and returning them safely to earth before the end of this decade, as a focus for developing this country's capability in space. The reasons for entering the space age and the reasons for Apollo are still with us, and justify our sustained support of the program.

The probability of achieving the manned lunar landing within this decade has been reduced as a result of the fire last year. However, the reliability and safety of the space vehicles have been increased as a result of the effort and funds expended in the past year to achieve the safest spacecraft design possible within today's state of the art.

The administrative operations budget covers expenses for personnel, travel, automatic data processing, facilities services, technical services, and administrative support.

I believe it is clear that NASA has made every effort to carry out the administrative operations program in fiscal year 1968 at the level approved by the Congress and accepted by the President. This same austere level has been continued in the fiscal year 1969 budget for administrative operations.

NASA requested $648.2 million for administrative operations in the fiscal year 1969 budget. This has been cut by your committee by $1.5 million, to $646.7 million. This is an increase of only $6.3 million over fiscal year 1968, and $6.1 million of this increase is the cost of the 1967 Pay Act.

I believe that NASA must have the administrative operations funding reported by the committee to maintain the balanced force of imaginative, creative people, necessary to carry out the difficult and complex research and development programs which have been entrusted to them. These people are the scientists, engineers, technicians, and administrators that form the life blood of NASA. They are the ones who, in the last analysis, are accountable for and will determine whether or not we receive the maximum return on this major national investment.

Comparing this fiscal year's request for new obligational authority with last year's authorization, 17 out of 22 Federal agencies show an increase for fiscal year 1969. Only NASA and four others—Post Office, Transportation, Small Business Administration, and U.S. Information Agency—show a decrease.

Space research and technology is the only major budget function to have reduced expenditures since the commencement of the increased U.S. commitment in Vietnam. This fact becomes apparent when we compare the expenditures by function in the U.S. budget for fiscal years 1966 and 1968. I have considered fiscal year 1966 as the point of reference since this marked the first year of sizable expenditures for military activity in Southeast Asia.

In the 3 years since fiscal year 1966, expenditures for national defense have gone up more than 40 percent; expenditures for agriculture and agricultural resources have increased more than 60 percent; commerce and transportation has gone up by more than 17 percent; health, labor, and welfare by 56 percent; education by 83 percent; and housing and community development by 250 percent. During this same period, space research and technology expenditures have decreased by 22 percent.

The record will show that the committee has conscientiously sliced the funding requests for the U.S. space program. The opportunity now seems most timely for the other agencies and departments not involved in the two very top priorities—Vietnam and urban distress—to bear some share of the financial sacrific[redacted].

The committee has reduced the overall NASA budget request by more than $153 million, in consideration of the financial needs of Vietnam and the Nation's urban crisis. I support this reduced budget. It will protect our space investment for returns in future years; it will support the growth of our national economy; and it will contribute to the national defense.

We can best serve the Nation by passing this bill today as it came from committee.

Mr. PETTIS. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from California.

Mr. PETTIS. Mr. Chairman, I view the elimination of funds for the NERVA nuclear rocket engine development from the NASA authorization we are considering today with great regret and considerable alarm. In my opinion this reduction is setting the stage upon which American inadequacy in space and consequent embarrassment to this Nation will be revealed at some future date.

The sole reason for our embarrassment over Sputnik I is the fact that Government policy in 1957 and 1958 was shortsighted in denying the full use of this Nation's resources to place a satellite in orbit before the Soviet Union. Furthermore, it was booster power that enabled the U.S.S.R. to embarrass the United States before the world and to shock our people out of a smug complacency.

During most of my adult career I have been associated, in one capacity or another, with endeavors wholly dependent upon progress made possible through advance in research and applied technology. If there has been one lesson I have learned it is that advances toward the achievement of operational objectives have been wholly dependent upon available energy applied correctly. Certainly this is true in our space program. Without adequate boosters produced through well organized research, we could not

possibly have achieved the goals we have realized in our space program to date.

Last year NASA asked for funds to conduct the NERVA II program, which would have eventually resulted in a nuclear engine developing 200,000 pounds of thrust. This technology would have permitted us to undertake any space mission we desired within the foreseeable future, including planetary probes to the farthest reaches of our planetary system, including the orbit of Pluto 3 billion miles away.

The elimination of NERVA II funds last year forced NASA to readjust its present research programs and to plan for the NERVA I. The total request for nuclear rocket research was $60 million. The NERVA I is a rocket engine designed to produce 75,000 pounds of thrust. With that engine we could still accomplish missions in space which require energy far beyond the capability of any conventional chemical propulsion system in our inventory. I want to emphasize to the Members that this engine in flight configuration could produce 75,000 pounds of thrust for 1 hour. The existing prototype has already produced 50,000 pounds of thrust for the same period. Conventional chemical rocket engines of similar thrust levels are fired in flight at most for only 6 minutes. The great advantages of the nuclear rocket engine over the chemical rocket should, therefore, be immediately apparent.

It is my firm conviction that even deferral of the NERVA program for 1 year would do irreparable harm to the future missions of NASA. It has been argued here on the floor over and over again that the program should be eliminated because there were no assigned missions of definite flight program objectives assigned to the engine. Mr. Chairman, this is a fallacious argument.

In my years of experience in the aviation industry I have witnessed time after time great strides forward in aeronautics that had resulted in the appearance of aircraft engines of greater and greater power, which no airplane had yet been designed to accommodate. In very short order aircraft were designed to utilize the engines to great advantage. This made possible our Nation's dominance of aviation throughout the world. The same has been true in astronautics. The Saturn V will utilize engines that had no definitely assigned mission or vehicle at the time of their inception. It should, therefore, be quite clear that with the availability of the nuclear engine technology to NASA, defined missions and objectives will in short order be assigned to it.

Much is made, by some opponents to the program, of the fact that the runout cost of the engine development will approach $1.1 billion by 1975. The burden of the cost, however, is planned to be spread over a period of 6 years. The yearly cost is well within the resources of the Nation over that period of time.

In summation, Mr. Chairman, it is my opinion that the proposed elimination of NERVA is an action of default. It is a tacit withdrawal from the forefront of space exploration at some future date that is not too far away. For years we have been standing here in the well and avowing our determination to be in the forefront of space exploration. We have seen this happen over and over again. Past sessions of Congress have committed the American people to the same end and have appropriated the funds to achieve it. I am not unaware of the very heavy financial burdens we are carrying at the present time. I am a very strong advocate of austerity and efficiency in spending. But our approach to austerity and budgetary efficiency must be reasonable, must be prudent, and must take into consideration the many factors upon which world leadership of this Nation basically and fundamentally depends.

I therefore urge the House to reconsider the position of the committee and restore to the National Aeronautics and Space Administration the funds necessary to carry on the very important nuclear rocket engine development.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I am happy to yield to the gentleman from California.

Mr. BELL. Mr. Chairman, I rise in support of H.R. 15856 to authorize appropriations for the National Aeronautics and Space Administration.

This bill was subjected to the closest scrutiny by your committee, in full recognition of the urgent demands of budgetary priorities.

In addition to the $390 million cut by the Bureau of the Budget, your committee further reduced the bill by $153 million—for total cuts in excess of half a billion dollars.

This is about as far as we can go.

Further reductions could cripple ongoing programs and add significantly to long-range costs.

The bill we have before us today is, I believe, as tightly budgeted as possible while allowing continuation of critical space commitments.

And in performing the tasks to which we have committed it, NASA, itself has acted in recognition of fiscal realities.

It is the nature of Government agencies to grow, presenting us each year with larger and larger requests for funding.

But NASA has in fact requested less money this year than it received last year after sizable cuts.

Although the emphasis of today's debate will undoubtedly focus on dollar amounts, let us not lose sight of just what it is that NASA is accomplishing—and has accomplished—for the people of this Nation.

In assessing the contribution of the space program to the national well-being, there is a tendency for specific missions to overshadow the total scope of NASA activity—when in fact the flight missions are only the top of the iceberg.

Let us look further—at some of the dollars and cents returns on our investment.

More than 1,300 inventions and improvements of existing instruments and techniques have been pinpointed as direct results of the exacting requirements of space flight.

Space research has revolutionized medical knowledge, and its application to the saving of lives.

A report of our committee entitled "The National Space Program—Its Values and Benefits" points out that in the area of earth resources alone it will be possible to save billions of dollars through proper management and control of our national resources.

Another study estimates annual savings of up to $50 billion when space research makes possible accurate 3- to 5-day weather forecasts.

NASA's contribution to the concept of systems analysis has been effectively adapted to programs in urban planning, air pollution, transportation, and water resources.

But, Mr. Chairman, we are all aware that scientific and economic returns do not constitute the whole picture.

Thoughtful observers surely recognize the consideration of military balance of power in the world.

It is axiomatic that the Nation controlling the skies is potentially capable of controlling the earth.

The United States does not seek such control.

But we in this Congress must insure that no other nation attains a mastery of the skies which endangers us—or any peaceful nation.

The Soviet Union is spending 20 to 30 percent more in terms of real dollars on their space program than we are.

In terms of gross national product, they are spending two or three times as much.

Mr. Chairman, on the basis of such spending levels and other information available to your committee, I am prepared today to make an educated guess that not too many years from now we may witness a Soviet feat, perhaps as dramatic as the sputnik launch of 1957, that will demand significant new undertakings in space.

And in such an eventuality no Member would wish to have on his record the fact that excessive emergency spending to redress some new and unforeseen balance of power in space was even partially caused by his unwillingness to support this research and development program so necessary in allowing us to keep up to date and keep our options open.

The years 1958, 1959, and 1960 produced lessons too expensive to be repealed.

The realities of the future demand a rational level of spending now.

Such a level is reflected in the authorization bill before us.

I strongly urge my colleagues to support this bill as reported by your Space Committee.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I shall be happy to yield to the gentleman from Iowa.

Mr. GROSS. I seemed to have some difficulty a little while ago in getting answers that I can understand.

Does the gentleman agree that this bill provides a $153 million cut from the budget figure?

Mr. ROUDEBUSH. From the budget request; yes. But the Bureau of the Budget also cut it $389.9 million, which is the figure I gave you a while ago.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, what is the cut? In looking at page 3 of the report,

approximately one-half of the proposed total bill of $4.2 billion——

Mr. ROUDEBUSH. Right.

Mr. GROSS. Is for the man on the moon project; is that right?

Mr. ROUDEBUSH. That is approximately correct; yes, sir.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, how much has been expended upon this moondoggle?

Mr. ROUDEBUSH. I do not know about "moondoggle." However, I will say that the Apollo program was reduced only slightly because that program has almost reached maturity. We have expended close to $18 billion, although I reserve the right to verify that figure.

Mr. GROSS. Do not lose me again. In this connection I do not know what you mean by "maturity."

Mr. FULTON of Pennsylvania. I will give the gentleman the figure?

Mr. ROUDEBUSH. Mr. Chairman, I shall be glad to yield to the gentleman from Pennsylvania in order that the gentleman may furnish to the gentleman from Iowa the exact figure.

Mr. FULTON of Pennsylvania. The Apollo program, for fiscal year 1969, as submitted originally was $2,038,800,000. It was cut by my amendment in the amount of $13.8 million at the committee level. The Apollo program now in the bill is approximately $2,035 million. That is the program for the manned lunar landing.

Mr. GROSS. That was not a very healthy cut.

Mr. ROUDEBUSH. Mr. Chairman, it was not a large cut, but I must tell you that this program is almost complete. The only word which I can use to explain it to the gentleman is that it has almost reached maturity. Almost 85 percent of all the funds which have been appropriated by the Congress have already been obligated for the Apollo program and if we reach the national goal of placing man on the moon and returning him to earth, certainly there will be a call for more billions of dollars in the future

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, we had better get there pretty soon. I understand that an expensive laboratory has been constructed in Texas to examine the dust or whatever may be obtained from the moon, and it is open for business. I do not know what the staff of the laboratory is doing now since they do not have any moon dust to analyze.

Am I correct in the figure of at least $10 million with reference to the cost of this laboratory?

Mr. ROUDEBUSH. I think the gentleman is correct.

Mr. GROSS. But it would not have to be staffed at this time?

Mr. ROUDEBUSH. It is my understanding that they are in the process of staffing and equipping the laboratory at present.

Mr. GROSS. It would not be necessary to have a staff to analyze moon dust that they do not have.

Mr. ROUDEBUSH. Well, I would not believe——

Mr. GROSS. They will not get it until 1970, if they get it then.

Mr. ROUDEBUSH. I assure the gentleman that we do not have a laboratory designed to analyze moon dust; which is standing idle, I assure the gentleman.

Mr. GROSS. But the building is there?

Mr. ROUDEBUSH. The building, as I understand, has been completed.

Mr. GROSS. Is the equipment there?

Mr. ROUDEBUSH. It is being equipped now.

Mr. GROSS. It is being equipped now?

Mr. ROUDEBUSH. That is correct.

Mr. GROSS. But they are going to have to wait until 1970 at the earliest to get the dust to analyze, is that correct?

Mr. FULTON of Pennsylvania. Will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. With regard to the Lunar Receiving Laboratory, the total cost of this facility was $14.1 million. The design and construction of the facility cost $8.7 million. The equipment cost another $5.4 million. The facility is now being subjected to final acceptance test and inspection procedures.

Mr. ROUDEBUSH. I thank the gentleman.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from Texas.

Mr. CASEY. Mr. Chairman, I thank the gentleman for yielding.

May I at this time extend an invitation to the gentleman from Iowa to visit Houston and inspect the laboratory and become better acquainted with it? I will even take the gentleman fishing while he is there.

Mr. GROSS. That is an intriguing invitation.

Mr. CASEY. I know that it is one of the gentleman's favorate sports, and while the gentleman is there he might as well have a little relaxation. But I believe the gentleman is interested in this, and I believe he ought to come down to see it.

Mr. ROUDEBUSH. It is quite a building, I will say.

Mr. CASEY. Be my guest.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from New York.

Mr. WYDLER. I thank the gentleman for yielding.

I want to congratulate the gentleman on the excellent statement he has made to the House.

Mr. ROUDEBUSH. I think the gentleman.

Mr. WYDLER. I want to associate myself with the statement the gentleman has made concerning the bill before the House, and I wish to say that I rise in support of this legislation.

Mr. Chairman, I would like to point out to the House the fact that this program has probably been discussed in the media and been talked about by Government officials at all levels of the executive branch and of the legislative branch—as being the favorite program to cut and to save money. One person suggests a greater cut than the other.

Mr. ROUDEBUSH. If I may interrupt the gentleman, I believe some of the critics will reverse their position, if the Russians pull another space spectacular, as they have constantly.

Mr. WYDLER. It would undoubtedly turn out that those who are shouting the very loudest for tremendous cuts in this program would immediately call for a tremendous renewal effort, in that event.

Mr. ROUDEBUSH. There is no question about it.

Mr. WYDLER. The point I am trying to make is this: I believe the Members of the House have to have a little soundness in their attitude toward the cuts they desire in this program because there comes a point where you could absolutely end the program's usefulness to the Nation, and the hard question comes as to when that point is reached. This program has been cut by the President, the program has been cut through the Bureau of the Budget, it has been cut in the subcommittees and in the committee, and it has been cut very thoughtfully, I believe, at all levels in an attempt to make the program, not an easy one to run, or one with a lot of fat or extra money in it, but to make it a program that, with difficulty but with diligence, can be utilized by NASA to give the country a sound space program.

Many Members of the House speak about economy and yet, when the economy comes home to roost on them, particularly in their own districts or their section, they find it very difficult to support the cuts.

This program is very important in many sections of the country, and very important in my district, yet I feel that as a reasonable and responsible legislator I have to be willing to accept cuts in this program. However, I expect to have cuts made in other programs that come before the House in view of the tremendous, serious economic condition our Nation faces.

So I have supported reductions in this program that will to some extent have some effect in my district, but I have done so for the general good, and in the overall hope that it will encourage other Members of the House to act accordingly.

Mr. Chairman, I recommend to my fellow Members of the House that they consider most seriously in voting on amendments that will be offered on the floor, the total impact the cut that they do make will have in this program, and may have on our national security and on our national purpose.

Mr. ROUDEBUSH. I certainly thank the gentleman for his very fine remarks, and I might say I agree with him almost 100 percent in what he has said.

Mr. BELL. I would like to commend the gentleman for the very excellent statement.

Mr. ROUDEBUSH. I thank my colleague.

Mr. BELL. The gentleman is exactly right about the moon or Apollo project. At least it is in the leveling-off period where the hardware has been purchased and the personnel are on board. To bring it to a conclusion now would be like stopping the building of the Panama Canal when you are three-quarters of the way through.

But I do think, as the gentleman recollected, that the head of the manned space flight, Dr. George Mueller, indicated that if we were just to postpone the moon shot for a few years it would cost us $1 billion a year just to keep the operations going. So that would be false economy.

Mr. ROUDEBUSH. I would say that this has been repeatedly pointed to in committee. Of course, this could be argued academically, but it seems to be the consensus of most people that it would be more expensive to stretch the program out over more years.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman.

Mr. GROSS. There has been a good deal of talk today about the defense aspects of this program. How much is being spent in the Department of Defense on that space program?

Mr. ROUDEBUSH. I will have to say to the gentleman, I simply do not know because none of the defense aspects come under the NASA organization, as the gentleman knows, and I have not personally discussed any defense aspects with NASA.

The main role is the peaceful use of outer space and all of our efforts have been dedicated to that.

Mr. GROSS. But the gentleman from Pennsylvania has been talking about military vehicles that may now be orbiting in space.

Mr. ROUDEBUSH. I know of no such vehicles.

Mr. GROSS. He has been talking about vehicles that may be orbiting in space that are of a military nature.

Mr. ROUDEBUSH. You will have to ask that question of the gentleman from Pennsylvania.

Mr. GROSS. My understanding is that we are probably spending about $1,500,000,000 in the Defense Department in addition to the $4.2 billion in this bill.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield myself such time as I may require in order to answer the gentleman from Iowa [Mr. GROSS].

The Administrator of the National Aeronautics and Space Administration, James Webb, appeared before the Senate space committee—that is, the Committee on Aeronautics and Space Sciences—the day before yesterday he said:

> During the second decade of the space age, we will undoubtedly find that there are important civil and military requirements for space vehicles with missions requiring nuclear propulsion for which it will provide decisive advantages.

His statement means that the military field of requirements for a high-level propulsion nuclear engine will be decisive.

Mr. GROSS. If the gentleman will yield further.

Mr. FULTON of Pennsylvania. I am glad to yield to the gentleman.

Mr. GROSS. I am still trying to find out how much is being expended in the Department of Defense for the military aspects of this space program.

Mr. FULTON of Pennsylvania. For the Defense Department's military space program, there is allocated $1,673,000,000 in 1967.

In 1966 it was $1,637,000,000.

In 1965 it was $1,591,000,000, or about $1½ billion.

If you examine the budgeted expenditures, you will find the space allocations are very substantial in the military, and are increasing. The NASA budget is going down. As I pointed out to you, from the time the original justification was presented by NASA to the administration for the 1969 fiscal year budget, NASA estimates have been reduced $1.1 billion first by the Bureau of the Budget, then by the subcommittees and the Science and Astronautics Committee, and by the full committee. Now, the Republican policy committee has recommended unanimously another reduction of $185.9 million. The Republican side now has a position that has been agreed to unanimously, for this kind of cut. And it is a small cut.

Mr. GROSS. Would you make an exception for the position of this Member on the Republican side?

Mr. FULTON of Pennsylvania. I said the Republican policy committee.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. TEAGUE of Texas. The gentleman from Pennsylvania has been through the laboratory. I think it should be pointed out that the staffing will be very small and that the handling and analysis of whatever is returned from the moon will be done by existing agencies and by universities in our country that are capable of doing such work.

Mr. FULTON of Pennsylvania. The gentleman is entirely correct. Of course, the building had to be built first. Then there will have to be the lunar material for the laboratories to analyze as we make further explorations to the moon. We can then tell more precisely what should be in the laboratory.

But we must make the analyses as we go along. The building must be there. The building must be there before the laboratories themselves are equipped. The laboratories will conform to the results of the investigations that will be made as we progress.

So far, we have had very successful programs in relation to the exploration of the moon. I believe as we go along, they will keep expenses within bounds. The building for this Lunar Receiving Laboratory has cost around $10 million. I believe that, in conjunction with the administrators and as the gentleman has said, the moon materials will be adequately handled. It will be a very efficient operation, and having it located in one place will really result in a saving of money.

Mr. MILLER of California. Mr. Chairman, I yield to the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, I want to speak in support of H.R. 15856, authorizing appropriations to the National Aeronautics and Space Administration.

The chairman and the Committee on Science and Astronautics are to be commended for a most thorough and skillful examination of our Nation's space program and for the balanced bill and detailed report we have before us today.

The committee is well aware of the need for most stringent control of our national programs. The committee members read the reports and advice of economists just as you and I do. They receive the same type of letters from home asking that we keep the Federal budget at the lowest possible level and restrain nonessential programs.

The committee has heeded that advice in the authorization bill for NASA. The committee has acted after deliberations based on its expert knowledge following exhaustive hearings and examination of our Nation's space program. The committee has reduced the administration's NASA budget request to the barest minimum consistent with the most economic utilization of our resources.

Frankly, I would like to see us do more. I have confidence in our capabilities and I believe this Nation has much to gain from a greater investment in the space program. The greatest of the returns on the space program is realized here on earth through better understanding of the forces of nature and through the considerable transfer of new techniques and knowledge to the improvement of our everyday life.

In most endeavors, the future rewards are commensurate with the investment. This is certainly true in the space program, which already has xxxxxxxxxx pioneered in so many technological and program breakthroughs of value to a wide range of industrial endeavors.

One of the most telling aspects of the importance of investment in the scientific and technical endeavors is the example of the economic stagnation in countries which have neglected proper attention to future growth. We cannot let this happen here.

For these reasons, Mr. Chairman, I urge approval of the committee's recommendations without reduction.

Each of the items is important to our total space program but I believe it is especially imperative that we provide for the full authorization for the Apollo applications program.

This program is the very key to our Nation's direction in space in the years ahead. The answers we will gain from the Apollo applications program will allow us to make knowledgeable decisions concerning whether our Nation is to go beyond the moon.

I have no doubt about man's capacity to chart the unknowns of space. I fervently hope that this Congress will assure, through adequate funding of the Apollo applications program that the United States of America is to gain the benefits of planetary exploration.

We collect much data from unmanned space endeavors. However, man's selective discrimination capabilities are important to allow concentration on the phenomena of greatest scientific interest in space. This assures maximum return on our space investment.

The Apollo applications flights will be of long duration to determine man's effectiveness in the extended space operations which must follow if we maintain our space efforts. To do otherwise would be to forfeit to other nations the gains to be realized through the understanding and conquest of space.

It is vital to appreciate that the great-

est economies are realized with an orderly and deliberate program. Cutbacks now and crankups later when we realize we have fallen behind will prove more costly in the long run than effective utilization of our Nation's space talents in an evenly paced ongoing program.

The Apollo applications program is an example of the economy which can be realized with this kind of orderly progression.

Much of the basic components and vehicles of the Apollo program will be modified for use in the applications program. The Saturn I orbital workshop, for example, will be a Saturn S–IVB propulsion tank which is changed into a living area after it has propelled itself into space. The 10,000-cubic-foot interior of the tank is many times larger than any spacecraft flown thus far. Formerly, the spent tanks were considered useless after they had served to launch a spacecraft.

Financial limitations already have dictated deferrals, cancellations, and deletions in several desirable objectives of the Apollo applications program.

The committee has brought out the minimum possible program which will maintain for us the most rewarding options for a diversified planetary program during the 1970's. I urge that recommendations of the committee be approved without reduction.

Mr. MILLER of California. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Chairman, I would like to ask the chairman of the committee one question, if I may. Your authorization bill would cut the NASA budget to the bone, if we are going to maintain any sort of space program, is that not correct?

Mr. MILLER of California. It is cut so deeply that it may have a bad effect on future programs, because one of the greatest assets of NASA consists of the teams of scientists and engineers that have been brought together. When you have to disband them, it is really disastrous.

Mr. CASEY. Listening to the discussion today of the members of the Science and Astronautics Committee, I gathered, Mr. Chairman, that it was with reluctance that you did report out such an austere bill.

Mr. MILLER of California. It is with reluctance that we did so, but we tried to do our duty and cut it just as far as it could be cut and yet maintain a viable program.

Mr. CASEY. I want to thank the committee for this work on the space program.

I know the pressures that have been placed upon the committee to reduce the bill, as was evident on the floor on the part of some Members who are not as interested in the space program as is the chairman and others, including myself. I hope we can keep the program on a sustaining basis and that we will have an opportunity in the near future to again gear up to the capacity that we need.

Mr. Chairman, the full committee and the Subcommittee on Manned Space Flight have conducted thorough and extensive hearings on the fiscal year 1969 NASA authorization. In the face of the need for holding the line on spending it would be easy for all of us to simply make an indiscriminate cut in the NASA budget. The committee, however, has thoroughly reviewed the complete NASA program, including the manned space flight program, in hearings with NASA personnel and the Manned Space Flight Center directors.

The reductions which have been made by the committee have been made with careful consideration and recognition of the need not only for reducing the NASA authorization but also in maintaining a strong and progressive space program.

In the area of the manned space flight budget request several changes are included. It is important to note that NASA has proposed no new manned space flight programs for fiscal year 1969 devoting its full efforts to accomplishing previously approved programs.

Also, it is important to note that the Apollo program has recovered well from the tragic accident of a year ago with the launch of the first unmanned Saturn V—Apollo 4—and the first unmanned lunar module test flight on a Saturn IB—Apollo 5. The Apollo program is continuing at a decreasing annual cost—$457.2 million decrease from the fiscal year 1968 appropriation—with the peak effort having been reached in fiscal year 1967. Apollo applications has now reached the hardware development and fabrication stage, and therefore, shows an increase—$186.4 million increase from the fiscal year 1968 operating plan—in planned effort. A request for $5 million for advanced mission studies also has been included to support future studies effort. This was not funded in fiscal year 1968 and operated from unobligated previous year funds.

The committee made the following changes in the bill submitted by NASA:

In the area of research and development, NASA requested $2,483,400,000 for research and development in manned space flight as follows:

NASA requested for continuation of the Apollo program for fiscal year 1969 $2,038,800,000.

The committee has carefully reviewed the Apollo program noting the excellent recovery in the program since the accident of January 1967. Based on the planned increase in flights scheduled in fiscal year 1969 the committee considered a reduction of $13.8 million would allow accomplishment of its planned schedule while encouraging austere management of research and development supporting activities.

Therefore, the committee recommends an authorization of $2,025,000,000 for continuation of the Apollo program.

For fiscal year 1969 NASA requested $439,600,000 for the Apollo applications program. The committee reduced this amount by $44 million to $395.6 million.

Prior to coming before the committee, the Apollo applications program was reduced $86 million by the Bureau of the Budget.

The committee believes the Apollo applications program provides the major U.S. opportunity to extend manned scientific, technological, and utilitarian space capability in the 1970's. Because of budget reductions and Apollo schedule changes occasioned by the Apollo accident the following changes have been made to the Apollo applications program in fiscal year 1968:

First. Deferral from 1970 to 1971 of extended lunar activity.

Second. Deferral from 1968 to 1970 of the Saturn I workshop.

Third. Canceled second Saturn I workshop and revisit flight.

Fourth. Canceled second Apollo telescope mount to be flown in conjunction with the second Saturn I workshop.

Fifth. Deletion of the lunar mapping and survey system.

Sixth. Canceled earth resources flight—AAP–IA.

Seventh. Delivery of Saturn I–B's reduced to rate of two per year in fiscal year 1969.

Eighth. Delivery of Saturn V's reduced to rate of two per year in fiscal year 1970.

Considering these facts the committee reduced the fiscal year 1969 NASA budget request by $44 million with the view that this reduction would still allow accomplishment of the presently scheduled Apollo applications program but would require NASA to hold expenditure in supporting activities to a minimum.

Mr. Chairman, the recommended committee level of authorization for Apollo applications of $395.6 million for fiscal year 1969 is a minimum level for effective progress in the Apollo applications program.

For fiscal year 1969, NASA has requested $5,000,000 for advanced missions studies to examine advanced manned space flight concepts, future space station studies, and intermediate size launch vehicles studies. The committee reviewed the expenditures of previous year funds for advanced missions and determined that NASA has an unobligated balance of $5.46 million on hand which NASA plans to obligate by July 1, 1968. After reviewing the obligation rate of funds for advanced missions programs the committee reduced the NASA request $2.5 million with the view that sufficient funds would be available at that level for fiscal year 1969 studies. Therefore, the committee recommends a $2.5 million authorization for fiscal year 1969 for advanced missions studies.

For fiscal year 1969 NASA has requested a total of $18,569,000 to cover the cost of 14 line items at three of the manned space flight centers and at seven Government-owned testing and manufacturing facilities.

Of the funds requested $3,560,000 is required to pay for judgment claims against property acquired by condemnation at Kennedy Space Center during fiscal years 1962 and 1963. Another $1,950,000 is for the only two projects which can be classified as new construction. One is to add to an existing flight crew training facility at Houston and the other is to build an air pollution control facility to meet Los Angeles pollution regulations.

The remaining $13.1 million is for capital rehabilitation, alterations, and modifications to existing facilities at nine separate centers and facilities. The total

value of manned space flight plant is estimated at $2.3 billion. The amount requested this year for capital rehabilitation is on the order of six-tenths of 1 percent of the plant value. A rough indicator for major industries is that about 5 percent of the capital value of the plant is used annually for capital rehabilitation, modification, and alterations.

The original request from the manned space areas for fiscal year 1969 was $68 million and was reduced by NASA headquarters to $31 million. The Bureau of the Budget further reduced this amount to $18.6 million or to a level about one-fourth of the original request.

In view of these factors, the committee approved the full amount requested.

For fiscal year 1969, NASA requested a total of $312,984,000 to cover administrative operations at the manned space flight areas. This amount is a reduction of $4.2 million from the fiscal year 1967 level and exactly $27,000 higher than the level for fiscal year 1968.

The fiscal year 1969 funds will be required to sustain the full year effect of the first incremental pay raise under the 1967 Federal Employees Pay Act, whereas the same pay raise was operative for only a part of fiscal year 1968. Fixed personnel costs for manned space flight have now risen, due primarily to pay raises for civil service personnel, to the point where they constitute 61.5 percent of the total administrative operations budget. If one includes related travel of civil service personnel to administer contracts, supervise operations and similar activities, this percentage rises to 64.5 percent of the total budget.

Additionally, the field centers requested $364.1 million for their administrative operations costs. This was reduced by NASA headquarters and the Bureau of the Budget by over $51 million, or about 14 percent.

The committee concluded that the total funds requested for administrative operations in manned space flight was extremely austere. Therefore, the committee approved a token reduction of $27,000 to make the fiscal year 1969 manned space flight portion of the request exactly equal to the fiscal year 1968 operating plan for this budget category.

Mr. Chairman, a responsive and thorough effort has been made in examining this year's budget and I recommend that the floor sustain the actions taken by the committee.

Now I would like to discuss several other aspects of the program such as national security.

NASA's space effort contributes greatly to ultimate military applications. In the manned space flight programs, we have developed and built very powerful launch vehicles, highly sophisticated spacecraft, complex test and launch facilities, better electronic devices, improved materials, and more accurate guidance systems, as well as gaining valuable data on how well man can function in space and for how long. In addition, the ability to maneuver and to rendezvous and dock with another object in space is of tremendous importance to the Nation's overall goals in space. The technology, equipment, hardware and trained personnel thus being developed by NASA for today's space programs, particularly the lunar landing and Apollo applications, have direct military applications and greatly enhance the national security of the United States.

For example, the two-man lunar module, being developed to land a man on the moon, could also be used in earth orbit to make rendezvous with any other satellite and "land" on the satellite. The lunar module crew could get out and inspect, test or repair the other satellite, and even operate as a "boarding party."

NASA's space vehicles could be used not only for interception and inspection, but also for surveillance and other missions similar to those for which high-performance aircraft are now being used. There is no doubt but that the Soviets are considering space potentials in this light.

With the advent of major space stations, such as the Saturn V workshop in the Apollo applications program, the support available to military applications from NASA programs will increase tremendously beyond what we have today.

All of these elements and capabilities constitute a national resource of enduring value which will provide the Nation with freedom of operation in space, with which it will be possible to carry out the wide variety of missions that may be required by the national interest. Such freedom of operation is essential to the national security and the preservation of peace in space.

In the international area, our space programs—and manned space flight in particular—are considered as a measure of our ability to compete with the Soviet Union and, in a larger sense, as a measure of the worth of our system of government.

Let us not forget that the basic stimulus for the major U.S. effort in space in the late 1950's and early 1960's was competition from the Soviets. The competition is just as real today as it was 10 years ago. The fact is that the Russians today are accelerating their space program while we are cutting back on ours.

There is no doubt that we shall continue to be confronted by the Soviets on many fronts for the rest of this century. Whether it be a Berlin airlift or a Berlin wall, a Korea or a Vietnam, a ballistic missile race or a space race—they will confront us on all fronts where they can expect to make gains.

There is nothing the Soviets would rather see than to have the United States dissipate our total efforts in Vietnam while they win the battles on the frontier of technology—battles on the space frontier which allow them to win the minds and the imaginations of uncommitted peoples throughout the world.

It is clear that the American people do not want to be second to anyone—and if we fail to support a vigorous space program now, we can surely expect to hear a great hue and cry about 3 years from now to "catch up."

The contributions of the space program to our national security and to our international position are quite obvious. Not so obvious, but of equal importance in the long run, are the basic contributions of the program to bringing together people from all disciplines—from medicine and the life sciences, through physics, astronomy, and engineering to economics and public administration—and causing them to work together toward a common goal—the long-term survival of men in space. I believe that this forced intermingling of knowledge and skills will do much to create new solutions to many of our immediate as well as long-term social and urban problems.

The real problems we are facing today in our cities are associated with the fact there are more people in the cities than the cities need to maintain their operation, and there has not been a way found to use these people's talents effectively to produce something that someone else wants. I believe that a society will only succeed to the extent that each member of that society is producing rather than accepting. Clearly, it is impossible to guarantee full employment of all the people in this Nation, and maintain a stable society, if the number of people in that society continues to increase each year, unless at the same time we create new technology, new industries and new outlets to provide new opportunities for all of these people to make positive contributions to the society.

There is no [redacted] that advancing technology, along with education, are the long-term answers to the social and economic problems this Nation faces. And the space program is one of the major contributors to the advance of both education and technology.

Nonetheless, there are still those who complain, "Why should we spend this money to explore space when there is so much to be done right here on earth?"

To those people, I say that there was plenty to be done in Europe when Columbus left it. And there is still plenty to be done there. If Columbus had waited until Europe had no more internal problems, he would still be waiting. But the opening up of the New World did more to revive the European culture and economy than any internal actions could possibly have done.

Similarly, I strongly believe that, because of Vietnam and the crisis in our cities, a dynamic space program becomes of even greater importance than before. Our Nation's accomplishments in space serve to inspire a reawakening of the American spirit and a rebirth of our national pride, at a time when our purpose is faltering at home, and our image is being tarnished abroad.

This Nation did not declare the "technological" war, in space or on earth. We were challenged by international competition. We have now reached the point in space where the opportunity to excel in our competition is clearly within our grasp. This is not the time to retrench. This is the time to capitalize on the money and the work we have invested over the past 10 years.

I urge support of the NASA authorization bill as reported by the committee.

Mr. MILLER of California. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. KARTH], chairman of the subcommittee.

Mr. KARTH. Mr. Chairman, I recognize that the cuts embodied in this bill

have already been well documented this afternoon, and I choose not to belabor the point.

Mr. Chairman, I rise in support of H.R. 15856, the NASA authorization bill for fiscal year 1969.

I want to begin by saying that I consider this a very tight budget. The NASA request was reduced by almost $400 million by the Bureau of the Budget before this proposal reached the Science and Astronautics Committee. The committee then made a number of selected reductions which total approximately $153 million. The Nation is thereby left with the smallest space budget in several years.

In the unmanned space program our committee has recommended a total reduction of approximately $36.5 million. The major cuts were made, first, in the bioscience program, which will result in the deferral for 1 year of the two 21-day biosatellite missions. This will save $11 million during the forthcoming fiscal year.

I want to make it clear that this was not a cancellation of the biosatellite mission, but simply a deferral of a previously approved program, and one which the committee considers an important scientific experiment.

NASA's request for supporting research and technology in the unmanned program was reduced by almost $11.5 million. These funds are needed to support research in order to provide a firm foundation for future flight missions. This reduction will permit continuation of this type of research work during fiscal year 1969 at approximately the same level of effort as the current fiscal year.

I want to take a few moments to explain the committee's position on the unmanned planetary exploration program. Let me begin by reminding the members of the Committee that NASA has already achieved three spectacularly successful flights to the nearby planets of Mars and Venus. The two Mariner missions to Venus in 1962 and 1967 disclosed significant scientific information about the nature, composition, and temperature of that planet's atmosphere. Our successful mission to Mars in 1964 returned some truly remarkable television pictures of the Martian surface and also disclosed data regarding the density and composition of the Martian atmosphere.

It goes without saying that we have only scratched the surface. The bill under consideration today includes two additional missions to Mars in 1971 and 1973, which have been described as "new starts." In a sense this is true, inasmuch as the planetary program has been drastically scaled down since last year, and the missions now contemplated have been substituted for the more ambitious and more expensive Voyager program, which incidentally, was approved by Congress in the past. Voyager has now been cancelled for financial reasons. Therefore, it is not incorrect to describe these relatively inexpensive substitute missions as "new starts." On the other hand, these proposed additional Mariner missions to explore Mars should realistically be viewed as a continuation of an ongoing program which was undertaken at the very beginning of America's space program.

These spacecraft will be based upon the earlier successful Mariner design and technology, and they will provide this country with the tools with which to proceed in an orderly fashion in the exploration of our solar system.

I believe that the scientific missions to the planets are important ingredients of our space program if we are to maintain our leadership in scientific and technological progress.

This view is shared by the scientific community. Last year, for example, the President's Science Advisory Committee issued a report which concluded that planetary exploration offers the most rewarding scientific objectives for the decade of the 1970's. Let me quote from that report:

> These objectives offer a supreme challenge because their accomplishment may lead to answers to scientific questions of great human significance concerning the origin and evolution of life, of the solar system and of the universe.

This PSAC report, compiled by some of America's outstanding scientists, recommended that—

> Planetary exploration should set the pace for the post-Apollo space program in the sense that the total budget for programs which relate to this objective should constitute the largest part of the budget for NASA.

The leaders of the Soviet Union evidently agree with this conclusion. They have already given planetary exploration top priority. Since 1960 the Russians have taken virtually every opportunity to launch exploratory spacecraft to Mars and Venus. Compared to our five attempts, they have launched 19 missions to those planets. In every case, their spacecraft weighed from three to five times as much as ours.

Thus, compared to our relatively modest investment in planetary exploration, theirs has been enormous. The fact that the Soviet Union has achieved only one successful mission after 18 straight failures also constitutes overwhelming evidence of their commitment to planetary exploration, and to the value they place on this aspect of their total space program.

Mr. Chairman, one cannot help wondering what certain members of this Committee would say if the Science and Astronautics Committee were to propose authorization of a much larger and more expensive planetary exploration program following 18 failures out of 19 attempts. Fortunately, we are able to come to the floor of the House with a record of success, and we ask approval of a modest planetary program, smaller than the Soviet program, and smaller than the program we proposed a year ago.

We have every reason to believe, now that the Soviets have tasted success, they will proceed with an increasingly ambitious and vigorous planetary exploration program. If the Congress disapproves the NASA proposal presented here today, it seems certain that we will have taken the first step toward relinquishing this important scientific activity to the only other nation in the world capable of carrying it out, the Soviet Union; and I believe we will live to regret it. I think it is wrong to ask whether we can afford this kind of space program. I believe we should ask whether we can afford not to have such a progressive program for space exploration.

Mr. Chairman, I want to mention one other aspect of the unmanned program which I consider to be most significant—the so-called applications satellite projects. These include satellite systems for communications, meteorology, and navigation, among others. These are the space systems which have a direct relaship to the Nation's economy and which can make immediate contributions toward solving some of our more pressing problems.

NASA can point with understandable pride to steady progress, highly worthwhile accomplishments, and the attainment of stated objectives. Communications satellites are now in daily operational use, both by the military and by commercial communications carriers. NASA is continuing its important research and development of equipment for use in future communications systems with the ATS program.

Closely related to this work in communications, research in navigation and traffic control techniques and equipment has already indicated that satellites can assist over-ocean aircraft and ships at sea to obtain [redacted]se position information under all weather conditions and will some day aid in air-sea traffic control, and in coordination of emergency rescue operations.

NASA's meteorological satellite projects have been the most successful of all NASA programs. The United States has launched 18 meteorological satellites without a single failure. Our weather satellites have been operational for 2 years, and the Environmental Science Services Administration—ESSA—is now using satellites and sensors developed by NASA for weather prediction on a daily basis.

The most exciting new program that will be undertaken during fiscal year 1969 is the so-called earth resources survey program. In cooperation with the Departments of Agriculture, Commerce, Interior, and Navy, NASA is now studying the feasibility of surveying the world's natural resources from space. As part of this program, high-altitude aircraft will carry various types of remote sensors, such as special cameras, infrared imagers, microwave radiometers and radar to test their potential for collecting earth resources data. In addition, NASA is undertaking the design and development of an experimental earth resources satellite system which will incorporate these advance sensors, and, assuming reasonable progress, we can look for an operational system of great economic potential within the next few years.

Last year the National Academy of Sciences conducted a study of the use of satellites for various economic applications. The Academy's report concluded:

> The potential economic benefits to our society from space systems are enormous. This may amount to billions of dollars per year to many diverse elements of our industry and commerce and use to the public.

An effective ERS system, in terms of its potential benefits to mankind, could

represent the greatest direct return on investment of any aspect of the space program. Its aim is to discover resources, to improve their exploitation and management, to conserve those we have, and to help in applying them for the public good. In agriculture, for example, crop growth, yield, and damage-assessment data could be obtained. Management of water resources is another of several critical areas in which major contributions could be made by such a system.

I want to remind the members of this Committee that the space program has already made great contributions to this Nation's technological progress, and we have had a space program for only the past decade. I think it is essential to the future strength and growth of our country that we continue a vigorous space program. Even more important, our position of world leadership may well be at stake.

Mr. Chairman, today we will vote to authorize a program which will produce important and useful scientific results and continue experimentation on significant space applications. New starts are at a minimum but if this budget is approved, the United States will be able to continue the most useful of our ongoing programs, we can avoid abandoning the field of planetary exploration, and we can hold together teams and capabilities to meet future national needs in space science and applications. Even though this program for fiscal year 1969 falls far short of what America is capable of, and far short of what, in my view, it would clearly be in the national interest for us to undertake, it is a good program and one which we on the Science and Astronautics Committee have no hesitation in recommending to the Congress as the course to follow at this time.

However, recognizing the fiscal problems of the forthcoming year, I appreciate that further cuts will be made. I think some further reductions can be made. Again, however, I trust they will not be so drastic as to cause the space program to fall into total bankruptcy.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield such time as he might desire to the gentleman from Ohio [Mr. MOSHER].

Mr. MOSHER. Mr. Chairman, I especially want to express my support for those portions of H.R. 15856, the NASA authorization, which have to do with the unmanned programs.

I am convinced it is from NASA's unmanned efforts that we receive the greatest, most valuable return for each dollar we appropriate.

This year, our subcommittee, ably led by the gentleman from Minnesota [Mr. KARTH], and after very thorough consideration, made selective cuts of approximately $36.5 million—or about 6.6 percent—in NASA's already meager proposals for space science and applications effort.

I emphasize that our recommendations to you were by unanimous votes in both the subcommittee and the full committee.

These reductions were not in any case because we felt NASA's proposals lacked merit, but rather only because of the extraordinary demands today on our Nation's resources and the resulting crucial need for exceptional budget restraint.

We have pruned NASA's authorized expenditures for very important unmanned scientific efforts, especially for planetary exploration, far below the current level of similar effort by the Soviet Union, as I will explain in more detail later in these remarks.

We propose these cuts very reluctantly, because it is very unfortunate that an already limited program which has achieved such successful momentum should be cut back so drastically.

Let me briefly review some of the accomplishments of the unmanned space effort to date. In the past 4 years, we have had 13 successful flights of automated spacecraft to the moon: three Rangers, five Surveyors and five Lunar Orbiters. These spacecraft have returned many thousands of valuable, useful TV pictures of the moon. The entire surface of the moon has been photographed from orbit, and the physical and chemical properties of the lunar soil have been tested with scientific equipment soft landed at selected sites. By any standard, these are truly "miracle" achievements which have advanced our knowledge and understanding of the moon manyfold. A mere decade ago, few if any believed such missions were possible.

With these successful missions, the current phase of the automated exploration of the moon has been completed. The stage has now been set for the next step, the Apollo program, in which man will visit the moon and return with lunar samples to earth.

During the first decade of this Nation's exploration of space, our scientists have also obtained a much clearer understanding of our space environment. Using a variety of "tools" ranging from sounding rockets and small explorer satellites to observatory class satellites weighing thousands of pounds and carrying many instruments, NASA has made investigations of the earth-sun relationship, the medium in which the earth orbits, and the nature of the universe. The many successful launches in the physics and astronomy programs have provided a firm foundation for the future, and have already added significantly to man's understanding of his world.

Some of the Nation's most successful space programs have been in the applications satellite projects. The United States has launched 18 meteorological satellites, and achieved an almost unbelievable 100-percent record of success. The Environmental Science Service Administration now has an operational weather satellite system based upon NASA's successful Tiros program.

The American effort in communications satellite development has also been extraordinarily successful, and has provided the basis for an operational system in the making.

The most exciting new project on the horizon is the earth resources survey system on which research and development will be undertaken during the forthcoming fiscal year. It is expected that remote sensors in space will, in just a few years, provide valuable data on the status of our agriculture and forests, and on the location and availability of mineral and water resources; such a system will contribute to the management, utilization, and conservation of all our natural resources. It is impossible at this time to estimate with precision the economic effects of such a system, though some experts say many billions of dollars will be saved annually.

Perhaps the most important thing about our record of success is the fact that the United States has demonstrated extraordinary capabilities to do many important experiments in space. The sum total of all our successful missions clearly shows that America is a "can do" nation.

We have had a very aggressive research and development program over the past decade, characterized by great variety; and it has produced large dividends on our investment. Last year, 88 percent of all space science and applications launches were successful.

Mr. Chairman, it seems timely to remind the members of this Committee that the space program has made great contributions to this Nation's technological progress during the past decade; contributions that have strengthened our economy, our security, and our way of life.

I think it is essential to the future strength and growth of our country that we continue a vigorous space program. Even more important, our position of world leadership may well be at stake.

In this connection, I would like to say a few words about the Soviet space effort, and why I think it is important to assess our own program in the light of what we know the Russians are doing.

The experts seem to agree that the space program of the Soviet Union is roughly comparable to our own; that is, both countries have invested large-scale resources of similar size into broadly based programs which, although somewhat different in detail, are quite similar in general outline.

It is significant, however, that while the Soviet space effort is of about the same magnitude as the U.S. program, in absolute terms, theirs might fairly be considered much larger than our own, relative to that nation's comparatively smaller gross national product. Accordingly, it appears that the leaders of the Soviet Union place a somewhat greater value on space exploration than we Americans do, since they invest a substantially larger proportion of their available resources in their space program.

Mr. Chairman, it is not my position that simply because the Soviet Union decides upon a particular policy—in space or elsewhere—that we should necessarily do the same thing. On the other hand, I believe we should be aware of all aspects of the Soviet program, to the extent that is possible; and further, it seems reasonable to me that the nature and magnitude of their space effort should, at least, be a consideration when we sit down to decide on the type and size of program we shall have.

At this point, I should like to compare our program for planetary exploration with that of the Soviet Union. Let me

begin by stating that planetary exploration must be viewed simply in the context of scientific rivalry; presumably it has no military objectives.

Since 1962, the United States has made five attempts to explore Mars and Venus, the two planets closest to the Earth. All five Mariner spacecraft have been in the 450- to 600-pound weight class. By contrast, since 1960 the Soviet Union has made 19 known attempts to explore Mars and Venus. In each case, their spacecraft have weighed from 1,400 to 2,500 pounds. These figures reveal that the Russian program is many times larger than our own, and truly impressive by any standard of measurement.

Another indication of the importance which the Soviets place upon planetary exploration is the fact that they have persisted in the face of a remarkable series of failures. In point of fact, the Soviet program experienced 18 successive failures, and it was not until last October when they finally achieved a successful mission to Venus with their 19th planetary attempt.

I am pleased to be able to say that three of the five American planetary missions were spectacularly successful, returning highly significant scientific data about both Mars and Venus. One cannot help wondering, however, whether the American people, or the members of this committee, would have been as patient as the Soviets have been, and continued to underwrite an expensive planetary exploration program after 18 straight failures. Clearly, this must be viewed as a commitment of a high order on their part, and a measure of the significance which the leaders of the Kremlin attach to planetary exploration.

I think it is important that we try to understand why the Soviets have placed such emphasis on planetary exploration. Let us turn to our own experts for their assessment. About a year ago, the President's Science Advisory Committee released a report entitled "The Space Program in the Post-Apollo Period." This report was prepared by panels of outstanding American scientists, mostly from our great universities. They concluded that the exploration of the planets should be a primary objective of the U.S. space program during the next decade. The report goes on to state:

> We believe that planetary exploration should set the pace for the post-Apollo space program, in the sense that the total budget for the programs which relate to this objective should constitute the largest part of the budget for NASA.

Evidently, these American scientists do not disagree with the Soviet Union's emphasis.

Their report concludes that planetary exploration may lead to answers to scientific questions of great human significance concerning the origin and evolution of life, of the solar system, and of the universe.

Mr. Chairman, the authorization bill before the Committee today provides for a modest planetary exploration program, much less ambitious than the one presented to the House last year. The program provides for launches to Mars during the next three opportunities which occur in 1969, 1971, and 1973.

In many ways, Mars is our most exciting neighbor in space. It is a very dynamic and changing planet, with polar caps that grow and recede, with vast areas over its reddish surface that turn green in the spring, and with an atmosphere marked at various times by yellow clouds and blue haze.

Scientists believe it is quite possible that some form of life may have evolved on Mars; in 1971, we will be able to study the greenish growth color changes on the surface and produce surveys of topography, temperature, and atmospheric composition over up to 70 percent of the Mars surface. These surveys should indicate the more likely spots for the existence of life on the surface.

After orbital reconnaissance of Mars is conducted with Mariner spacecraft in 1971, the next logical progression is the landing of a science payload on the surface of Mars in 1973. By using the basic Mariner spacecraft and modifying it to accommodate a landing capsule, it will be possible for the United States to achieve its first landing of an automated spacecraft on another planet.

The objectives of such a mission would include direct atmospheric and surface measurements to answer scientific questions about the planet Mars, providing a better understanding of its characteristics and its relationship to Earth.

There is every reason to believe that the Soviet Union will continue its aggressive planetary exploration program to both Mars and Venus during the decade of the 1970's. It is my conviction that unless the Congress approves the program presented today, for all intents and purposes we will relinquish this vital aspect of space exploration to the Soviet Union.

Mr. MILLER of California. Mr. Chairman, I yield such time as he may desire to the gentleman from West Virginia [Mr. HECHLER].

ADVANCED RESEARCH AND TECHNOLOGY

Mr. HECHLER of West Virginia. Mr. Chairman, NASA requested $862.8 million within the areas over which our subcommittee has jurisdiction. These areas cover the tracking network, technology utilization, aeronautics, basic research, chemical propulsion, space vehicle systems, electronics systems, human factor systems, space power and electric propulsion, as well as a small amount of construction and administrative operations for the areas I have mentioned.

We voted a number of reductions from the NASA budget request, and concluded we should recommend a total authorization of $806.5 million. This represents a cut of $56.3 million from the budgeted request within our area.

There is a natural tendency to concentrate on economy cuts, to talk about them as prime examples of how Congress can and does show its muscle, and to stress that an economy cut is the greatest service which the legislative branch can perform. I do not wish to minimize the importance of economy, and the salutary effects which frequently follow economies in the form of better management practices. On the other hand, it is our duty to describe in more positive and constructive terms what we are doing and plan to do with the funds we are authorizing.

Advanced research and technology is the prime investment which this Nation is making in the future strength of our programs in science, space, aeronautics and in many related areas. When the economy bell rings, there is a rush to establish priorities. All too often the first to suffer and to be deferred is the kind of advanced research which will determine what kind of scientific strength this Nation will have 20 or 25 years hence. Year after year, as chairman of the Subcommittee on Advanced Research and Technology, I have spoken out against and resisted a downward trend in the kind of research which enriches the wellsprings of the Nation's future strength. I believe we have done fairly well this year in bringing in a balanced program for the future, which reflects sound investments, and yet achieves the kind of economies which we believe necessary when related to our other domestic and foreign commitments and the budget pressures we are encountering.

One of the biggest casualties of the economy axe is the very highly regarded NERVA nuclear rocket program. The committee was divided in its conclusion reduce NASA's budgeted request of $60 million for the NERVA nuclear rocket program down to $11.7 million.

The intent of the committee was not to eliminate permanently the NERVA I program from NASA planning. It was fully recognized that the NERVA I program has achieved significant success in producing a nuclear rocket engine, a step forward of real magnitude. The prototype engine has already produced over 50,000 pounds of thrust for 1 hour's duration. This is an engine that can provide for flight missions booster energy for approximately 54 minutes longer than any other conventional chemical rocket system. These facts alone make it very clear that such an engine can provide a capability to NASA in space that most likely cannot at this time be matched by our principal rival in space.

Nevertheless, the committee also recognizes that this project is extremely expensive. Its total runout costs to 1975, when a flight-rated engine will be available, are possibly $1,100,000,000. It is also aware that $1,140,000,000 has already been spent by AEC and NASA for nuclear rocket development. Therefore, the committee could not really accept the premise offered by NASA that it was a dire necessity that further development of the NERVA I should be continued in fiscal year 1969 at the rate of $60 million.

Instead, the committee decided to defer the project and to defer recommended authorization to a later date. Influencing this decision was the fact that NASA could not in precise terms define the mission and the time schedule which would be necessary before full utilization of this engine could be realized. Furthermore, the committee was fully cognizant during its deliberations of the action taken by the House last year with respect to NERVA II, a project designed to produce an engine of 200,000 pounds thrust.

There is no doubt that this decision by the committee is a calculated risk, involving the possibility of being again outstripped by the Soviet Union at some future date, possibly in the mid-1970's. The leadtimes for this project dictated by the complexity of the research can be fairly well estimated. And they are long indeed. But the committee felt that it was necessary to balance those long leadtimes and the unknowns of the future against the stringencies of economy in this country today. Indeed, this was a hard choice to make, and it was not made with the intention of forever precluding NASA's full development of a nuclear rocket engine.

A man for whom I have a tremendous admiration, Dr. Wernher von Braun, testified day before yesterday, April 30, before the Committee on Aeronautical and Space Sciences of the other body. His remarks on the NERVA nuclear rocket development are very pertinent. He said:

I am convinced that nuclear propulsion is a must for our future space needs. At the same time, I am equally convinced that it is important that we not think of the nuclear rocket solely in terms of any particular mission but rather in terms of the overall increase it will give to our space exploration capability and its potential applicability to a very wide range of missions. If we have learned anything from history we know that where advanced technology exists, it will generally be used and used effectively. The point I'm trying to emphasize is that I feel that the NERVA engine development and eventually a flight stage should be funded on the basis of technology advancement, emphasizing mission versatility rather than tying the program to a specific mission.

A one-year delay in funding could result in as much as two years delay in having an operational nuclear engine. In view of the investment already made and the successes achieved thus far, I feel we must continue the nuclear engine development.

I think the nuclear rocket, when compared to our current propulsion capabilities is analogous to a comparison of the piston-engine airplane and todays modern jetliners. Many experts said there was no requirement for the turbojet engine in the aircraft business. Not only has history proven them wrong but this advancement in airplane propulsion technology has paid for itself many times over.

I think it is extremely important to note that the NERVA program represents by far the most significant advancement in propulsion technology that can achieve operational status in the 1970 decade. It is the only high-thrust system which is currently anywhere near a development phase that offers specific impulses greater than 800 seconds, or almost twice that of our most advanced chemical rockets. This means that for a given engine thrust, a nuclear rocket would need little more than half the fuel required for a chemical rocket to accomplish a specific mission.

* * * * *

The decision to develop this engine was made three years before the go-ahead decision to develop Saturn V. Similarly, research on liquid-hydrogen and liquid-oxygen engines, with their significant jump in specific impulse over conventional oxygen and kerosene systems, led to starting the J–2 engine which now powers the Saturn V second and third stages, the S–II and S–IVB. The nuclear rocket now offers us the opportunity to nearly double the specific impulse of the J–2 engine.

Of course, the real measure of preeminence is the capability to accomplish desirable mission objectives. The point I made earlier concerning the mission versatility of a nuclear vehicle is appropriate in this regard. A nuclear third stage on Saturn V would provide us with the capability to meet future requirements which will certainly face us in the accomplishment of our basic purpose—making available to our nation and its people the great potential benefits inherent in our advancing space technology.

This all points back to my opening remark that the nuclear rocket is a vital key to our future space exploration capability and versatility. I would have great concern for the long future of our space program without this kind of propulsion capability.

SNAP–8 NUCLEAR GENERATOR

In the area of space power and nuclear propulsion, NASA requested $44.8 million. Of this amount $7.5 million was requested for the SNAP–8 nuclear electric generator project for the production of a 35-kilowatt, onboard power generating system which could last up to 2 years. Our committee has strongly supported this development in the past. This year we cut $2.5 million from the requested amount, leaving $5 million. We believe this amount will be sufficient to maintain a program of component testing at the Lewis Research Laboratory, and also enough money for the present contractor to continue testing.

AERONAUTICS

In the glamor and glory of space flight, we tend to forget that the name of the agency which administers this program is the National Aeronautics and Space Administration. I believe that one of the greatest contributions our committee has made is in stimulating greater emphasis in the field of aeronautics research. In past years, when this program has been starved, our committee has authorized and succeeded in funding amounts above the budget requests. We have also advocated the upgrading of the work on aeronautics within the NASA administrative structure. As a result of our recommendation, NASA has set up a new position of Deputy Associate Administrator for Aeronautics, and filled that position with an able administrator and research specialist, Dr. Charles Harper.

Next to the space exploration program, we firmly believe that this is NASA's most important research activity area. We have had Secretary of Transportation Alan Boyd and FAA Administrator General McKee before our subcommittee, as well as their subordinate officials, to test with them the ultimate value and future application of the kind of research in aeronautics being carried on by NASA.

I hope that the action of the subcommittee, which was sustained by the full committee, will also be sustained here on the floor. I say this because in this day of economy cuts and budget slashes, we have had the temerity to come in with a recommendation that NASA be authorized an amount above its budget request for this vital area of aeronautics. NASA asked for $76.9 million, and we are authorizing them $77.9 million. We are suggesting that these additional funds be applied in the areas of aircraft noise abatement, vertical and short takeoff and landing plane development, and collision avoidance research. I wish this increase could be greater, and I so voted in the subcommittee, but this is a pretty fair-sized authorization when you consider it exceeds the total amount for the Federal aid to airport program annual funding.

ADMINISTRATIVE OPERATIONS

A budget of $195,108,000 for the administration of the six OART centers was critically reviewed by the committee. NASA witnesses presented a strong justification for administrative operations funds and cited instances in which last year's administrative operations cuts had made it necessary to curtail approved research and development programs.

In the light of this testimony the only reduction recommended by the committee for administration is directed toward the Electronics Research Center. The Center requested 150 new positions. The committee stipulated that NASA should hire no more than 75 new people and that these new personnel should only be utilized in the aeronautical research programs of the Electronics Research Center.

Therefore, the total amount recommended for authorization for the Electronics Research Center is $17.579 million. The total sum requested for administrative operations under the Office of Advanced Research and Technology—$195,108,000—was [redacted] to a recommended authorization of $193,608,000.

TRACKING AND DATA ACQUISITION

Our subcommittee also had under its jurisdiction the entire area of tracking and data acquisition, for which $304.8 million was requested. I need not emphasize the vital importance of the tracking network in insuring the success of both manned and unmanned space missions. The committee authorized $299.8 million, a reduction of $5 million in the request, in this area.

TECHNOLOGY UTILIZATION

One of the most important functions that NASA performs is the dissemination of internally generated technical information to users outside of NASA. This is done through the technology utilization program whose objectives are:

First. To increase the return on the national investment in aerospace research and development by encouraging additional uses of the knowledge gained in those programs;

Second. To shorten the time gap between the discovery of new knowledge and its effective use in the marketplace;

Third. To aid the movement of new knowledge across industry, disciplinary, and regional boundaries;

Fourth. To contribute to the knowledge of better means of transferring technology from its points of origin to its points of potential use.

After publication and evaluation, regional dissemination centers store, retrieve, and interpret for local industry new technology developed by NASA. The centers are particularly self-supporting through membership fees of participating companies. As an example at the regional development center at the University of Pittsburgh, 51 companies are paying annual membership fees and several additional companies are being served on an ad hoc fee basis rather than via an annual membership.

The committee authorized the full $4 million requested by NASA in this area.

CONSTRUCTION OF FACILITIES

Budget requests were considered and approved for four construction projects totaling $22,141,000. One is under OART—an improved water distribution system for the Ames Research Center—and the others are at tracking and data acquisition sites.

With respect to certain new TDA antenna projects, the committee took the position that they should be correlated with the respective research and development programs they are designed to serve. Accordingly, in line with approval of the Sunblazer program by the Subcommittee on Space Science and Applications, the related construction of facilities request of $2,880,000 for a phased array antenna system at Goldstone Station was approved by the Subcommittee on Advanced Research and Technology, and subsequently by the full committee.

Likewise, the committee approved a sum of $17 million to start construction of two new 210-foot-deep space antenna at Madrid, Spain, and Canberra, Australia, on the basis of testimony that their first required use will be to support the planetary exploration program in the early 1970's. The total cost of the two 210-foot antennae is estimated at $34 million, the balance to be budgeted in fiscal year 1970. The construction time is estimated at 3 years.

Mr. MILLER of California. Mr. Chairman, I yield to the gentleman from Texas [Mr. ECKHARDT] such time as he may consume.

Mr. ECKHARDT. Mr. Chairman, I know of my own knowledge in serving on my subcommittee that pencils were sharpened and figures were cut to the bone on that committee and on the full committee.

I happen to serve from an area that is just across the bayou from the Houston Manned Space Center. I also serve in a district that contains, perhaps, as many pockets of poverty as exist any place in the Nation. I wish to say that to cut this program beyond the recommendations of the committee would be a disservice to the national efforts both in the area of science and in the general area of humanity.

I feel that when we consider cutting this program because of expenditures overseas, even in the war effort, we may at some later time be in a position roughly comparable to what England would be in today had moneys been diverted, in the days of Queen Elizabeth I, from the western exploration for use in the Irish wars.

Therefore, I strongly support the recommendation of the committee.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Chairman, I thank the gentleman for yielding me this time. I certainly wish to associate myself with the remarks that have been made about the importance of a sound ongoing space efforts in this country. I also endorse the remarks which have suggested that we must deal with our serious economic situation. We must establish sound priorities and indeed put first things first and do the things which are urgent and necessary. At the same time we must defer or postpone some items of lower priority.

I say this because it is my intention to support two amendments which will be offered dealing both with Apollo applications and with the administrative operations section of the bill. It seems to me that in both instances reductions can be made which will not cripple the space program and certainly not affect in any way the manned lunar landing portion of the space program. And, as the gentleman from Iowa pointed out in his colloquy with the gentleman from Indiana, they certainly will not affect the military space program.

I would like to pose a question or two.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Chairman, did I understand the gentleman correctly to say that what NASA does in space will not affect our military program?

Mr. RUMSFELD. No. I said that the amendment that the gentleman from Pennsylvania intends to offer with respect to Apollo applications and the amendment which the gentleman from Indiana [Mr. ROUDEBUSH] intends to offer with respect to administrative operations would not cripple the NASA space program and would not affect the military space program, in my judgment.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield further?

Mr. RUMSFELD. I yield to the gentleman,

Mr. TEAGUE of Texas. Mr. Chairman, to a degree I would agree with the gentleman.

To the degree that the cut restricts or impairs or slows down the experiments NASA is making under Apollo applications for the military program it will affect the military program. Actually, in the Apollo applications program, the work shop, about half of the experiments are trying to learn how a man can live in space. The MOL program has two men living in very close quarters. In the workshop program there will be up to 10. They move around, learn how to sleep, how to eat food, and so forth.

Mr. RUMSFELD. If the gentleman will permit, the gentleman has had the same briefings I have had by the military. Time after time the Members of the subcommittee and of the full committee have been told that the military space program is separate. It is true that on occasion DOD has been able to take certain NASA developments and utilize them, but that they consider their program independent. It is budgeted independently.

To the extent the Department of Defense is convinced that a certain degree of effort is necessary to see that this country has the competence needed in military space expertise; I have no doubt in my mind that they will go before the proper committees of the Congress to explain DOD needs in space in fact receive my approval and that of the gentleman in the well, the chairman of the Subcommittee on Manned Space Flight, and, I would guess, of the entire Congress.

Mr. TEAGUE of Texas. The gentleman in the well knows coordinating committees between NASA and the DOD. He also knows that everything new NASA learns in space will contribute to the effort of the military.

Mr. RUMSFELD. I believe I indicated that. There is no question about that.

The reason I took this time was to raise some questions about a matter which does not happen to fall under the jurisdiction of the subcommittee on which I serve. This falls in the area of lunar and planetary exploration. Because I have had hopes we might be able to reduce this budget, I raised some questions in the full committee about this matter. I should like to discuss it briefly, probably with the gentleman from Minnesota, the chairman of the subcommittee which has jurisdiction over this subject matter.

It is my understanding that the subcommittee has approved the Mariner Mars 1973 program as requested by NASA. The funding for the Mariner Mars 1973 program is to be $20 million in this year's authorization bill, for fiscal year 1969. It is my further understanding that this is going to increase during the next 5 years to a total of $385.4 million. We will be commencing a new start, so to speak, and in fact authorizing for the next 5 years—which we will have to deal with in increments, of course—$385 [redacted] for this purpose.

Is that correct?

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I am happy to yield to the very able gentleman from Minnesota.

Mr. KARTH. Yes. I would say, Mr. Chairman, that the gentleman in the well has essentially stated the facts.

I should like to point out, however, that for all practical purposes while this 1973 Mars mission is a new start it is a considerable diminution of the planetary program which we brought to the Congress last year. As the gentleman will well remember, we proposed a Voyager program which would cost in the neighborhood of some $2 billion through 1975.

The gentleman in the well is correct when he says that the 1973 Mars program presently before the House would cost about $385 million to completion.

I want to be perfectly honest with the gentleman. I might say that there was some smattering of evidence during our hearings that the 1973 Mars mission which is presently before the House might well be delayed for one more fiscal year and if at that time the fiscal picture improved, why, with some additional funds the program could probably be again brought on stream or certain technological changes could be made so that we could still hit the window, so to speak, in 1973.

Does this answer the gentleman's question?

Mr. RUMSFELD. It does. I appreciate the gentleman's response.

Then would it be correct to say there is at least a possibility, if this $20 million were deleted from the authorization bill, that the decision could be postponed until next year without jeopardizing the program entirely?

Mr. KARTH. I personally think so. I want to call the attention of the gen-

tleman, however, to the fact that if it is postponed until next year, rather than costing $20 million to initiate the program in fiscal year 1970, it might well cost two or three or four times that much to initiate the program. In other words, the total cost of the program being $385 million spread over 4 years would cost more in each one of the 4 years than it would if spread over 5 years.

Mr. RUMSFELD. I understand that. But would it be correct to say it could still be done during the 4-year period for roughly $385.4 million?

Mr. KARTH. It would be my judgment that it would be within that ball park. Yes.

Mr. RUMSFELD. I am personally reluctant to offer an amendment to delete this particular program, although it is my judgment from what I know of it that it should be taken out of the authorization bill. A decision apparently could be delayed on it for another year. I hope a member of the subcommittee who does have expert knowledge on this might consider this possibility. I appreciate the gentleman's answer.

Mr. KARTH. Mr. Chairman, will the gentleman yield further?

Mr. RUMSFELD. Yes.

Mr. KARTH. I will say that since we are presented with a fiscal picture this year that is anything but desirable, if the gentleman from Illinois does offer an amendment to defer the 1973 Mars Mariner mission, I would support that. I would support it on the basis that I think a deferral for 1 year could well be made up if the fiscal picture looks better next year even though it may cost much more money during that 4-year period or during each one of the 4 years through 1973. But I do think that the testimony further indicated it may be necessary, if we did not authorize it this year, to make some technical modifications in the program. I am hopeful that there is some existing hardware from other programs that might be brought into the picture itself that might in the long run reduce the total cost of that program from $385 million to some lesser figure.

Mr. RUMSFELD. I thank the gentleman for his comments.

Mr. MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. CHARLES H. WILSON].

Mr. CHARLES H. WILSON. Mr. Chairman, I thank the chairman of the committee for yielding this time to me. I would like to say I regret that it has been deemed necessary to cut the NASA authorization. However, I want to compliment the chairman and the members of the committee for the restraint that they have shown in not cutting it any further. I hope it will not be necessary to cut it any further in the House today.

Mr. Chairman, at this time when our country can take pride in having built up a respectable competence in space technology, that same competence is in grave danger of being torn down.

Space industry employment is falling at a rate of nearly 4,000 a month, while NASA's budget also is decreasing at an alarming rate. Any further reductions will be made at great cost to the vast benefits promised by our space program.

National security and prestige are also at stake. Nearly every week we learn of another Soviet space launch or some new achievement such as the automatic docking of two vehicles in space. When compared with the vigorous space program of the Soviet Union, ours pales in contrast and is, in fact, in danger of atrophy.

Until this year, the United States has been equal to or ahead of the Russians in almost every aspect of space science. But this seems unlikely to be the case in the 1970's. We face bleak days which we cannot afford to make any bleaker.

The NASA budget before us today is woefully inadequate. Any further cuts would be crippling.

Last year Congress authorized $234 million less than the NASA request and appropriated $511 million less than the request. This year's request is $218 million lower than last year's appropriation and the committee has further reduced this request by another $153 million. I suggest this is far enough. If anything, the budget ought to be increased. We stand in danger, on the pretext of economy, of destroying what we should instead prize. That is, the scientific and technological competence so essential to solving society's ills, be they poverty, pollution, or peacebreaking.

The space program affects every aspect of our lives—social, economic, technological. The funds which Congress appropriates are not spent on the moon or in outer space; they enrich the lives of us all.

Today's scientific advances and those promised for the future will make the earth a better place to live. We can expect great discoveries in the fields of food, natural resources, communications, weather forecasting, and medicine. And, because of these advances, we will know more about ourselves and our environment.

Economizing can, at times, border on irresponsibility. We in the House are perilously close to this point right now. Let us not junk what it took 10 years to build.

This is not a simple case of conquering the moon versus conquering the ghetto, of building a spaceship versus building more and better schools. It is not either/or.

Scientific capability is one of the hallmarks of a progressive society. Surely, cutting down the space programs will not solve our domestic problems. On the contrary, it will curtail our ability to deal effectively with these urgent problems.

For these reasons I strongly urge that the recommendations of the committee on science and aeronautics be approved without change. We cannot afford to withdraw further support from one of our country's most magnificent achievements—its space technology.

Mr. MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. LEGGETT].

Mr. LEGGETT. Mr. Chairman, to begin with, I want to compliment the committee on its efforts toward economy. I think you have a bare bones bill here today. I am concerned, of course, that you cut out the nuclear motor NERVA program which is constructed partly in my congressional district and in about 20 other States. I think we have to keep in mind that you cannot let the tail wag the dog in these programs. You have to keep in mind the national purposes. The strength of the United States lies in our ability to do the things that we set out to do rather than in a mere figment of the imagination, such as the $25 billion, $15 billion, or $10 billion of gold that we have buried at Fort Knox.

The budget currently before the Congress is the largest in the history of the United States. With the Vietnam war requiring the expenditure of billions of dollars, and with more billions required by foreign aid programs, it is essential that all of the major programs be carefully scrutinized to insure that the money is being wisely used. The factors which have led to unrest and civil disorders in the ghettos must be sought out and corrected, while, at the same time, the technological progress which is so vital to the future of the Nation must be continued.

One of the programs which has been discussed before congressional committees reviewing the NASA budget requests involves the NERVA engine. The need for this program has been questioned by some of the members of these committees. It has been pointed out that the engine has not yet been assigned to any specific mission, implying that there is, therefore, no current need to develop it.

In examining the national space program, I have taken exception to some of the programs proposed by the NASA. In fact, I have in some instances been very critical of the manner in which NASA has conducted its operations, particularly in the area of long-range planning. I must, therefore, give careful consideration to the NERVA program, to insure that it is indeed placed in its proper perspective relative to other needs of the Nation.

In our modern world, the prestige of any country depends very heavily upon scientific achievements and technological gains that it can present to the world. Generally, these two factors go hand in glove. This has been clearly demonstrated by the space programs. Artificial satellites placed in orbit for purely scientific purposes have led to the development of communications, meteorological, and navigational satellites. The limited weight of such devices resulting from the high cost of large rocket propulsion systems has resulted in the development of more efficient, compact power supplies, and miniature electronic equipment such as the integrated circuit logic elements and amplifiers. These latter devices have allowed the insertion of preamplifiers in the tone arms of high fidelity record players, thus improving the quality of the music that is produced. These are but a few of the many side benefits that have been derived from our space programs. It therefore appears highly desirable to continue these activities at as great a pace as we can logically accomplish.

As we go further into space in our attempts to learn more about our solar system or expand our investigations of the moon's surface, significant increases in

rocket vehicle payloads will be required. We can double the payload that we can use on these missions by developing a new booster rocket twice the size of the Saturn 5, or we can complete the development of the NERVA engine and use it with existing boosters. Considering the implications of the former technique—extensive development effort, new test facilities, new launch facilities, and much greater booster production costs—the latter course appears to be significantly less expensive.

From testimony presented to both House and Senate committees, it is clear that outstanding technical accomplishments have been achieved by the Government-industry team which has been given the task of developing the NERVA engine. Just last December, a full-power test was conducted that lasted for a full hour. The entire system was still operating satisfactorily at this point, and was shut down only because this was the scheduled termination time for the test. This is three times longer than any other high-thrust rocket engine has ever operated, and longer than is required for most of the deep space probes being considered for the 1970–80 time period. During this test, it was producing more than twice the thrust of a conventional high performance chemical rocket using the same weight flow of propellant.

As a result of urgent demand for funding in other areas—the Vietnam war and our foreign and domestic aid program—we and NASA have reassessed our space programs, and decided to operate on a less ambitious basis. Accordingly, the NERVA program has been realined. Instead of developing a very large nuclear engine for use in manned exploration of Mars and other planets, which would require extensive new facilities, the program is now oriented toward the development of a flight engine which can be tested utilizing existing hardware and facilities. This engine will more than double the payload capability of current booster rockets for the unmanned exploration of deep space, the planets, and the solar system in general, while minimizing the total space program investment.

With our Apollo program nearing completion, and the post-Apollo program becoming better defined, specific applications of the nuclear rocket will be established, and it will be placed in operation. The long delays normally associated with the development of new propulsion systems after missions have been selected will be eliminated, thus reducing the overall program costs.

The money being spent on the NERVA program is spread over 16 States. Less than 20 percent is being spent in California, the location of the prime contractor. The remainder is divided between the States of Washington, Nevada, Utah, New Mexico, Minnesota, Michigan, Wisconsin, Ohio, Indiana, Rhode Island, Connecticut, Massachusetts, Tennessee, Pennsylvania, and New York.

At present, all necessary facilities required to proceed with this program are available, the scientific and technical personnel forming the Government-industry team are in action and it is reported that we are more than half way to the completion of the original goals, which were supported by NASA, the AEC, and the Congress. An interruption at this time would destroy this team, significantly increasing the total cost to complete the development effort in future years.

Like other advanced programs, the NERVA program is contributing heavily to the extension of our knowledge in many areas of technology; high temperature technology, cryogenics, radiation effects, and many others. The magnitude of the total side effects cannot be specified today, but the development of new knowledge has always benefited man, sometimes in very surprising ways.

By continuing our support of the NERVA program, we will continue to move forward in the conquest of space, avoiding the high cost of catching up when unforeseen events, either peaceful or military, require it. The Russian "orbital missiles" recently disclosed by our Defense Department, and other evidences of the aggressive nature of the Russian space programs hint strongly at the importance of continuing the development of our own space activities.

With the increased performance capability of the nuclear rocket, we will be ready to take on extensive operations in near-earth space, as well as to move out to the other planets, essentially at a moments notice. By providing our full support to the NERVA program, we will obtain a tool for future space exploration as well as a capability for extensive operations in the earth-moon space.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield such time as he may require to the gentleman from Kansas [Mr. WINN].

Mr. WINN. Thank you, Mr. Chairman.

I rise to support the bill and wish to associate myself with the remarks of my colleagues and commend them on the many, many hours that they have spent in reviewing and in doubly reviewing the NASA authorization and the space efforts as a whole.

I also wish to associate myself with the remarks of my colleague, the gentleman from Pennsylvania [Mr. FULTON], and to associate myself with the questions which have been raised by my colleague, the gentleman from Illinois [Mr. RUMSFELD].

Mr. FULTON of Pennsylvania. Mr. Chairman, I have no further requests for time.

Mr. MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. BEVILL]

Mr. BEVILL. Mr. Chairman, I rise in support of this bill.

Mr. Chairman, I urge approval of the full recommended authorization for the National Aeronautics and Space Administration without reduction.

The Science and Astronautics Committee, in consideration of the extreme demands on the Federal budget, has recommended the minimum authorization which will permit NASA to make most efficient use of on-going programs.

To reduce this recommendation invites delays and uneconomical cutbacks in our Nation's space program.

At a time when it is essential that we get the most from every Federal expenditure, the Nation cannot afford the costly reductions which will cripple the space program and delay even more the realization of the potentials which are resulting, directly and indirectly, from this Nation's efforts in space.

Other nations have neglected their investment in scientific and technical endeavors. The result is a gradual slowing down of the rate of economic advance. From this other problems follow. Great Britain is an example of this situation.

I do not want to see our country lose momentum by failure to provide the proper investment in the future.

It is particularly essential that the Apollo applications program not be cut. This program offers the most efficient use of our space investment. By taking advantage of much of the existing technology and equipment, the Apollo applications program will give us the information we need to chart the space program in the future. It is vital that we pursue the future with this knowledge.

I urge approval of the full authorization of $4.2 billion as recommended by the committee.

Mr. MILLER of California. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I wish to commend the able committee which has so long and so patiently sought to serve the country by protecting the space interests of our Nation. But I want to raise, perhaps, a dissenting voice from those who regard the economy that is involved in the reduction in the space funds as being in the national interest. It is my opinion that we are jeopardizing our security and the safety of our country. In my opinion it is nothing short of a policy of folly for us to let any domestic matter or any financial necessity or stringency deter the United States from going forward to the maximum of our national interest in the space program.

Now, Mr. Chairman, as I understand it, the committee's recommended authorization is 25 percent below the amount authorized for this program in 1966. Is that true, I will ask the able chairman of the committee that your recommendation constitutes a reduction of 25 percent below the authorization for 1966?

Mr. MILLER of California. Although I do not have the exact figure, that is generally true.

Mr. PEPPER. May I also ask the able chairman if the number of people employed in the NASA program has dropped from 420,000 in 1966 to the present level of 280,000?

Mr. MILLER of California. That is substantially correct. I cannot give that, however, as an absolute accurate figure.

Mr. PEPPER. Would the able gentleman tell me whether or not it is true that according to the fiscal year 1959 budget employment in the NASA program is expected to drop at the rate of 4,000 a month?

Mr. MILLER of California. That is the figure that we have been given.

Mr. PEPPER. Am I also correct in my surmise that even the able committee itself made a reduction of $14 million with respect to the Apollo lunar landing program, and a reduction of $44 million in the post-Apollo manned flight pro-

gram, and a reduction of $40 million in the NERVA nuclear rocket program?

Mr. MILLER of California. That is correct.

Mr. PEPPER. Mr. Chairman, I think we all recognize that one of the most learned men in the world in the field of space is the man who developed the first German missiles that were fired into Great Britain during World War II, Dr. Wernher von Braun.

In speaking just in the last few days, on the 25th of April, before the Women's National Democratic Club in Washington, D.C., among other things, Dr. von Braun said the following:

I believe sincerely that we must not seriously impair or hamper our progress in space, because we cannot foresee immediate payoffs to offset the investment we are making. We owe it to ourselves and to the generations to come to grasp the unlimited opportunities and the promise of space exploration.

Now, the statement is made and apparently it is a fact that the nuclear engine program is being deferred or phased out.

Mr. MILLER of California. Yes, it will be materially affected by the cuts that have been made in this, and these are of utmost importance to the future of all space efforts.

Mr. PEPPER. Dr. von Braun said also, speaking to the House Committee on Science and Astronautics in February of this year, that "The space program is the leading edge of our technological advance, and if we are to maintain our posture as technological world leader, we must keep that edge whole, and any dynamic, far-sighted space effort will accomplish this."

In speaking about the nuclear power launch facility, or engine, Dr. von Braun said:

This is certainly the case with the first nuclear rocket system due to the long lead times involved in nuclear engine development and tests, and I would like to flag this long lead time as a key factor in the reasoning that we should proceed with the development of a flight-rated engine—

That is, a nuclear engine—

A firm commitment to develop the NERVA engine will, in my opinion, provide a firmer basis for making decisions on future missions, and certainly a reappraisal of the objectives of some of those currently being studied. Hence, I feel we must proceed with the development of a nuclear rocket engine as a fundamental tool for our long-term space exploration activities.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of California. Mr. Chairman, I yield 2 additional minutes to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, the bill we are considering today—authorizing appropriations for the National Aeronautics and Space Administration for fiscal year 1969—is only one of many major bills this House will consider this year. But that is not to say it is only another bill, only another chance to vote for economy, only another administration program to be cut back before authorized.

Rather, we consider today a bill aimed at the future—a bill to authorize programs to be conducted and to bear fruition as much as 5 to 10 years from today. In my opinion this is a measure which has as much to do with the future well-being of this Nation as any we will consider between now and election day.

To a great extent our national strength, and therefore our national security, is based on technology. We are the Nation that has had the technical wherewithal to answer challenges. To vote against continued technological growth—to vote to cut this bill—is to whittle away at the core of our strength today and tomorrow.

It was my pleasure on April 4 to watch at Cape Kennedy the latest liftoff of the United States—and at least temporarily the world's—most powerful rocket, the Saturn V. As one who has followed the development of the space program from its beginnings a decade ago, I was mightily impressed.

I am impressed by the power of this giant rocket—7½ pounds of thrust, lifting a weight equal to a naval destroyer into orbit around the earth.

I am impressed by the complexity of this giant machine—millions of parts and delicate instruments to control the rocket and its payload for precise positioning and maneuvering in space.

I am impressed by the U.S. policy, contrary to that of our nearest competitor, the U.S.S.R., in conducting its program publicly, for all to see.

But just as much as I am so impressed by the space program, I am dismayed at recent budgetary developments that endanger the National Aeronautics and Space Administration's program, and in the process, imperil America's military strength, domestic development, and role as a leader in international affairs.

In these troubled times there is little point in arguing the importance of our Nation's defense. The war in Vietnam, the trouble in Korea, the unrest in the Mideast and around the world, and America's international commitments to keep the peace, are attested to in a defense budget this year of almost $80 billion.

These funds are not simply to raise and support troops; they represent the great investment in science and technology demanded by the advanced concepts of modern warfare and defense. Modern military reality, as everyone knows, is not just troops and trenches and tanks; it is radar and missiles and all the complex gear of missile defense.

In my view the Saturn V and the technological capability it represents is an important element in our national security. The ability to put large payloads into orbit has been and will continue to be an essential element in our defense posture.

As a result of a mandate in the Space Act of 1958—that NASA make available to defense agencies all the discoveries that have military significance—a close working relationship between the Department of Defense and NASA has developed, involving such varied matters as tracking, the coordinated national launch vehicle family, recovery operations, communications, and, of foremost importance, the development of capable, flexible facilities and the space-oriented scientists, engineers, and managers to man them. For example, through the transfer of equipment and technology developed by NASA in the Gemini program, NASA has provided direct support to the Air Force's manned orbiting laboratory project. Gemini technology gives us the MOL foundation. Apollo will give us more, if and when we need it.

NASA and DOD have some common objectives and must tread common paths to these common goals. To the extent that NASA's capabilities are diminished so is our defense effort.

Our domestic well-being is likewise dependent upon our scientific and engineering accomplishments. The close link between national achievements and technological maturity cannot be denied. We no longer speak of poor nations, but of underdeveloped nations. For all over the world, willing hands and minds are no longer enough for security and growth; hands and minds with the right kind of skills—technological skills—are required.

There are those who contend that basic and pressing needs at home and abroad require that we sharply reduce our advanced research and development programs and reallocate the money we would thereby save. In my opinion, such a view is shortsighted. It overlooks the obvious fact that to have the total resources to cope with our many problems, this Nation must re[redacted]er-expanding economy. And this, in turn, is increasingly dependent on an expanding scientific and technical capability.

The space programs provide a unique and exciting focal point for our ablest and most creative people, in Government, in industry, and in universities, to push back the frontiers of science—to create vital new technologies.

And through the space program we have built up, in States throughout this Nation, centers of scientific and technological excellence, firmly based on sophisticated, often massive, and broad-gaged facilities. These facilities, in factories, in university laboratories, and in Government installations, have cost us dearly—about $4 billion. But they are worth manifold that investment, for now they can be used, and are being used today, for whatever needs arise.

The impact of space-related technology on our economy is increasingly evident. It is difficult to name an industry which has not directly benefited from new technology generated in the space program and transferred to other uses.

In direct application of space technology, communication satellites now link the continents of the world, providing an instantaneous worldwide communications network. And with their view of vast areas of the earth's cloud cover, weather satellites have become one of the most important tools for long-range weather forecasting. The U.S. Chamber of Commerce recently estimated that in its first year of operation alone, weather satellite forecasting has resulted in savings of about $2.5 billion in the total U.S. economy. Hurricanes can now be tracked. Tornado prediction is next.

And we are only now beginning to realize the vast potential of space. Earth resources satellites now being studied by NASA will provide an incredibly flexible means to inventory, develop, and exploit the earth's resources—in agriculture, in oceanography, in minerals, and else-

where—for the benefit of mankind. Support for such programs in the past has paid off. Support now will pay rich dividends for generations to come.

Apart from the fact that the space program is vital to our national defense and economic well-being, it has become an important focal point of international prestige. While we are not in a race with the Russians as to who gets to the Moon first—or Mars or Venus for that matter—the world will judge us according to our performance. This is an area which offers a challenge for nonviolent competition with the Communist world, and in which we can prove our superiority without the deaths and agonies of a Vietnam.

The space race, if such a thing exists, has historically been a matter of our catching up with the Russians. Not because they are better, but because they are more dedicated. B. P. Konstantinov, vice chairman of the U.S.S.R. Academy of Sciences, said recently about going to the Moon:

> This does not belong to the realm of fantasy any more. This is an affair of the most imminent future. Everything is already prepared for this undertaking. There are still a few details which can create discomfiture—for example the danger for cosmonauts produced by cosmic rays—but these problems will also be solved soon.

Mr. Chairman, the Russians are not flagging in their efforts. They are stepping up their program.

The Soviet space program has consistently utilized larger boosters than were available to the United States. It is expected that in the coming year still larger Soviet boosters will be coming into use and that the Russians will soon have available a booster with over ten million pounds of thrust—one and a half times as powerful as the Saturn V.

The second successful automatic rendezvous and docking by two Soviet spacecraft occurred earlier this month. This impressive accomplishment now opens the way for the Russians to proceed with orbiting space stations and further exploration of the moon and the planets.

The success of the Soviet Venus 4 mission last fall and the ejection of a sensor capsule into the Venusian atmosphere during its encounter with the planet demonstrate that the Soviets have made great progress in spacecraft command, control, communications and guidance. The Venus 4 mission was only one of an impressive list of Soviet firsts, which include first satellite in earth orbit, first lunar orbit, the first pictures of the far side of the moon, the first soft landing on the moon, the first man in space and the first multimanned space vehicle.

Mr. Chairman, manned space flights have become a major factor in the Soviet space program since the launch of Sputnik I on October 4, 1957. The program has enjoyed a high priority and has shown elements of caution in planning and implementation. Through 1965 Soviet manned space efforts were extremely successful and achieved many firsts. Since that time, however, they have not continued at this rapid pace and suffered a serious setback in the death of Cosmonaut Vladimir Komarov in April 1967.

The U.S.S.R. began to test their manned spacecraft in the spring of 1960. At this time, the Soviets launched the first of a series of unmanned recoverable test vehicles containing first a dummy and then dogs. These flights led to the world's first man in space, Yuri Gagarin in Vostok I in April 1961. This flight was then followed by the 24-hour flight of Gherman Titov in Vostok II in August. The basics were well laid for what was to follow.

The years 1962 and 1963 were those of the dual flights—two spacecraft in orbit simultaneously. Vostoks III and IV was the first of these flights—of 4 and 3 days duration, respectively. These flights increased Soviet knowledge of the effects of space flight on man as well as investigated problems associated with rendezvous and the control of two spacecraft simultaneously.

Vostoks V and VI increased the length of manned space flight to 5 days and introduced the world's first woman cosmonaut.

The next phase of the Soviet man-in-space program was to modify the Vostok as a multiseated spacecraft and culminated in the launch of Voskhod I in October 1964. This spacecraft was commanded by Cosmonaut Vladimir Komarov—the cosmonaut later to be killed during the flight of Soyuz I. Two other passengers were an engineer and a doctor in an apparent attempt to test nonpilots as crew members. During the second and final flight of the Voskhod spacecraft, the Soviets successfully demonstrated the ability to perform extravehicular activities with Aleksey Leonov performing the world's first space walk.

There was then a hiatus of over 2 years. This time was apparently spent in the development of a new spacecraft, the Soyuz. The first manned flight of this spacecraft was in April 1967 when, with the death of Cosmonaut Komarov, the program suffered its most serious setback to date. The causes of this catastrophe apparently have not as yet been fully resolved. The investigating commission organized at the time of the accident has not as yet made a full public report, and there have been no subsequent manned flights by the U.S.S.R.

Although there have been no manned flights since April 1967, the development of space hardware and techniques related to the manned space program continues. In October 1967, the Soviets performed the first unmanned rendezvous and docking using Cosmos 186 and Cosmos 188. The event was a major technological achievement because it was conducted automatically without ground assistance when the vehicles were out of sight of the Soviet Union. The Soviets released pictures of the two spacecraft which showed some features common to earlier manned spacecraft. This suggests that the next phase of the Soviet manned space program will, like the U.S. Gemini program, involve multiple flights and rendezvous and docking. Such a program might culminate in a small space station.

The development of Soviet space hardware usually is hidden from detection until flight tests begin. Thus, a new space booster was revealed for the first time in 1964 when the Soviets orbited the first of three Proton satellites each weighing about 25,000 pounds. This indicated the existence of a Soviet launch vehicle similar in capability to the U.S. Saturn I. Although Soviet releases of information on the launch vehicle have been very limited,what little has been said about it can be taken to mean that it may be capable of putting a 40,000 to 60,000 pound payload in orbit. This vehicle has several possible roles in the near-term Soviet space program including manned circumlunar flights, manned space stations and unmanned exploration of the moon, but it is not large enough to support manned lunar landings.

The Soviets have long indicated an interest in manned lunar landings with the end goal of establishing a manned base on the moon. Most statements about their program was vague and many are contradictory, but there have been some recent indications that the target date for their first manned landing might be 4 or 5 years from now. If this is their objective, the Soviets should soon begin to test a space booster even larger than used for the Proton launchings, equivalent to the U.S. Saturn V.

In summary, the Soviet man-in-space program, which, in its early stages, was extremely active and aggressive, and as such accomplished many firsts, has now slowed perceptibly. This slowdown was no doubt due first to the time needed for the development of a new Soyuz spacecraft and then prolonged by the death of Komarov. It has also probably partly been due to the increasing complexity of mission objectives.

There follows a list of Soviet space accomplishments:

Vostok I, Yuri Gagarin, 12 April 1961.
Vostok II, Gherman Titov, 6–7 August 1961.
Vostok III, Andrian Nikolayev, 11–15 August 1962.
Vostok IV, Pavel Popovich, 12–15 August 1962.
Vostok V. Valeily Bykovski, 14–19 June 1963.
Vostok VI, Valentina Tereskova, 16–19 June 1963.
Voskhod I, Vladimir Komarov, Konstantin Feoktistov, Boris Yegorov, 12–13 October 1964.
Voskhod II, Pavel Belyayev, Aleksey Leonov, 18–19 March 1965.
Soyuz I, Vladimir Komarov, 23–24 April 1967.

Mr. James E. Webb, Administrator of NASA, recently stated that "The hard fact we now face is that just as we have begun to catch up in large-scale booster operations, we are sharply reducing our program while the Russians continue to advance."

Mr. Chairman, I insert here a number of newspaper articles showing what the Russians are doing in space:

[From the Jacksonville (Fla.) Times-Union, Mar. 30, 1968]

DRIVE TO CATCH UP IN SPACE URGED BY COLONEL POWERS AT UNIVERSITY OF FLORIDA

GAINESVILLE.—Stop wasting time waving placards, push the space program, find out what makes the American system operate and then get involved, Lt. Col. John Powers, former "Voice of the Astronauts," told students at the University of Florida.

"We're losing our lead in space," Powers said, "and it's up to the American people to decide whether we continue along this path or not."

Powers gave a chronology of the space program, described how astronauts would land on the moon and return to earth and stressed the significance and benefits of space exploration.

"With our present technology, we can land a man on the moon today and put one on Mars by 1985 if we want to," Powers boasted Thursday.

By exploring space "we are forcing the pace of technology against a broad front which includes social, engineering, medical, metallurgical and electronics advances," he pointed out.

Powers noted that however while two years ago there were half a million people in the space program, the number has been dropping at the rate of 1,000 a month for the last year.

"This has happened simply because the programs in which they were involved have run their course and we haven't made the decisions to do the things we know we can do beyond the current programs," he said.

Powers specifically referred to Apollo applications, space stations and planetary programs, and said we should have made a decision on the moon landing three years ago.

He said a continuous program would cost $5 billion a year on the level of today's dollar value. The President has asked for $4.1 billion for 1969, actually a decrease from the $4.8 billion appropriated for this year.

[From the Miami (Fla.) Herald Mar. 31, 1968]

SPACE AGE, DECADE II: U.S. LOSING MOMENTUM

(NOTE.—Arthur C. Clarke's 40 books on space have sold five million copies in 30 languages. He is an acknowledged dean of science-fiction writers. In this article, Clarke takes an expert's prophetic look at the second decade of the space age, now beginning.)

(By Arthur C. Clarke)

The trouble with cliches is that they are perfectly true, and as we enter the second decade of the Space Age, here is one worth contemplating. The only thing we learn from history is that we learn nothing from history.

Today, there is no informed person who doubts the immense value of earth satellites for communications, meteorology, reconnaissance, research and a host of other applications.

Yet a dozen years ago, on the eve of the International Geophysical Year, even distinguished scientists could see no particular point in shooting expensive lumps of hardware into space.

Now our first cosmic bridgehead is secure, and the planets beckon. But again we hear the same objections from those who have already forgotten the lesson of Sputnik, and who are willing to turn their backs upon the universe at the very moment when the first explorers are preparing to land on the moon.

Many of the protests are inspired by the apparently staggering cost of space explorations, but here again the past can give us a better perspective. During this century, it has been estimated, mankind has spent approximately half a trillion—$500 billion—on the conquest of air.

This, as Prof. Buckminster Fuller is fond of pointing out, is many, many times the value of the world's total gold reserves. No one, when the Wright Brothers first wavered into the air, would have dared to predict that such an investment of materials and labor would be devoted to the mastery of a new element.

Yet there are good reasons for believing that the conquest of space may, in the long run, be of even greater benefit and importance than the conquest of the air, which merely allowed swifter access to existing countries and resources.

It is also a fallacy to imagine that space travel must necessarily be astronomically expensive. The real cost, in terms of pure energy, of carrying a man from earth to moon is amazingly small—about $10! (If you run your car for a day, it does more than enough work to lift you to the moon).

The fact that the current price of a round-trip ticket is a billion times greater merely underlines the present primitive state of the art.

Just as happened in the case of aviation, the cost of space-flight will decrease by orders of magnitude as our techniques improve. Reusable spacecraft, orbital refuelling, and ultimately nuclear propulsion will eventually make travel to the moon, at least, comparable in cost to that of global jet transport today.

And even if it is 10 times as expensive the far wealthier world of the 20th Century will be able to afford it.

Granted, therefore, that the moon and planets will one day lie within our reach, why should we visit them? It is really naive even to ask this question, for there is no possibility of travel that the human race has ever failed to exploit, from the ancient land-bridge across the Bering Strait to the jetstreams of the stratosphere.

We would visit our neighboring worlds out of sheer curiosity, even if there were no other reason.

But there are other reasons—some of which we can glimpse today, though we can be certain that the most important, and the most surprising, still lie hidden in the future.

It is worth remembering that Columbus set out from Europe in the hope of improving trade relations with China—and failed dismally. However, his expedition did result in a number of not-unimportant by-products.

In the case of the moon, man's first stepping stone to the planets, the initial impetus was political rather than commercial, the concern only of the scientists.

Now, thanks to the superb photographic coverage of the Orbiter and Surveyor spacecraft, it has become alive and real—a place of awe-inspiring landscapes, of great geological activity.

The moon is much more complex, and interesting, than we had ever imagined. It may also be much more useful.

Of its immense scientific value, there was never any doubt. For the first time, the geologists, chemists and physicists will have a second sample of a world to study, with consequences that must revolutionize the very disciplines that most profoundly affect everyday life.

The great observatories (optical and radio) of the future will be on the moon, whose absence of atmosphere, low gravity and slow rotation make it ideal for this purpose.

It will be the proving ground for our techniques of planetary exploration, when we are ready to pit our skills against Venus, Mars, Mercury and the satellies of the outer giants. And, perhaps most important of all, it will be the essential stepping stone to these far, strange places.

It is a road that has no end, for it leads on out into the infinite universe, toward the unknown promise of the distant stars. But this solar system is enough to keep mankind occupied for a thousand years to come; if the conquest of space served no other purpose, it would give us the new mental and emotional horizons which our age needs more desperately than most people yet realize.

Yet there are ominous signs that the American space effort is not merely slackening, it is grinding to a halt, as its initial crisis-induced momentum is exhausted. And so the United States may well be "Sputnicked" again in the early 1970s.

This time there will be even less excuse, for the Russians have written their intentions in the sky. Whereas the U.S. has launched only five space probes to the planets, the USSR has launched 18—each of which outweighed all the U.S. probes added together!

The Russians know where the future lies. It was pointed out to them half a century ago by the great pioneer of astronautics, Konstantin Tsiolkovsky, and they have not forgotten his words:

"The earth is the cradle of the mind; but one cannot live in the cradle forever."

RUSSIAN MOON BID EXPECTED IN 1968: CURRENT SHOT SEEN AS START OF TESTS FOR A LANDING

(By Evert Clark)

WASHINGTON, April 8.—American space experts believe that the Soviet Union's Luna 14 may be opening a final Russian drive for the moon that will end with manned landing, perhaps as early as this year.

Luna 14 was launched yesterday, the first announced lunar probe by Russia since late 1966. It should reach the moon about noon on Wednesday, Eastern Standard Time.

The best estimate here, in the absence of a detailed announcement from the Soviet Union, is that the spacecraft probably is intended to orbit the moon.

It could be intended as a lunar landing craft, or as a precursor of a manned spacecraft, be assigned to fly around the moon and return to earth. The first indications, however, are that Luna 14 is too small to be given the ambitious task of circling the moon and sending a re-entry capsule back through the earth's atmosphere.

Before men can [redacted] the moon and brought back safely, a spaceship must be perfected that can withstand 5,000 degrees fahrenheit, the heat of reentering the earth's atmosphere from the moon's distance.

APOLLO TESTED TWICE

The United States has twice tested its Apollo moonship successfully at these temperatures by sending it into near-earth orbits and driving it back into the atmosphere at the 25,000-mile-an-hour speed of a return trip from the moon.

So far as is known, the Soviet Union has tried this only once—last March 2, when it launched the Zond 4 far out beyond the moon's orbit and attempted to return a part of the spaceship to earth.

Sources here believe the flight was a failure—either because the re-entry capsule did not come down where expected or because its heat protective devices did not work properly, or for both reasons.

If Luna 14 is intended to orbit or land on the moon, it resumes a series of shots the Russians fired in 1966. That would still leave a question mark as to why they tried no lunar orbiting or lunar landing flights in all of 1967.

One guess here is that the Russians was too busy preparing for what one source called "much more ambitious flights—flights around the moon with empty spacecraft, then perhaps dogs and finally men."

The earth and the moon will be in the proper relative positions for a circumlunar flight within about a week. But some sources believe that the Soviet Union will wait until mid-May to try such a shot.

TRACKING SHIPS ON DUTY

Soviet tracking ships were reported to be on their way to positions at sea from which they could control and monitor the re-entry of a capsule fired around the moon. But they may not reach those stations in time for a mid-April shot, according to sources here.

There is some speculation that Luna 14's mission is to photograph possible landing sites, or make more precise measurements of the moon's gravity.

The United States conducted an extensive exploration of landing sites and the moon's size, mass, center of gravity and other important characteristics with its Lunar Orbiter

and Surveyor spacecraft. The last of these, Surveyor 7' was launched early this year.

American scientists believe that Russia has not gained nearly as much information about the moon as the United States has. Luna 14 may indicate a desire to fill that gap, they speculated.

On the other hand, many signs last fall and the launching of Zond 4 last month indicated that the Russians were ready to move ahead with circumlunar flights without waiting for further basic data on the moon.

According to sources here, the Soviet Union attempted to prepare for circumlunar flights late last September, October, and November.

In November, these sources said, a flight was tried—but some mishap occurred, probably before the spacecraft reached a "parking orbit" around the earth from which it could take off for the moon.

Soviet announcements did not disclose the size, purpose, launching site or inclination to the Equator of the Luna 14. Sources here said the launching site probably was Tyuratam and the inclination probably was the same 51 or 52 degrees now generally used for Soviet lunar shots.

It is too early to tell, the sources said, whether the flight included the use of a new, maneuverable upper rocket stage that Russia has apparently been secretly testing in the Cosmos 185, 198 and 209 shots late last year and early this year. One speculation had been that this rocket stage could be used to put a large payload into a lunar orbit.

Official sources were guarded in their comments on the Luna flight. Dr. Edward C. Welsh, executive secretary of the National Aeronautics and Space Council, said the flight seemed a "logical step for them to pursue because we assume they have an active and vigorous lunar program, just as we do."

UNMANNED RED ROCKET STREAKS TO MOON

Moscow.—The Soviet Union launched an unmanned rocket toward the moon Sunday "to conduct further scientific studies of near-lunar space," Tass reported.

The official news agency said the rocket, Luna 14, was traveling close to its projected course. It was described as an "automatic space station."

Tass said the rocket was launched at 1:09 p.m. Moscow time (6:09 a.m. EST) and was 24,850 miles from the earth four hours later.

Communications and other equipment on board are functioning normally, Tass added.

The launch aroused speculation that this might be the first attempt to send a craft around the moon and bring it back for a soft landing on earth.

In the secretive Soviet space program, however, such an aim would not be announced in advance.

The Soviets also are expected to attempt a manned space feat this spring, according to some reports to coincide with the April 12 anniversary of manned space flight.

The late Yuri A. Gagarin inaugurated manned orbital flight on that date in 1960. Gagarin was killed in an airplane crash March 27 near Moscow.

The Luna series has been dormant since Dec. 21, 1966, when Luna 13 was launched. It landed softly on the moon, dug a rod into the lunar surface and sent back television pictures.

RUSSIANS BACK ON MOONBEAM: SOVIET SPACE PROGRAM SUDDENLY PICKS UP PACE—LUNAR FLIGHT WITH MONKEY MAY BE UP NEXT

With sudden thrust, the Russians have stepped up their space program. For nearly a year, after cosmonaut Vladimir Komarov was killed in a flight on Apr. 24, 1967, the Russians went slow, obviously badly shaken by the accident.

But this Apr. 11, Luna 14 became the fourth Soviet satellite to slip into a successful orbit around the moon. And on Easter Sunday, Cosmos 212 was fired into an earth orbit previously reserved for manned Soviet space flights.

Cosmos 212 was the fifth Cosmos to be sent aloft in 24 days. In itself, this might prove an acceleration of Soviet space activity. But Cosmos 212 was something more.

REMOTE-CONTROL DOCKING

Tracking reports outside the Soviet Union indicate the latest Cosmos was not just an extremely large object. Far more important, it appear to have linked with, and then separated from, another unmanned object—Cosmos 213—after a full day in space.

This is the second time the Russians have successfully docked two unmanned spacecraft by remote control. This time, however, the feat may be the prelude to a series of space spectaculars.

There is no sure way to predict what is next on the schedule, but close observers of the pattern in which the Soviet space program has developed are guessing that:

The next step in Russia's drive to the moon will be a circumlunar loop by a spacecraft with a monkey aboard. Soviet testing of a vast sea and land tracking network indicates the Russians will try to bring the monkey back to earth. This shot could be imminent.

Shortly afterward will come another attempt at a pair of manned flights orbiting earth. The cosmonauts aboard will try to exchange spacecraft while aloft.

If both these operations succeed, a Russian manned flight aimed at orbiting the moon—but not landing on its surface—could come by late spring. An attempt to land could follow quickly.

U.S. experts profess little surprise at the timing of the new Soviet space splurge. The Russian technical press had hinted at some problems that had to be solved before the Soyuz spacecraft, in which Komarov died, could ever fly manned again. High-ranking Soviet space officials warned the people not to expect another manned space flight before then.

CONFIDENCE

But now there is a new ring of confidence in Tass announcements about Russian spaceflights. While Luna 14 was enroute to the moon, for example, the Russians announced that the "main purpose of the launching is to conduct further scientific studies of near lunar space." The Russians usually don't talk about their space shots before a mission is completed.

"There's no doubt that Russian scientists have made major progress lately in developing better electronic control systems and microminiaturization of spacecraft equipment," says a spokesman for the National Aeronautics & Space Administration. This is one area where Soviet spacecraft have always lagged behind those of the U.S.

The gap has not been closed yet. But recent progress seems sure to spur the Russians to greater feats.

FAULTLESS

Luna 14's jobs were fairly routine as space tasks go. The craft was to study the relationship between the earth and the moon and the moon's gravitational field. It was to measure the stream of charged particles coming from the sun, and check radio signals beamed at the moon from an earth station. And it sought more data needed to formulate a "precise theory of the moon's movement."

A series of U.S. spacecraft has already done all these things. But Luna 14 apparently performed its tasks on cue—and faultlessly. Midcourse correction maneuvers went off exactly as planned, and braking retrorockets functioned perfectly.

For manned flights to the moon, the Russians would probably prefer to use a far more powerful booster rocket. For the flight of a monkey, however, all critical elements seem to be ready now.

First, the Russians could fire a passengerless spaceship into earth orbit; its final rocket stage would become a midcourse fueling station. When the monkey's spacecraft went aloft, it could be coupled to the orbiting fuel tank. Fuel could be transferred during docking, and the monkey's ship would thus pick up enough thrust to reach the moon and return.

PRECISION

The trick then would be to loop the moon in a partial single orbit instead of dropping the craft into lunar orbit. This takes split-second timing and precise navigation by an earth control center, but is within the capability of Russian scientists, U.S. space experts say. The return to earth would be routine.

In Washington, meanwhile, NASA officials still have not announced a date for the first earth-orbiting flight by three U.S. astronauts in the rebuilt Apollo capsule, but a good bet is September. The first U.S. manned moon flight could then come about this time next year.

SOVIET LAUNCHES ANOTHER CRAFT IN ORBIT USED IN MANNED FLIGHT

(By Raymond H. Anderson)

Moscow, April 20.—The Soviet Union launched another spaceship today into the orbital plane used by the two craft that docked automatically in orbit last Monday and by the Soyuz spaceship in the country's last manned mission a year ago.

The launching of the latest spaceship Cosmos 216 possibly forshadows another launching tom[redacted] the spaceship will return in orbit over the center in Kazakhstan.

No information was available here to indicate whether tomorrow's launching would involve a manned craft or an unmanned spaceship for another automatic docking related to Soviet plans for the construction of an orbital space platform.

Cosmos 216 was put into orbit at an inclination to the Equator of 51.8 degrees, according to Tass, the Soviet press agency. Its maximum distance from earth was 172 miles and the minimum 123 miles, within the range of manned orbital missions.

TWO CRAFT BACK ON EARTH

Tass reported today that Cosmas 212 and Cosmos 213, the craft that docked automatically, had returned to earth after several days of testing engines, radio communications, orientation and maneuvering systems following the undocking. Cosmos 212 descended yesterday and Cosmos 213 today.

The flights of the two spacecraft, the press agency said, represented another "major step toward the construction of orbital space platforms and interplanetary space ships."

"Throughout their flight, the system of Cosmos 212 and Cosmos 213, their power plants, radio equipment and computers functioned normally and demonstrated "a high level of reliability," Tass reported.

The safe return of the two space craft that docked Monday, observers here said, appeared to open the way to a resumption of manned flights with the Soyuz craft.

MANNED FLIGHTS DUE NEXT

If all goes well, the Soviet Union is expected to carry out a series of manned flights this spring or summer aimed at perfecting techniques for the construction of a space station, which could remain in orbit for weeks or months.

The automatic docking system has been described by Soviet space scientists as vital for sending space craft aloft with materials and replacement crews for the orbital platform.

Automatic docking also are envisaged for the assembly of rockets in earth orbit for ultimate flight to the moon.

Soviet commentary on space objectives has tended to give primary emphasis to the construction of space stations, relegating man-

ned missions to the moon to some later, indefinite, time. This has been interpreted by some Western observers as an indication that the Soviet Union's plans for moon flights are based on the assembly of the spaceship in earth orbit.

SOVIET SPACECRAFT SAID TO ORBIT MOON

(By Victor Cohn)

A Russian spacecraft reached the moon yesterday and apparently went into orbit around it, observers at Britain's Jodrell Bank Observatory said.

It was Russia's first moon probe since late 1966.

The Soviet craft—Luna 14—was launched Sunday with the terse statement that it would "conduct further scientific studies of near-lunar space."

Observers here saw several possible goals. One could be to photograph and measure moon characteristics in preparation for manned flights and landing.

The U.S. has put five Lunar Orbiters around the moon and landed five Surveyor moon-study craft on its surface. Russia in 1966 put three crafts in moon orbit and landed two.

The first solid news of Russia's new effort was a U.S. report that it was on a great swinging orbit that would carry it around the moon and back toward earth.

U.S. space-watchers have been expecting a Russian try at circling the moon, then reentering the earth's atmosphere. A Russian try in March apparently failed.

At 2:25 p.m. (EST), however, Luna 14 apparently fired its retrorockets and began circling the moon, said Jodrell Bank.

At 3:03 p.m., the Jodrell radio-telescope lost the signal, then picked it up again at 3:43. It could have been rounding the moon's far side in the interval, a spokesman said.

Luna 14 was launched by a "standard" Russian launch rocket, a U.S. source added, and therefore must have been too small to carry a massive enough heat shield to withstand earth re-entry.

The U.S. space agency has completed all the moon shots it received funds enough to make prior to the future Apollo moon landing.

U.S. moon study so far has yielded a rich store of facts and photos, agreed a scientists' panel yesterday before the annual meeting here of the American Geophysical Union. But at least two more steps are needed, they said: (1) seismic studies of the moon's composition; (2) return to earth of moon samples.

Both are scheduled to come with landing of men.

Mr. Chairman, in my view, we must not abandon the field of space exploration to the Russians; we must not accept a role of second best in space.

Therefore, for all of the reasons I have outlined: national security, domestic well-being, international prestige—pride, if you like—the space program must have adequate support.

The administration has prepared a bareboned budget, a budget that reflects the many demands made on our Government at this time. But the space budget is inadequate to these times or any other. The space program represents a vast investment in scientific and engineering manpower and resources that we cannot replace. The scientific and engineering skills nurtured by the space program are not pawns in some budgetary game. They are priceless, irreplaceable assets.

Let me summarize the cuts this budget has already undergone:

It is 15 percent below last year's request; it is 5 percent below last year's appropriation; in expenditures, it is almost 25 percent below the peak rate of 3 years ago.

The space workforce has dropped from 420,000 in 1966 to 280,000 and will continue to drop at a rate of 4,000 per month.

The NASA budget has been severely cut. It has been cut enough.

Mr. Webb, the man best qualified to say what the impact of a cutback of funds for the agency would be, testified before the House Committee on Science and Astronautics, "The fiscal year 1969 request does not meet all our Nation's needs in aeronautics and space. It is a compromise—one which I fully support—between needed work toward advances in aeronautics and space which we can and should make and other overriding requirements."

I respect the Administrator's regard for these "overriding requirements." My own feeling is that the investment we have made and must continue to make in the space program is of the most overwhelming importance. The funds that NASA is asking are barely adequate to maintain the scientific and engineering skills required for a viable program.

The question is not, "Does the space program cost too much?"; the real question is, "Are we investing enough?"

Mr. Chairman, I want to conclude by saying that we are endangering very seriously our future security by these cuts, and no economy justifies jeapardizing our national interests and our national safety.

Mr. Chairman, I therefore oppose further cuts and the cuts already made in this critical program.

Mr. TENZER. Mr. Chairman, H.R. 15856, the National Aeronautics and Space Administration authorization for fiscal year 1969, is divided into three categories: research and development, construction of facilities, and administrative operations. The total proposed authorization calls for an expenditure of more than $4.2 billion.

A major factor in the orderly growth of our national transportation system is the proper planning and organization of today's efforts in the field of aeronautical research and development. We have some very formidable challenges facing us today. To meet them squarely and successfully will require imagination and innovation, and the cooperation of all elements of the Federal Government engaged in aeronautical and related research and development—as well as strong support from a healthy aeronautics industry.

NASA's contribution to the activities are found in the basic research function, which it was organized and equipped to perform. Its responsibility for basic aeronautical research involves the discovery of new knowledge through experimentation, inquiry, analysis, and testing. Its research and development activities look to development and application engineerings and direct testing and evaluation of systems, procedures, facilities, equipment, and regulatory activities which require the utilization of such findings.

Therefore, today, we lean to NASA for basic scientific information to provide the grist for our development programs, and ultimately the basis for knowledge that our policies, procedures, and regulatory standards are technically sound.

The authorization for the aeronautical research and development carried on by NASA, according to the Department of Transportation, which has a close working relationship with this agency, should be expanded and more greatly utilized in our total national effort. A percentage breakdown shows that NASA spends approximately 90 percent of its total budget on space—leaving only 10 percent for aeronautical research and development.

NASA coordinates its research and development program in the field of aeronautics with Federal Aviation Administration, Department of Transportation, Department of Housing and Urban Development, and the Department of the Interior.

FAA is directly interested in aeronautical matters and I am proud that this agency and NASA have had such a longstanding working relationship. DOT emphasizes noise abatement, land use and airport design in their consideration of the whole transportation system because such matters interact with road design, for example—and more importantly, because these matters have a tremendous impact not just on aviation, but on the entire transportation system. HUD and DOT are extr[redacted]rested in land use planning which is related to the frequency of airplane flights and the total impact of jet noise and jet pollution; and urban development which includes not only homes and community planning but also schools in ghetto areas.

In light of these programs, I fail to understand why almost 90 percent of this authorization is set aside for space programs. I believe now is the time to apply a soft pedal to some of the space programs and place more emphasis on aeronautical research and development.

Mr. Chairman, our established national priorities and nonessential programs should also be given an attentive reappraisal. Last session the House of Representatives voted to cripple the war on poverty. Our Nation's health—the hungry, the undereducated, the unskilled, and the underprivileged should receive primary consideration in the Congress. Poverty is the root of the social upheaval that shakes our Nation today and Congress must make a genuine commitment to better serve our human needs.

One of the most important elements in this effort should be the assignment of priorities to spending. Three broad categories of spending should be given absolute priority—national defense, fiscal integrity, and programs affecting the health and education of our citizens and lastly but not least implementing the recommendations of the President's National Advisory Report on Civil Disorders.

All other nonessential spending must be realistically appraised and these same priorities should be applied by all segments of the economy—not only by the Federal Government—but foundations and corporations throughout the Nation who are spending funds for these programs. We are confronted with some tough decisions and some worthwhile projects undoubtedly will have to be postponed. It is always easier to say we must cut, but not in my area. The ques-

tion that we must ask is whether or not at this time, we can afford to finance the entire civilian space program. We cannot afford to do everything because the problems confronting our Nation demand a reestablishment of priorities. Regrettably, the civilian space program must yield at least in part to the pressures of our country and our economy.

That is why I favor a substantial reduction in the NASA authorization for fiscal 1969 and the deferral of some programs at least for the next 2 years.

Mr. Chairman, I wish also to discuss the need for a congressional mandate to restore a reasonable balance between aeronautical research and development and projects in the field of space exploration—a point which I briefly mentioned earlier in the text of this speech.

My particular interest in aeronautical research stems from my efforts since the early part of 1965 to warn my colleagues in the House against the increasing problem of aircraft noise abatement. As a resident of Lawrence, N.Y., in the shadow of Kennedy Airport, I have experienced firsthand the annoying jet noise which disrupts the daily lives of my constituents and thousands of Americans residing near airfields and which threatens millions of Americans in the next few years.

With the advent of NASA as the successor to the National Advisory Committee for Aeronautics, a great many aeronautical engineers and scientists chose to transfer to the space field—an exciting new field adequately funded by Congress. The end result is that today aeronautical research as an identifiable and separate item in NASA's budget amounts to little more than 1 percent. The thrust of my recommendation is that Congress express its intent to restore a balance between the aeronautical and space programs of NASA—in other words—put the "A" back in NASA.

I have introduced a bill, H.R. 1398, to authorize the Secretary of Transportation to set noise standards and regulations to reduce aircraft noise. In addition, Federal funds would be made available to partially reimburse airline engine manufacturers, airline and airport operators, and municipalities for the cost of implementing techniques for noise reduction pursuant to regulations established by DOT.

By translating the findings of an accelerated research and development program into operation modifications, we can make headway in bringing relief to thousands now suffering from the noise problem.

I have stated on previous occasions that I believe we now have the capability to produce a quieter jet engine. The NASA "quiet engine" program is a research program—a 5-year project to develop a prototype of a quieter engine. I seriously urge that immediate consideration should be given to converting the NASA project from a research program to a production program.

When the NASA authorization bill was sent to the House this year, I called for an investigation of the NASA "quiet engine" program. I also asked the Comptroller General of the United States to determine the capability of aircraft engine manufacturers to produce a quieter jet engine immediately by scaling down existing prototypes of engines in the higher thrust range.

I have received a letter from the Comptroller General confirming my views that we already have the capabilities to produce a quieter jet engine, and I am placing the text of that letter in the RECORD at this point:

MARCH 29, 1968.

Hon. HERBERT TENZER,
House of Representatives.

DEAR MR. TENZER: In your letter of February 29, 1968, you requested an evaluation of the present capabilities of aircraft engine manufacturers to produce a quieter jet engine and an evaluation of the estimated time required for such a production program. You expressed the view that it would be more efficient and expeditious to convert the National Aeronautics and Space Administration's present quiet engine research program to a production engine program.

We have carefully considered your request and believe that a complete evaluation of this nature is really beyond our capabilities; we do not have the engineering background or technical expertise to make judgments in this area. We have discussed these matters with officials of the Space Administration and were advised that by scaling down existing larger engines—those in the 35,000 pound thrust range—the new engine would be somewhat quieter than current jet engines in the 20,000 pound thrust range; thus, aircraft engine manufacturers have the present capabilities to produce somewhat quieter jet engines.

We were advised also that it would take about 3 years to develop a production engine irrespective of whether existing engines are scaled down or the technology gained in the present research program is utilized. According to the Space Administration officials, in about 2 years there may be enough information available from the present research program to start developing a production engine.

Space Administration officials make a sharp distinction between a production engine program and a research engine program. According to these officials, a production engine program would be a development program utilizing existing technology and therefore would be outside of its presently accepted responsibility and authority. They stated that to their knowledge, the only civil engine production program presently being sponsored by the Government is for the supersonic transport project.

According to the Space Administration, its function is to perform basic research in this area and make the results available to industry for their use in developing a production engine. The goal of the present research program is to attain the maximum possible noise reduction level. According to the officials with whom we discussed the matter, a noise reduction level which is twice that possible by scaling down existing larger engines should result from the research program presently underway.

We regret that we are unable to be fully responsive to your request because the scope of the work is beyond our capabilities. You may wish to bring your views to the attention of the Administrator, National Aeronautics and Space Administration, and the Chairman of the Senate Committee on Aeronautical and Space Sciences and House Committee on Science and Astronautics.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

Why must we wait another 5 years while NASA conducts a research program? To state one shocking example of the immediate need to begin production—the teachers in Los Angeles and surrounding suburban areas near the Los Angeles airport conduct their classes on this basis: teach for 4 minutes, pause 1—as a result of jet noise. The people who live in the shadow of our Nation's airports should not have to wait an additional 5 or 10 years to find relief from this menace of jet noise. We can and we must move more quickly.

It now appears likely that the House will consider the jet noise certification bill this year. This will stimulate accelerated efforts to put our expertise and engineering skills to work in the production of quieter jet engines.

Notwithstanding this progress in bringing aircraft noise to the forefront of public attention and notwithstanding my support for the $15.1 million earmarked for subsonic aeronautical research, there is much to be done which requires an accelerated research and development in civil aeronautics in general and aircraft noise abatement in particular. The development of lower cost noise abatement devices is needed and the technical skills rest with NASA.

In support of my statements—to bring attention to the need for a review of priorities—to [redacted] than lip service to the need for more aeronautical research—for making available more funds for programs in the field of health, education, and job training—I shall vote against the NASA appropriations bill of 1969.

Mr. FASCELL. Mr. Chairman, I rise in support of H.R. 15856, the NASA authorization bill for the coming fiscal year.

I commend the House Science and Astronautics Committee under the able chairmanship of our distinguished colleague, the gentleman from California, GEORGE P. MILLER, for the outstanding job it has done in reporting this legislation.

I am delighted to see that the committee has once again demonstrated its wisdom by including in the bill before us today modest funds for the continued development of the 260-inch, solid-fuel rocket engine. As limited as the funds in the bill for this project are, it marks a major advance for the solid-fuel concept.

Since President Kennedy challenged the National Aeronautics and Space Administration in 1961 to accomplish a manned lunar landing in this decade, the committee has recognized the importance of the development of solid-fuel rockets. However, the space agency has, in the past, demonstrated an unwillingness to become too deeply committed to the development of this program.

It is most gratifying, therefore, to see that NASA has requested the inclusion of $3.1 million for this program in the coming fiscal year.

This program—which has been conducted almost entirely at the Dade County, Fla., facilities of the Aerojet-General Corp.—has been one of the most successful of all space programs.

Three full duration tests have been conducted with spectacular results. The last firing, in June of 1967, produced over 5.7 million pounds of thrust and had a duration of 80 seconds, as designed.

In spite of such successes, the future of the program has been in doubt. The small amount authorized in this bill will permit the continuation of the development of the most powerful rocket engine we have ever developed in this country.

I was particularly delighted to see an article in the March 25, 1968, issue of Aerospace Technology indicating that Dr. Werner von Braun, the father of the U.S. space program, has given his enthusiastic support to the 260-inch solid-rocket engine. He thus joins Air Force officials who have given their euthusiastic approval of the program previously.

Mr. Chairman, I would like to read what Aerospace Technology said about this:

Dr. Wernher von Braun has thrown his support to use of the 260 in. solid rocket motor as the first stage of an advanced manned launch vehicle.

The Director of the Marshall Space Flight Center (MSFC) said that the large motor should replace the current Uprated Saturn I booster.

NASA and DOD currently are involved in a joint study of whether development of the 260 in. dia. motor is required for future space missions. Air Force officials already have gone on record in favor of it (A/T, Oct. 9, p. 17).

The study is expected to be completed later this year. The one unanswered question is whether there will be enough missions for the new booster to justify the high cost of its development.

In other space program developments:

NASA has dropped plans for a second unmanned Lunar Module flight. Instead, the first manned flight will be made in the last quarter of this year.

The launch date of the second Saturn V booster slipped from Feb. 26 to April 1 when leaks developed in the helium check valves of the Service Module propulsion system.

The decision to switch to a 60% oxygen and 40% nitrogen atmosphere for the Apollo spacecraft during ground checkout and prelaunch countdown was announced officially. Astronauts inside the spacecraft will continue to breath the 100% oxygen supplied by the space suit Environmental Control System.

Dr. von Braun's support of the large solid motor program was revealed in his statement published in a House Science and Astronautics Committee staff study of the Apollo and Apollo Applications Program.

NASA has $3.5 million in fiscal 1968 funds for the program and has requested $3.1 million in fiscal 1969 money. Administrator James E. Webb has told Congress that NASA will not spend the money until the interagency study is completed.

In addition to determining if enough potential missions exist to support its development, it is questionable whether NASA and DOD could get Congressional approval for the relatively high development cost in light of the Vietnam war.

Von Braun said that after studying various launch vehicle concepts for resupply of flights to a space station, MSFC officials found the 260 in. dia. solid rocket motor combined with an S-IVB stage to be an interesting design.

In discussing space rescue systems, he said that NASA analyses have shown that 80% of all emergencies in a manned space craft in Earth orbit will be "time critical." That is, astronauts will have to have equipment or board or near for immediate use to insure their safety and survival.

He said that most emergencies in manned Earth orbital flight are not time critical in that the astronauts have to return immediately to Earth. "They are time critical," he continued, "in that we have to keep them alive until help can arrive." He said he supports the use of the "lifeboat" concept for emergency space situations. * * *

Mr. ADDABBO. Mr. Chairman, I am pleased to note the inclusion of research into noise abatement. Two years ago tomorrow I stood on this floor and pointed out to my colleagues, as we debated the NASA authorization, the need to set aside specific funds for research into the specific problem of aircraft noise. True, research is necessary, but many millions have been spent. I believe a crash program is in order and it is time that a prototype engine were being built.

Newer and larger jets are on their way, and the people living in the areas of our jetports cannot tolerate the noise we have now. Most everyone admits that the only real relief we are going to obtain from this horrendous noise is through the development of a quieter engine. As I have said before, I know American ingenuity can find an answer to this problem, and we must insure that the answer is found forthwith.

I believe it is needless to rehash and restate the continued disturbances, the continued taking away of the rights and privileges of those residing near airports—suffice it to say that the people of my district living near Kennedy International Airport live with this hazard every 30 seconds of every day for that is the extent of the ever-increasing air traffic at this airport. I know that this same picture exists at every other major airport.

Again, Mr. Chairman, I say there is a time for action and that time is now.

Mr. HALPERN. Mr. Chairman, I urge the House to accept the amendments that will be offered by my distinguished colleague, the gentleman from New York [Mr. RYAN]. It seems evident that NASA's budget presentation leaves a great deal to be desired, and I think that the proposals of the gentleman from New York would go a long way toward making it amenable to systematic congressional analysis.

The process of space program funding has been—far too often—one of asking Congress to embark on open-ended commitments toward vague objectives, and without affording Congress enough consolidated information to properly evaluate these programs in terms of national priorities.

As keeper of the Nation's purse, it is Congress duty to decide how much to spend, and what to spend it on. But we simply cannot fulfill that duty unless we are presented with clearly defined programs, based on known requirements, and with no hidden price tags tucked away where they would not be noticed until after billions of dollars have already been invested.

I wish to emphasize this: it is Congress responsibility—not NASA's—to assess the space program's relation to national goals and objectives, and to establish priorities within the space program itself. We must insist that—before we climb aboard—NASA spell out exactly where this financial skyrocket is headed, and what is hoped to be achieved by it.

Moreover, Congress is entitled to have placed before it the true costs of the various projects, both cumulatively and for any given year. At present, the cost figures are so dispersed in a milky way of bookkeeping that it is difficult, if not impossible, to determine how much we must spend to complete a given project.

My able colleague's amendments would cut the appropriations for the Apollo project back to that point at which its objectives fade into the outer reaches beyond Congress sight, and compel NASA to present at least two solid alternatives for congressional consideration.

NASA also would be required to submit budget requests reflecting true project costs, specifying total figures that include all expenditures for research and development, vehicles, equipment, and construction, tracking and recovery, and anything else that is part of the project.

I urge my fellow Members to accept these amendments, in order that Congress can make reasoned decisions, based on solid evidence, to reduce funding for programs it deems unworthy—or, conversely—to provide more money for projects shown to be worthwhile.

Mr. MILLER of California. Mr. Chairman, we have no further requests for time.

Mr. FULTON of Pennsylvania. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

(a) For "Research and development," for the following programs:

(1) Apollo, $2,025,000,000;

(2) Apollo applications, $395,600,000;

(3) Advanced missions, $2,500,000;

(4) Physics and astronomy, $138,150,000;

(5) Lunar and planetary exploration, $102,400,000;

(6) Bioscience, $33,300,000;

(7) Space applications, $112,200,000;

(8) Launch vehicle procurement, $115,700,000;

(9) Sustaining university program, $10,000,000;

(10) Space vehicle systems, $35,300,000;

(11) Electronics systems, $39,400,000;

(12) Human factor systems, $21,700,000;

(13) Basic research, $22,000,000;

(14) Space power and electric propulsion systems, $42,300,000;

(15) Nuclear rockets, $11,700,000;

(16) Chemical propulsion, $36,700,000, of which $3,100,000 is to be used only for the 260-inch solid motor project;

(17) Aeronautical vehicles, $77,900,000;

(18) Tracking and data acquisition, $299,800,000;

(19) Technology utilization, $4,000,000.

(b) For "Construction of facilities," including land acquisitions, as follows:

(1) Ames Research Center, Moffet Field, California, $386,000;

(2) John F. Kennedy Space Center, NASA, Kennedy Space Center, Florida, $13,909,000;

(3) Manned Spacecraft Center, Houston, Texas, $3,100,000;

(4) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $400,000;

(5) Wallops Station, Wallops Island, Virginia, $500,000;

(6) Various locations, $23,705,000;

(7) Facility planning and design not otherwise provided for, $3,000,000.

(c) For "Administrative operations," $646,673,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), and (6) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (7) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 6. Notwithstanding any provision of the National Aeronautics and Space Act of 1958, or any other provision of law, the Administrator of the National Aeronautics and Space Administration shall keep the Committee on Aeronautical and Space Sciences of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration.

SEC. 7. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1969."

Mr. MILLER of California (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MR. FULTON OF PENNSYLVANIA

Mr. FULTON of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FULTON of Pennsylvania: On page 1, line 2, strike the amount of "$395,600,000" and insert in lieu thereof the amount of "$253,200,000."

Mr. FULTON of Pennsylvania. Mr. Chairman, I have already explained the Apollo applications program budget. I will be brief and not take the whole time.

In the current fiscal year of 1968, the Apollo applications program, which is the program that follows the Apollo program, received from the House and the Senate appropriations totaling $315.5 million.

There were a lot of comments made about the c[redacted]use and Senate had made, that they were going to have a disastrous effect on the Apollo applications program.

At that time, I said that the program is changing very rapidly. It is still in the planning stage. We should make sure we have a man-rated booster before going ahead with the specific plans following the phase-out of the Apollo program.

As a matter of fact, I have said that there should be another cut below the $315 million level in the Apollo applications follow-on program.

Amazingly the National Aeronautics and Space Administration made a voluntary cut of $62.3 million in that program.

It was stated—I have the record here—that there should be still another cut of $60 million. In relation to the position of the House, NASA funding varied only $2.3 million on a program involving hundreds of millions of dollars. So, ours was a very close figure.

I want to congratulate our committee and the Members of the Congress. We have been watching the expenditures closely. We have been able in many cases to come up with figures that are reliable.

I believe the cut that I have suggested in the NASA Apollo applications program is identical to the figure that NASA itself set for the Apollo applications program for this fiscal year——

The CHAIRMAN. If the gentleman from Pennsylvania will suspend for a moment.

The gentleman from Pennsylvania [Mr. FULTON] has offered an amendment at page 1, line 2, to strike out the amount "$395,600,000" and add the following—there is no such amount on line 2.

Does the gentleman from Pennsylvania want to modify his amendment?

Mr. FULTON of Pennsylvania. Mr. Chairman, that is a typographical error and it should read: "Page 1, line 8".

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Pennsylvania is modified accordingly.

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Chairman, I have just pointed out that the National Aeronautics and Space Administration itself had set the figure for the current fiscal year of 1968 for the Apollo applications program at $253.2 million. NASA voluntarily made a cut of $62.3 million below the figure of $315.5 million, which had been fixed last year by the Congress through appropriations.

I feel we are yet indefinite on the Apollo applications program. Last year the Apollo applications program missions were not definite and were being changed frequently. That is the case right now.

What I am getting to is this: The Air Force of the United States is working and planning for a manned orbital laboratory. The National Aeronautics and Space Administration has underway a research program for a manned orbital workshop. The two agencies should get together and have one operating program, or one orbiting vehicle.

It is a definite possibility that the Russians will have in the near future one or two very large orbiting vehicles. They will be lighted, so that we will be able to see them going over our country every hour and one-half, just as we could see our Echo satellite at night.

That achievement will be of tremendous propaganda value.

There is no reason why the Air Force should have its own manned orbiting laboratory and the NASA with its manned orbiting workshop, both orbiting the earth, with each half as large as the one we could really have if we develop rendezvous and assembly in space.

I feel there is a propaganda value to this accomplishment, and also I think values of efficiency.

Expenses can be cut on these programs They must be more closely correlated. I agree with the gentleman from Texas [Mr. TEAGUE] when he says that the Air Force and NASA affirm that they are correlating. But, as the gentleman knows, there is a lot of secret business that we never hear about in the intelligence of outer space. I would plan to have a jointly designed space vehicle constructed. Then, have the Air Force put its experiments on board, and let NASA put its own experiments on board. I therefore recommend this cut and ask the committee to accept it.

The proposed level of funding for the Apollo applications program is excessive. It is especially extravagant in view of the very heavy financial burdens this country is currently bearing, such as the war in Vietnam, the other heavy defense expenditures, the poverty program, to mention a few.

I strongly oppose the request of $439,600,000 for NASA's Apollo applications program for fiscal year 1969. These are funds intended to support programs and missions not yet specifically defined.

I have always supported vigorously the manned space program and am still one of its strongest advocates. But I also believe in being realistic. The Apollo lunar landing is the largest and most complex space task facing the country. This year the Congress is asked to approve for fiscal year 1969 the authorization of $2,025 million for the program. It certainly will absorb all the energies and talents in the Office of Manned Space Flight.

The Apollo applications program, however, is still in the planning stage, the missions to be undertaken are still far from being determined, and the hardware that will be needed is still far from final selection. In fact, NASA still does not know how many boosters, how many spacecraft, and how much associated components and facilities will be left over from Apollo that could be used in the Apollo applications program.

In the dissenting views expressed in the committee report on the fiscal year 1967 NASA authorization, I said: "It is my opinion that NASA's plans for the Apollo applications program are so indefinite that any estimates as to cost increases are purely speculative. They cannot be considered as substantive factors by the Congress in reaching a decision on this matter. The hardware planned to be purchased by NASA will surely be obsolete by 1970, which is the earliest date for any flights under the Apollo applications program. The present generation of boosters, spacecraft, and hardware, as well as fuels, will look like 1914 Fords by 1970. What are we to have: 'Army and Navy and space' surplus sales stores on every town corner?" I continue to hold these convictions.

If NASA is successful in man-rating the Saturn V booster and they are to be commended for their successes to date, there will be seven Saturn I–B boosters, six Saturn V boosters and numerous command, service and lunar module spacecraft surplus to the needs of the Apollo program. Yet NASA is asking Congress to approve the purchase of still more Saturn I–B and Saturn V boosters for missions not yet definitized and without realistic planning for the surplus boosters and equipment from the Apollo program.

These Saturn I–B and Saturn V boosters to be ordered will not be cheap, besides being obsolescent, if not obsolete, by the time they are produced. Each Saturn I–B, without any payload or launch costs, would cost $47 million. Each Saturn V booster, without payload or launch costs, would cost $239 million.

With every expectation that the lunar landing mission will take place in 1969 with Saturn V vehicle Nos. 7, 8, or 9; this would leave from six to eight surplus Saturn V vehicles. Why should we order any more of these vehicles at a cost of a quarter of a billion dollars each when we do not know now exactly how many will be surplus to Apollo?

The type and number of booster vehicles for the Apollo applications program should be determined after the Saturn V is man-rated. That is the time for decision.

Last year I stated that the Apollo applications program missions are still not definite and are being changed frequently.

Last year NASA stated that one of their more important missions was the AAP–1A mission to fly earth resources experiments. Now we are told that this has been canceled and we can only conclude that it really was not important as NASA advised previously. The lunar mapping and survey system has been canceled. NASA's original plans were to launch two orbital workshops and two Apollo telescope mounts with the Saturn I–B booster. Now this has been reduced to the planned launch of one workshop and one telescope mount several years later than planned.

A new entry into the field has been observed. A Saturn V workshop will be flown, using the quarter-of-a-billion-dollar booster to duplicate an earlier workshop.

All of this near-earth orbit work is to take place in the 1970, 1971, and 1972 period while the Department of Defense manned orbiting laboratories are also in near-earth orbit with men performing experiments.

The advance purchase of obsolescent vehicles and spacecraft by NASA at this time, as contemplated under the Apollo applications program, will freeze out new technological developments as they become available in the next few years. There must be p[redacted]ade for the use of the 260-inch solid rocket booster which is an inexpensive booster capable of storage for an indefinite period. Some consideration should be given to upgrading the Saturn I–B boosters, such as the use of strap-on solid rockets. Also, provisions should be made for the incorporation into the booster of the 1970's of new and exotic liquid fuels as well as nuclear propulsion. Space storable fuels should also be developed for use on such boosters.

In fiscal year 1968, NASA stated that their request of $454.7 million for Apollo applications was a minimum program needed to maintain the national capability. On the floor during debate, it was stated that any reductions to this program over the token $10 million cut would severely affect the better development of manned space flight capabilities. It was also stated that the Apollo applications program presented by NASA "is an austere program—to do less would be to cripple the program." Notwithstanding these claims, congressional authorization and appropriation action reduced the amount requested to $315.5 million. When I stated that NASA could absorb still another $60 million reduction, NASA stated that such a cut would be disastrous. Yet, immediately after the appropriation action, NASA, on its own initiative, reduced the funds for Apollo applications from $315.5 million to $253.2 million, a cut of $62.3 million.

What credence can we put in the NASA statements that any cut would cripple the future of our space capabilities when, after a substantial reduction by Congress, NASA in its own wisdom apparently felt that the program had such a low priority that it could stand another reduction of over $60 million so as to provide funds for other programs in NASA?

I strongly recommend that the fiscal year 1969 authorization for the Apollo

applications program be reduced to $253.2 million, the same level that NASA programed for use in fiscal year 1968. Under the present controlling circumstances, the Apollo applications program can very well carry out constructive research and planning with this amount while at the same time leaving our options open for the future.

Might I ask the chairman of the committee if he could accept this amendment?

Mr. MILLER of California. May I withhold my answer for a little while?

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from New York. He also had this idea, and I compliment him on his economy drive.

Mr. RYAN. Is the amount of $253.2 million the same amount as was contained in the amendment that I offered in the committee?

Mr. FULTON of Pennsylvania. It is the same.

Mr. RYAN. And which the gentleman opposed in the committee?

Mr. FULTON of Pennsylvania. The executive deliberations of the committee are privileged information, except what is contained in the committee report. Your inference is that some of us opposed cuts. Yes, there were cuts opposed which we felt could be made more appropriately on the floor.

I might say to you also that the final figure was not definite, since at the present time NASA has changed its position. The figure we have derived just today is really $251.1 million instead of $253.2 million.

AMENDMENT OFFERED BY MR. RYAN TO THE AMENDMENT OFFERED BY MR. FULTON OF PENNSYLVANIA

Mr. RYAN. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. RYAN to the amendment offered by Mr. FULTON of Pennsylvania: Strike out "$253,200,000" and insert "$253,100,000".

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. RYAN. Mr. Chairman, I have offered this amendment in view of the statement by the distinguished gentleman from Pennsylvania that the figure in his amendment was in error and that the fiscal year 1968 operating level was less. I believe he said $253.1. Therefore, to be consistent with the intent and the objective of the gentleman, I have put this figure before the House. I ask the gentleman from Pennsylvania if he will accept my amendment.

Mr. FULTON of Pennsylvania. I am sorry, I did not hear the gentleman.

Mr. RYAN. Mr. Chairman, I ask unanimous consent that the Clerk may again read the amendment.

Mr. FULTON of Pennsylvania. Yes, I will accept your amendment.

Mr. RYAN. I appreciate that.

Mr. FULTON of Pennsylvania. May I ask, you are cutting it $100,000 more?

Mr. RYAN. To the level at which I believe the gentleman said NASA had placed it this morning.

Mr. FULTON of Pennsylvania. I said it was $251.1 million, and you have cut it how much?

Mr. RYAN. Mr. Chairman, I ask unanimous consent that the Clerk may again read the amendment.

The CHAIRMAN. Without objection, the Clerk will report once again the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. RYAN of New York to the amendment offered by Mr. FULTON of Pennsylvania:

Strike out $253,200,000 and insert $253,100,000.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN] to the amendment offered by the gentleman from Pennsylvania [Mr. FULTON].

The question was taken; and on a division (demanded by Mr. MILLER of California) there were—ayes 5, noes 27.

So the amendment to the amendment was rejected.

Mr. TEAGUE of Texas. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, our committee, as a group of laymen, made as honest and sincere an effort as humanly possible to determine what was the right amount of money to authorize for NASA. After much work we reported out a bill. Our committee and the Members of the House on this side of the aisle support that bill.

The gentleman from Pennsylvania said that the Administrator of NASA, or NASA, voluntarily transferred a certain amount of money out of the Apollo application program, intimating that the money was not needed. The truth of the matter is, or the correct interpretation of the matter is, that we cut NASA to such a degree the last time, that NASA decided they had to have the money for another item.

The Administrator has a certain amount of transfer authority. It was not that he wanted at all to transfer money out of Apollo applications, but because he felt he had no choice.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, actually when NASA reprogramed $63.5 million from the Apollo applications program in fiscal year 1968, they were following a normal procedure of priority. Evidently NASA felt that the Apollo applications program was of such a low priority with respect to other projects, that they took the funds from the Apollo applications program.

I do not feel we disagree. I want to compliment the gentleman from New York.

Mr. TEAGUE of Texas. Mr. Chairman, I do not yield further. I do not intend to yield all my time to the gentleman.

As I said before, NASA had no desire to transfer funds out of Apollo applications. They would like to have had more. Apollo applications is the making use of knowledge gained from the Apollo program. It has been cut far too much in the last few years.

As far as the amendment of the gentleman from Pennsylvania, the members of the committee on this side of the aisle are well aware of the financial situation of this country. We are well aware of what has been going on, and of the discussions on both sides of the aisle between the Members of Congress and between the executive branch about the tax increase and about cutting the budget. We realize that even though we disagree with the cuts in the space program, if we are going to cut the budget as much as it has been stated, we do not intend to make a fight against this amendment. I must point out that the Apollo applications program evolved from feasibility studies, conducted 3 years ago, to determine how best to apply the technology, equipment, facility capability, and trained manpower developed in Mercury, Gemini, and Apollo.

The studies were supported initially through Apollo supporting development funds for fiscal year 1966. It was contemplated that the program would be initiated in fiscal year 1967. However, budget restrictions did not allow this, and the studies continued for a second year under Apollo supporting development. In fact in 1967 NASA received $222.1 million less than requested when submitted to the Bureau of the Budget.

The Apollo applications program was first presented as a separate R. & D. program in NASA's fiscal year 1968 budget, submitted in January 1967. The chart below summarizes the history of AAP funding planned for the 2-year periods of fiscal year 1968 and fiscal year 1969:

	Fiscal year 1968 budget plan	Fiscal year 1969 budget plan (millions)	2-year total
Fiscal year 1968 submission to the Bureau of the Budget	$626.7	[1] $1,249.7	$1,876.4
Fiscal year 1968 President's budget	454.7	[1] 898.5	1,353.2
Fiscal year 1969 submission to the Bureau of the Budget (reflects fiscal year 1968 congressional action)	253.2	525.6	778.
Fiscal year 1969 President's budget	253.2	439.6	692.8

[1] Estimate.

As the summary indicates, the combined fiscal year 1968–69 funding for AAP is about one-third of the levels projected in NASA's fiscal year 1968 submission to the Bureau of the Budget, and about one-half of the funding that was projected when the budget requested was presented to the Congress a year ago.

The following summarizes the fiscal year 1968 versus fiscal year 1969 Apollo applications program:

Reduced the number of earth orbital flights in the next few years.

Deferral from 1970 to 1971 of extended lunar activity.

Deferral from 1968 to 1970 of the Saturn I workshop.

Deferral from 1969 to 1971 of the Apollo telescope mount.

Plans for the second Saturn I workshop and revisits were canceled.

Plans for the second Apollo telescope mount to be flown in conjunction with the second Saturn I workshop were canceled.

The Saturn V workshop has been defined in more depth this year, and is now presented as a fire development objective.

Deletion of the Lunar Mapping and Survey System.

Cancellation of AAP–1A (manned experiments in earth resources, advanced technology, and engineering).

ports our national security and inter- of two per year beginning calendar year 1970 with vehicle No. 213.

Delivery of Saturn V's reduced to rate of two per year beginning calendar year 1971 with vehicle No. 516.

THE GENERAL APOLLO APPLICATIONS PROGRAM

The Apollo program has been the focus of our national effort to develop the capabilities and the resources for continued exploration of space and the development of applications, hardware, and know-how. We have now reached a time when these capabilities and resources can be used for our next step in the advancement of space flight—Apollo applications.

In Apollo applications we can operate in space to observe phenomena and processes which we are still incapable of reproducing in earthly laboratories. The immense range of pressures, temperatures, fantastic densities and superhigh energies—all these can be studied in the natural laboratory of space.

The Saturn I workshop, part of the Apollo applications program, is an embryonic space station which will operate in this natural laboratory in space. A major objective of Saturn I workshop operations is to study applications which will benefit man here on earth.

The Apollo applications program supports our national security and international technological posture. Apollo applications provides the opportunity to return direct benefits to man on earth through scientific and applications experiments.

The program will sustain our competitive position in the world market and permit the Nation to meet the challenge of the future at minimum cost.

APOLLO APPLICATIONS EXPERIMENTS

The experiments program in AAP falls into three distinct categories, each with specific objectives.

There will be a wide variety of scientific experiments. These cover many facets of science—all of which are either of direct or indirect interest to all of us. Some of the scientific experiments will look out into the outer reaches of our solar system in order to learn more about the origin of our universe and the nature of the influences it exerts on the earth. Others will be concerned with the more basic questions created by the presence of manned machines in space.

Technological and engineering investigations make up a major portion of the experiments program and are tailored to teach us more about the way to live and work in the space environment. How does a man eat and sleep in zero gravity? How is food stored and prepared? What is the best way to handle waste? What tools are most effective? How does one move about inside a large gravity-free volume? The results of these experiments will provide the knowledge necessary to design and execute the missions of the future.

Medical investigations are a very important part of this program and numerous experiments are planned to support them. The principal consideration here concerns the factor of the environment on man's physiological and psychological well-being, and experiments are being devised to address each of the considerations in a variety of different ways. Our manned space flight experience to date has been directed toward our ability to meet the requirements imposed by the Nation's lunar landing objective. To satisfy these requirements the Gemini program accomplished progressively longer duration missions up to a maximum of 14 days. The results are completely positive and produced no evidence to preclude continuing the progressive buildup of mission length.

One group of experiments that is planned for these flights involves the use of a platform to experiment with a survey of earth resources. Knowledge currently available indicates that great benefit may be realized through improved management of our natural resources. Knowledge is also available that indicates ways in which space-borne sensors may be applied to this problem from orbital altitude. It appears possible, with proper sensors, to distinguish diseased from healthy forestry, to measure the distribution of certain types of crops, and to detect incipient water shortages and forecast their effect on crop production. Such information, collected on a global scale, can go far toward improving the management and utilization of our natural resources and thereby contribute to the reduction of some of mankind's greatest problems.

Other benefits that will accrue from this program are found in the spinoff that all such technological endeavors invariably produce. The space program to date, just in its pursuit of the Nation's lunar landing objective has produced a great wealth of benefits to other activities which are in no way related. An accelerometer, for example, has been developed that is sufficiently sensitive to detect the smallest ripple of motion in a spacecraft. Its sensitivity is such that it can also detect the heartbeat of a chicken embryo within its shell or the initial, heretofore undetectable, muscle quivers that precede Parkinson's disease.

Manufacturing processes of all types have undergone tremendous changes in recent years—many of them prompted by the accomplishments of the Nation's space program. New procedures and techniques are being devised at all times and the benefit to mankind here on earth is without parallel. Medical monitoring devices, very similar to those devised to measure the physical response of our astronauts to the space environment, are finding their way into the Nation's hospitals at this time when an acute shortage of skilled nurses exists in many parts of the country. Certain of these machines are taking over some of the functions of monitoring the condition of seriously ill patients, instantly notifying a central console should some condition deviate from normal. One might conclude that lives are being saved as a result.

It is reasonable to anticipate that the Apollo applications program which is investigative in nature will produce an even greater amount of this technological fallout benefit.

The increased duration, in addition to providing invaluable medical data, will also be of increasingly significant benefit to the rest of the experiments program. While great progress in these areas was made during the Mercury and Gemini flight activities, the length of the missions and the volume of the spacecraft made it impossible to conduct the number of experiments proposed or to devote the experiment time to them to achieve the maximum return possible. The experiments program in Apollo applications will not be hampered by these constraints. There will be larger crews and greatly increased volume and sufficient time to conduct an experiment review in the manner in which it was conducted with the principal investigator on earth and then repeat it if necessary. At last we will have available the tools needed to develop the great potential that exists.

There will be increases in mission duration by several orders of magnitude. Crew size will not only be larger but will be augmented with astronauts trained in the scientific disciplines. The spacecraft volume in which the astronauts will live and work will be sufficiently large as to approach a size not unreasonable for comparable research activities conducted in laboratories on earth. Also the equipment and experimental devices available to the astronauts will be far more extensive and much more refined than any flown before. These improvements, which are felt by many to be rather rudimentary when considered in the light of what will be available in the years beyond, will make it possible for us to begin to realize a dollar and cents return on the investment that has already earned this Nation a continuing role in the technology forefront of the world.

APOLLO APPLICATIONS SCIENTIFIC EFFORT

The Apollo applications program has another facet which has excited the minds of the national and international scientific communities. This is the scientific experiment program and its promise of achieving some truly exceptional advances in the fields of scientific investigation. These experiments fall into several different categories. Some look up, some look down, and some look in. Those that look up are concerned with studies of our solar system, with particular concentration on its center, the sun.

If I may digress for a moment, many people pose the question, "Why study the sun? What earthly good would it do us

to know more about it when there is nothing we can do about it any way?"

To answer this question one must go beyond the sun itself and concentrate on its effect upon the earth and everything we touch. As the human body is sustained by the dependence upon its heart for life giving sustenance, so is the earth and all its processes dependent upon the sun. The sun is the heart of our solar system and it is the sustenance of life as we know it. It is the source of all energy on this planet. It is responsible for the oxygen we breathe, and the plants and food that feed, clothe, and shelter us. It is responsible for the vegetation that shades us and keeps our land from eroding. It makes possible many of the things we take for granted, such as our earthbound long distance communications systems. And it is responsible for our weather, that waters the soil and brings life to the vegetation.

The sun is also responsible, directly, for many of the things that cause us problems. For example, when the weather is good the sun is responsible; it is also responsible when the weather is bad. It is the energy source that makes the hurricane and the typhoon and the tornado. Much of the destruction by flood, fire, and famine that causes so much distress to our country and the world, is strongly influenced by the sun. This damage, which amounts to untold billions of dollars annually throughout the world, certainly deserves our pointed attention.

Students of solar physics are well aware that the key to controlling the weather lies first in a thorough understanding of the sun. If we were to find out the manner, the precise way, in which the sun exerts this overpowering influence on our atmosphere, we would perhaps then know better how to prepare for its effects, and in time perhaps exert some influence ourselves.

For several years recently the Nation has pursued a number of efforts designed to influence destructive storms. I am sure you are all familiar with the cloud-seeding experiments that have been conducted with some small success. This particular aspect of the sun's nature affects us all. It affects our industries, our agriculture, and all phases of our commerce. It affects our military forces wherever they may be employed. However, you may be sure that if we are unable to understand the basic processes by which this influence is exerted, the prospect of our having any control over it is most unlikely.

Another feature with which we are all familiar is the influence of solar activity on long-distance communication. During one period of intense solar flare activity in 1963, normal communications all over the world were completely disrupted for a period of days. In addition to radios, compasses did not work. While this was an unusually severe and seldom-encountered level of solar interference, lesser degrees of it are happening continuously.

APOLLO APPLICATION, ENGINEERING AND TECHNOLOGICAL EFFORT

A program having objectives as broad and as far-reaching as those of Apollo applications involves a learning cycle. This learning cycle in the case of Apollo applications involves not only teaching new skills to the astronauts but also includes learning what is required in the way of new tools and devices, such as structures, and the myriad of things necessary to make attainment of the objectives possible. Technological and engineering experiments are for this purpose. I would like to mention several of these as typical examples.

There is an experiment scheduled which is entitled, "Expandable Airlock." Its purpose is to determine the practicality of utilizing structures in space that can be expanded from a highly compact volume into their useful shape. An airlock is a good subject with which to experiment because it has a number of hatches that must be suitable for opening, and other features such as switches and valves and plumbing connections, and yet be air-tight when sealed. Carried aloft in a very small compressed package it will be deployed to its full operational size outside the workshop. Once in place and fully expanded, a number of experiments will be conducted involving the actual use of the experiment as an airlock, and numerous measurements of pressure and other critical conditions will be recorded.

Technology such as this will play a key part in all manned space flight programs in the future. Much larger structures will be required than can possibly be boosted into orbit in their assembled configuration. As a result we may in time see tremendously large and complex "buildings," which come out of a package but will be orbiting the earth in their expanded form, housing astronaut crews and the equipments needed to support these missions. The expandable airlock experiment also exemplifies another feature of the Apollo applications program and its service and support to numerous activities outside of NASA. This experiment was proposed by and is sponsored by the Department of Defense. Because of its experimental nature it is more suitably conducted within the Apollo applications program. Its results will be of equal value to NASA and the Department of Defense.

A third facet of this experiment is the matter of technology utilization or useful spinoff from these programs. In this period when the requirements for housing in the Nation far exceed that available on even a long term basis, expandable structures may serve in some capacity to ease this problem. Perhaps the technology developed in this NASA program will lend itself directly to that problem.

Associated with the business of building things in space is an AAP experiment in welding techniques. One of the experiments will evaluate an electron beam welding technique for its applicability in space operations. A device of this type will be of great significance in building or repairing structures or other pieces of equipment.

Among the numerous other technology experiments is an experiment concerned with flammability. As we are all aware, fire remains a hazard to man and great precautions must be taken at all times to avoid tragedy. This experiment will use a closed container to experiment with a variety of materials in a low-pressure oxygen atmosphere. Its purpose will be to determine how readily fires start in zero gravity, how they spread and what are the most effective means of extinguishing them. This again is an effort to learn more about the environment in which men intend to work. Its results may also be applicable to related problems on Earth.

Other experiments in this category are concerned with development and evaluation of extravehicular equipment and procedures, perfecting relatively simple space navigation techniques—which is an extension of an experiment begun in the Gemini program—measuring and evaluating the responses of the large space vehicle to crew motion, and many others of similar nature. All of these experiments have the primary purpose of perfecting the equipment, techniques, and activities that will be required to assure the safety, well-being, and efficient performance of our astronaut-scientist crews during the long-duration space missions of the future.

Mr. GURNEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I certainly agree with my subcommittee chairman, the gentleman from Tex[redacted] is false economy to cut this space program any further. The amendment offered here, and I expect other amendments that will be offered this afternoon indicates we are in a budget bind in this Government, and we ought to cut the space budget.

There is no one in this House who disagrees that we are in a budget bind, but the fact is that this space budget has given and given in this budget bind. As a matter of fact, it has gone down 4 years in a row. Just about everything else in the U.S. Government has gone up. This very year, as far as budgets are concerned, for the various departments of the Government, 17 out of 22 of them have gone up. Only five of them have gone down, and NASA's budget has been one of those.

I will give the Members some idea of how other budgets have been going up in the Government in the last 4 years, while this budget has gone down over the last 4 years.

The Defense budget in that same time has gone up 40 percent; the Agriculture budget has gone down over 60 percent; the Housing and Urban Development, 250 percent; and Health, Education, and Welfare, 56 percent; and aid to education, 83 percent. Many others have gone up too. So when it is argued here in the House of Representatives that this budget ought to be cut because we need economy, it is certainly doing the space program a grave injustice, since it has been cut and cut, again and again.

There is another thing I should like to point out. It was pointed out earlier in the main debate, but it is well to go over it again. At a time when we are proposing to cut this budget, our chief competition, Russia, is upping its expenditures. As a matter of fact, never has their space launching had higher activity than today. They had 12 space launches last month alone, 18 altogether this year, which indicates Russia knows where her future

lies so far as space is concerned, and intends to be first in this field.

I submit, if any nation is going to be first in world competition, it certainly is going to be the one which excels in science, engineering, and technology. While Russia is going ahead on this business, we propose here on the House floor today to cut down. The percentage of the gross national product of the space budget, so far as Russia is concerned, is two or three times what ours is, although we like to call ourselves the leading science and industrial nation in the world. If we do not watch how much we cut, we are going to be in second place.

I can say, too, as one who represents a very important space area in the country, that right now the morale of workers in the space business has never been lower. As thousands and thousands of skilled engineers and scientists are laid off, and have to go into other fields, it is no wonder their morale takes a beating.

I would certainly hope we would not vote for this false economy here in the House of Representatives today and cut this budget any further. It has been cut enough already. If we do it, as surely as I stand here and as others sit here, some time this year, some time next year or the year after that, we are going to have to answer to the people of the United States of America why we have fallen behind Russia in the area of space.

Mr. PEPPER. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman, as I understand it, the amendment proposes a cut of about $142 million in the post-Apollo program. Is that correct?

Mr. FULTON of Pennsylvania. In the Apollo applications program. It is the same figure which the National Aeronautics and Space Administration voluntarily set for the current fiscal year.

Mr. PEPPER. Mr. Chairman, we all know that the NASA has been seeking vastly more funds than they have asked for or been accorded by the Congress. They are subject to pressures for economy, of course, but nobody has any misgivings about their conscientious beliefs.

Am I right in that, Mr. Chairman, that the NASA authorities have indicated they conscientiously feel they should have more than they have requested or have been allowed?

Mr. MILLER of California. They do. I agree.

Mr. PEPPER. Mr. Chairman, a little while ago we had a controversy in the Navy. There was a sort of idealistic admiral there who, in the opinion of some of the orthodox heads of the Navy, had some wild ideas about building a nuclear submarine. Had not the Congress of the United States, according to my information, reversed the decision of the Navy we would not today have a nuclear submarine, because a lot of people thought it would cost too much or was impractical.

I am advised it cost billions of dollars to develop the nuclear submarine. Where would our defense be today compared to what it is if we did not have the nuclear submarine?

We had demands in our domestic economy when we built the nuclear submarine. We had cities which were underdeveloped. We had slums and ghettos. We had unemployed people. We had the hungry, even, in America when we did that; and we were already paying a high volume of taxes when we took those billions out and built the nuclear submarine.

It looked then even to some of our responsible leaders like it might be a sort of a fanciful project, in the mind of this Admiral Rickover to build the nuclear submarine. Some even wanted to get Admiral Rickover out of the Navy. Now we thank goodness, we thank our stars, that America has the strength of that nuclear submarine.

Who would be willing to take the responsibility for passing judgment on what it may cost America's security some of these days in the future when we think we are saving a few hundred million dollars or a few billion dollars by cutting this program? This program does not have many defenders. Space is a field that very few people know much about. It is an easy object of cut and economy without many people to protest the reduction. But if this knowledge, as my able colleague from Florida says, is already held in the hands of the Russians and we do not have it, it may mean that they can drop a nuclear bomb on our country or do us devastating damage that we cannot prevent.

I know and you know, Mr. Chairman and Members of the House, that all of this technical knowledge has a military value and a military significance just like every other scientific fact or principle. This is so in all military and defense areas as well as other aspects of our national life. In making these cuts I think we are quibbling today and gambling with our future security. To let Russia continue to lead into many areas of space and even to have increased and accelerated programs but to let rich America say we cannot afford to keep up with or even to excel Russia, I respectfully say is folly and could cost us dearly in the years ahead.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I am certainly glad to hear the gentleman state his strong support for nuclear engine programs, both for submarines and space. I think the gentleman is very farsighted. I would like to point out that we have another program which parallels with the manned orbital workshop. This is the Manned Orbiting Laboratory being developed by the Air Force. By the end of fiscal year 1968, there will be $722 million expended for this program. In fiscal year 1969, there will be $600 million more authorized for that program. The total program cost will be $2.9 billion. It will operate in the same area as the Apollo applications program.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. The gentleman from Pennsylvania does not mean what he is saying. He is not saying that he is trying to give NASA what they want, because every member of this committee knows that is not correct.

Mr. FULTON of Pennsylvania. This would be exactly the amount that is programed for fiscal year 1968. In fact, the amount for fiscal year 1968 is still being reduced for Apollo applications program by NASA.

Mr. TEAGUE of Texas. Yes. It is because they have to transfer $2 million more out of Apollo applications in order to take care of other needs. It is not being done because they wanted to.

Mr. PEPPER. Mr. Chairman, I only want to say this: In these scientific matters, as we all know, there is a long leadtime involved between the time that you plan to do something and the time when you get the vehicle that you want. So we cannot wait to start these critical programs until some time when it is convenient to do so. We on the contrary must press forward as rapidly as possible if we are to reap the benefits of the programs in the near future.

Mr. RYAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I support this amendment. I am not persuaded that we should react hysterically today because the Russians may or may not be doing something or that we should have some hidden fear of being a kind of international Avis, trying harder in second place. Nor am I supporting this amendment because I believe we are in a budget bind and must find a place to economize. I support this amendment because I think we should have a sound approach to priorities in the space program.

This amendment merely recognizes NASA's own decision. NASA itself, when it was given more money last year for the Apollo applications program, failed to use $62.3 million of that money which was appropriated by the Congress. Instead it programed Apollo applications at the same level as the gentleman's amendment.

So, this amendment, which I originally offered in the committee, is not supported by me as an economy move.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. What the gentleman from New York is saying to the committee is that this amendment will suspend the decision on the priority of the use of research and development for NASA and replace it with decisions that you and the gentleman from Pennsylvania are now advocating?

Mr. RYAN. Not at all. What this amendment does is to coincide with the decision of NASA, because this amendment is exactly the level which NASA itself has set for its Apollo applications operation in fiscal year 1968. NASA did not use all of the money which the Congress appropriated last year.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. I have asked the gentleman from New York to yield to me for the purpose of correcting the gentleman's statement or to ask him if he will correct it. The gentleman from New York says that NASA did not use it. He does not mean that, I am sure. He means that they did not use it in the Apollo applications program. However, they certainly used it because they thought its use was more necessary someplace else.

Mr. RYAN. I thought we were discussing the Apollo applications program. This amendment is only directed to the Apollo applications program and that is what we are talking about.

Mr. TEAGUE of Texas. I do not believe the gentleman from New York is sincere and is telling the whole truth with reference to the use of these particular funds.

Mr. RYAN. It has been very clearly stated, both by the gentleman from Pennsylvania and myself, that for the Apollo applications program last year NASA had $62.3 million more to apply to this program than it used. That was NASA's decision and choice.

Although NASA requested $454.7 million for the Apollo applications program in fiscal year 1968, and repeatedly underscored the urgency of this request, NASA did not actually use all the money appropriated for this program. The operating plan for fiscal year 1968 utilizes $253.2 million, $62.3 million short of the appropriation and $94.5 million less than the authorized amount. NASA's testimony that this year's request of $439.6 million is less than half of the $900 million NASA had projected is not very impressive in face of last year's urgency which appears now to have been more symbolic than real. Judging by NASA's budget submission, AAP missions are still not clearly defined. Post-Apollo seems to be more of a trend than a specification, and obtaining financial commitment appears to be its first priority. This is not a satisfactory basis for a request of nearly half a billion dollars.

Another practical and important consideration has not received adequate attention. This is the existence of a parallel program conducted by the Department of Defense. The Air Force manned orbiting laboratory program is budgeted this year for roughly a half billion dollars and for military reasons will seek to determine whether and how man may survive in space for periods of increasing duration. The Administrator of NASA admitted before the committee on February 7, 1968, that duplication exists between these programs. Although some of the experiments in the MOL program may be classified, clearly the initial stages of both the Apollo applications program and the MOL share a common objective—the survival of man in space for extended periods. Both propose to begin with month-long missions and to utilize an orbiting workshop or laboratory. Although requests for comparison studies have been made by individual committee members, the House Committee on Science and Astronautics has not yet received adequate information about the duplicative aspects of these costly programs upon which to base a decision about the justification for both. If this information is truly classified, it could be received in executive session with full regard for security.

The President's Science Advisory Committee in its February 1967, report posed what it termed a "critical question" in regard to NASA's post-Apollo operations. It asked:

> Whether the pace of the overall manned flight program necessitates the acquisition of these longer duration flight data substantially earlier than available from the MOL.

I believe that this is a crucial question—one which has not yet been answered. It is difficult to justify vast long-term financial commitments prior to a detailed inquiry along these lines.

A more modest Apollo applications effort for next year would be entirely in order. If a 1986 manned Mars landing mission is not assumed to be the central goal of this program, and indeed it has not been so decided by Congress, then there can be little objection to a relaxation of the proposed pace. During the ensuing year the issue of future objectives should be rationally and openly debated. NASA should be asked to present two explicit post-Apollo programs emphasizing alternative manned and unmanned approaches, benefits and data—penalties for each program, and including clear cost projections for each mission. Independent experts should be called in to broaden the scope of Congress' deliberations. Program funding could be limited to last year's operating level without in any way jeopardizing technology development or the possibility of a well-planned and sensible post-Apollo effort.

The committee has recommended $395.6 million for the Apollo applications program. I believe that valuable space exploration will not be delayed or diminished if the Apollo applications program is held to a modest pace during the coming year.

In view of the basic policy decisions yet to be made about the nature and scope of post-Apollo operations, I support the amendment to limit NASA to $253.2 million for the Apollo applications program—the same operational level provided in fiscal year 1968—without prejudice and without in any way jeopardizing the potential value and benefits of post-Apollo missions.

The question of national security has been raised repeatedly during this debate. It is understandably of great concern to many people. This is an annual threat that is used to drum up support for NASA's budget requests—the threat that the Russians may accomplish a particular space feat before we do. This is as much a question of pride as anything else.

NASA has utilized the concern about military activities in space to pressure for uncritical acceptance of its programs. This has been particularly true in connection with the NERVA nuclear rocket program. On April 19, 1967, for example, Dr. Adams, Associate Administrator of NASA, testified about the NERVA program before the House subcommittee on Advanced Research and Technology. On that occasion he said:

> This rocket will have other applications as well. We do know something about what the Soviets are doing and it is unfortunate we can't discuss that part of it here . . . because of the classified nature.

The reaction of subcommittee members was to request a classified briefing so that they might make intelligent decisions about a program which otherwise might be judged expendable. NASA agreed. But the proffered briefing never materialized—only the suggestion lingered.

Very much concerned I wrote to the Secretary of Defense on May 18, 1967, requesting a statement of the Department's position about the military importance of certain space matters including the NERVA nuclear rocket engine. The Director of Defense Research and Engineering replied on May 31. Concerning the NERVA program he said:

> The Department of Defense has no identifiable requirement currently or in the foreseeable future for such a nuclear rocket engine.

Yet about a week ago, on April 24, the Administrator of NASA—Mr. Webb—and an Atomic Energy Commissioner—Mr. Ramey—[redacted] jointly before the Senate Committee on Aeronautical and Space Sciences to defend the NERVA program in which both NASA and AEC have an interest. According to Evert Clark in the New York Times of April 25, "Mr. Webb indicated that there was some secret evidence of Soviet interest in nuclear rockets." And in response to Senator CANNON, Mr. Webb was quoted, "but not of the kind I can discuss in an open meeting." The article goes on to quote Mr. Ramey as saying it would be difficult to assess "possible Russian progress" in this area because "I think both in flights and in ground tests, they—Russian nuclear rockets—might be very difficult for us to detect." The article said further, "both men expressed the certainty that military missions would become obvious by the time a NERVA was ready for use during the 1970's."

By conjuring up the aura of military secrets, once again vague and unsupported hints of danger are being used to propagandize for a program in which two Government agencies have a direct interest. We now presumably possess total destruction capability, and there is no reason to assume that a Russian "interest" in nuclear rockets would diminish this capability We have a Department of Defense and a military space program. It is the responsibility of our military planners to evaluate any threat and to propose an appropriate response. There is no reason why a civilian agency, whose purpose is legislatively stated as exploring the peaceful uses of space, should be assuming the role of military watchdog—arming us for future contingencies or rushing in to prepare a response to what it deems a military threat.

Concerning the attitude of the military toward NASA's entire space program,

the letter of May 31, 1967, from the Department of Defense said:

The main contribution of NASA's space program to Defense is in the technology being developed rather than in major items of hardware. . . . While much of the basic spacecraft technology developed by NASA could contribute to a space surveillance system, the contribution to a ballistic missile capability would be substantially less. In fact, the DOD ballistic systems and technology programs, which have contributed heavily to NASA's space effort in the past, are expected to provide technology advancements of value to NASA in the future, particularly in such areas as guidance and control, upper stage propulsion, and reentry materials.

As is widely known, we do already have surveillance satellites in space, nuclear detection satellites and other pieces of military hardware. It is very likely that NASA has made a useful technological contribution. But no one has suggested that uprating military satellite systems requires significant increases in weight with bigger boosters and the advanced upper-stage propulsion capabilities NERVA is advertised to provide. In fact NASA's current large boosters provide thrust in excess of military satellite or missile requirements.

The civilian space program, including Apollo applications and the proposal to build NERVA nuclear rocket engine flight hardware, should stand or fall on its own two feet—costs and benefits.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HÉBERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment as it is presented. I want to associate myself very forcefully with the remarks which have been made by the two gentleman from Florida [Mr. GURNEY and Mr. PEPPER].

While we are reducing our activity in space by about one-third, the Russians are accelerating theirs, and others who would be strong voices in the future of world events are beginning to pay increased attention to the usefulness of space.

In 1967, the Russians have had 50 percent more satellites than in any previous year, increasing their effort from 44 to 66 launches. As the gentleman from Florida [Mr. GURNEY] pointed out, last month they set a new record by making nine launches in just 12 days, a feat we have never approached.

Let me remind you that the U.S.S.R. launched the first manmade satellite, orbited the first man, placed the first spacecraft on the moon, photographed the far side of the moon for the first time, took the first space walk, sent the first probe into another planet's atmosphere last fall, and twice in recent months achieved automatic rendezvous and docking—with large payloads—which we have never done.

They are spending on space about twice the percentage of their gross national product than we are of ours. They are in space to stay, but at times they must wonder if we are.

Let us tell them today that we are. Let us pass this bill without further cuts.

There is no question that man will explore space both with machines and with his own eyes and hands. The only question is "which men?"

Mr. JONES of Alabama. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, the purpose of this amendment we are considering has been presented to the House on the grounds that this research program is going to take place somewhere in the Department of Defense. Several interrogatories have been propounded to those who have been advocating the position taken by the gentleman from Pennsylvania and the gentleman from New York, and they say, "Well, we know nothing of a similar program to the Apollo applications program in the Department of Defense, but whatever it is, let us suspend what we are doing in NASA and let them continue on their way."

It seems to me that the committee has displayed sound judgment in the examination of all the propositions they have brought here to the House, and it seems also reasonable that we would, in the proper course of considering their measures, embrace them and support them because I do not recall any committee that has displayed any more knowledge or has been more careful in examining the results of the departments that appeared before them than this committee.

I believe it would be a part of folly to now halt the on-going program, and I cannot help but observe that the gentleman from New York said these programs require imagination. Of course they require imagination.

I would like to think of them as "imaginers." They are imagining these great programs, their significance and meaning to a variety of purposes to which they are dedicated.

Mr. Chairman, I hope that this amendment to reduce the Apollo applications program will not prevail.

The original $395,600,000 recommendation is a bare-bones figure for the efficient development of this Nation's space effort.

The proposed reduction to the $253 million would be a flagrant example of the worst kind of false economy. It would be false economy because orderly progression would be aborted. Cutbacks, layoffs, and delays in the program would be required by the reduction in authorization.

More serious would be the demoralizing effect such a situation would bring about in the talented and capable team working to advance our country's position in space.

Reductions of the nature being proposed would forfeit the most profitable exploitation of the knowledge, skills and space hardware which have been developed to this time.

I can not believe that the people of this Nation wish to surrender to other nations the potentials to be gained from proper space exploration and an evenly paced, orderly space program.

I can not believe that the people of this Nation wish to forego the advances in more earthly technology which have been made possible by the work in the space effort. Our investments in the advancement of science and technology are the very basis of our foremost position in the world today.

I can not believe that the people of this Nation wish to forfeit the benefits of greater understanding about this planet and the forces of nature which affect it. This would be a result of a reduction in the NASA authorization.

I strongly implore that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FULTON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROUDEBUSH

Mr. ROUDEBUSH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROUDEBUSH: On page 3, line 12, strike the amount of "$646,673,000 and insert in lieu thereof the amount of $603,173,000."

Mr. ROUDEBUSH. Mr. Chairman, I have offered the amendment, which would be a reduction of $43.5 million.

In support of this I point to the fact that the NASA in-house work force has increased from 9,235 personnel in fiscal year 1959 to a projected level of 34,909 at the end of fiscal year 1969. During this same 10-year period, the annual administrative ope[redacted]sts have risen from $85 million in fiscal year 1959 to a requested $648.2 million for fiscal year 1969. These administrative operations costs which represented only 9.7 percent of the total NASA budget 10 years ago have increased nearly every year, to the point where the request for these funds for fiscal year 1969 is 14.8 percent of the total budget.

The research and development funds have not followed this pattern. These reached a peak of $4.6 billion in 1966 and have declined steadily to the present request for $3.7 billion for fiscal year 1969.

Now that the design and engineering phases of the Apollo project are over, why do we need to maintain an in-house force of 34,909 personnel as requested by NASA for fiscal year 1969?

I firmly believe in a healthy research and development program in NASA, but the Congress must insist that it be managed and directed efficiently.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the gentleman for offering this amendment. I have forgotten if the gentleman mentioned it, but the percentage of the money that goes for administrative costs of this program is unbelievable. Certainly, with 34,000 of personnel and some 14 percent expended for administrative costs both ought to be drastically reduced.

But the gentleman's amendment is in the right direction and I hope that in another year it will be brought down to reasonable limits.

Mr. Chairman, I commend the gentleman.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman.

Mr. RUMSFELD. I want to associate myself with the remarks of the gentleman from Indiana and express my support for this amendment.

This is certainly a measured approach. Administrative costs have gone up at a rather rapid rate. It is my conviction that this figure, which has been set by the gentleman from Indiana, certainly will not cripple the program in any way and I commend him for both his support of the NASA program and for his concern with the economic situation in this country.

Mr. ROUDEBUSH. I thank the gentleman.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman.

Mr. FULTON of Pennsylvania. I would like to compliment the gentleman from Indiana on his amendment and I support it strongly.

The annual appropriations for NASA administrative operations continues to increase while the research and development level of effort shows a steady decline.

The administrative operations appropriation provides the funds for personnel compensation, benefits, and operational functions at all NASA activities. It is from this appropriation that the direct and indirect costs of directing, managing, and executing NASA reserach and development programs are defrayed.

The strength of the NASA in-house work force has increased from 9,235 personnel in fiscal year 1959 to a projected authorized level of 34,909 personnel planned for the end of fiscal year 1969, a 278-percent increase in just 10 short years. The annual administrative operations costs for this 10-year period will have risen from $85 million in fiscal year 1959 to a requested level of $648.2 million for fiscal year 1969.

In more recent years the administrative operations appropriation has been commanding an increasingly large share of the total annual budget. For fiscal year 1964 the administrative operations appropriation represented 9.7 percent of the total NASA budget. This percentage has increased each year since then except for fiscal year 1966. In fiscal year 1965, it was 11.9 percent; in 1966, 11.4 percent; in 1967, 13.1 percent; in 1968, 13.3 percent. For fiscal year 1969, the NASA request for administrative operations constituted 14.8 percent of the total appropriation request.

Paradoxically, the fluctuations in the research and development programs of NASA have not paralleled the administrative appropriations growth. The annual level of research and development appropriations rose from $196.6 million in fiscal year 1959 to $4.1 billion in fiscal year 1964. The Research and Development level peaked at $4.5 billion in fiscal year 1966, and since then has shown a steady decline to a NASA projected level of $3.7 billion for fiscal year 1969.

Now that the design and engineering phases of the Apollo project are over, and other major NASA projects such as Ranger, Surveyor, and Lunar Orbiter have been concluded, we do not need to maintain an in-house force of 34,909 personnel as requested by NASA for fiscal year 1969.

The Committee on Science and Astronautics cut the NASA fiscal year 1969 request for administrative operations from $648.2 million to $646.7 million, a minor reduction of only $1.5 million. Part of the reduction was the denial of a requested increase of 75 positions at the Electronics Research Center. NASA had requested an increase of 150 positions. The committee recommends only 75. This is a step in the right direction. However, in my opinion, the committee did not go far enough. The Congress must insist that research and development programs be efficiently managed and directed, but at the lowest possible cost. A declining research and development level of effort warrants a commensurate decline in the level of administrative operations.

When we look at the requirements for fiscal year 1969 and think about the 14.8 percent of the total budget going for administrative expenses it seems extremely high. Actually, the gentleman's amendment only reduces the percentage from 14.8 to 14.3 percent. So it is only a one-half of 1 percent reduction. This amendment, unanimously adopted by the Republican policy committee 2 days ago, while reducing the administrative expenses, still leaves NASA with the authority to transfer 5 percent of the funds appropriated for research and development should the need arise. This should not in any way hurt NASA, its employees, or personnel. I join the gentleman in his amendment and recommend that the NASA fiscal year 1969 administrative operations authorization be further cut by $43.5 million from the committee approved level of $646,673,000 to $603,173,000. This action will reduce the amount to be authorized for fiscal year 1969 to a level more consistent with the declining research and development budget.

Mr. ROUDEBUSH. I thank the gentleman.

Mr. ROUSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I suppose there is no more difficult part of this bill to oppose than the amendment offered by the gentleman from Indiana, for whom I have high regard.

But I cannot let some statements that have been made here go unchallenged. Our friend, the gentleman from Iowa, has been very general in the use of figures. I think we should know that the administrative operations—while they have increased—have a reason for the increase other than just an increase in the operation.

For example, the pay raises and the more liberal retirement increases enacted by the Congress since the inception of the space program have caused a general rise in operating costs.

If NASA today were able to hire personnel on the average of the same rates existing in 1966, then the fiscal year 1969 budget for administrative operations would be $60 million less than the amount now being considered.

Then the pattern of the industry/NASA work force requirements, is changing as the workload shifts from industry to NASA in-house facilities.

In the use of facilities, the capital plant value has increased from $462 million in 1959 to almost $4 billion in 1967, requiring increased maintenance, operation and management effort.

Now the biggest portion of administrative operations lies in the area of personnel.

Of this appropriation, 68 percent is for civil service personnel and of these $32,000-plus that my colleagues spoke of, 70 percent of them are scientists, engineers, and technicians doing research, development, and test work. These are the people who make it go. If this amendment should prevail, it will mean that 3,600 men will have to be released from the program. It will mean that an additional number will have to be released if we delay the release until September or October; this is going to be very harmful to our program in the space effort.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. I yield to the gentleman from Pennsylvania, if he does not take too much time.

Mr. FULTON of Pennsylvania. The question is, Is [redacted]elf reducing personnel? The answer is, Yes, they are. They have a 700 to 800 reduction in the personnel force at the Marshall Center. It was already ordered. NASA ordered it. There was an injunction to block it. That injunction has now been dissolved, and yet NASA is only saying they are reducing that force by 60-some. So I can point out to you one place where 700 or 800 people are unnecessary, according to NASA's own statements.

Mr. ROUSH. The gentleman from Pennsylvania [Mr. FULTON] has been advocating in the Science and Astronautics Committee increased staff personnel. He is advocating the establishment of the Office of Inspector General. He has been advocating minority staff personnel. Now he turns around and supports an amendment which is going to reduce personnel, when on the other side, he is asking for more.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield further?

Mr. ROUSH. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. The gentleman has spoken of increased personnel. The minority has had no staff until 2 weeks ago, when the chairman said that we could have one, and now we have one.

Mr. ROUSH. Mr. Chairman, I decline to yield further.

In closing, I wish to say that I am saddened by the fact that we are reducing our effort in the space program. The whole world is involved in uncertainty. Many nations of the world are involved in warlike efforts, and here we are in the United States trying to conduct something which is meaningful in a peaceful way to all the people of the world. It seems to me that this program should be enhanced, not cut back.

I have traveled in various countries of

the world and I know the impact of this program on those countries. I remember being in a small village in Ethiopia, 50 miles from Addis Ababa talking with a group of seventh- and eighth-grade boys who knew of my association with this program. They said, "Do you know John Glenn? Do you know Gordo? Do you think the United States will beat Russia to the moon?"

I could not help but think that if those small boys in that backwoods area of Ethiopia were asking those questions, then people all over the world were asking them, and it is important.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(On request of Mr. TEAGUE of Texas, and by unanimous consent, Mr. ROUSH was allowed to proceed for 2 additional minutes.)

Mr. ROUSH. A few years ago, when this program first started, one of the witnesses called before the committee was George V. Allen, who at that time was the Director of the U.S. Information Agency. He told a very dramatic story of the impact of Sputnik I upon its launching on October 4, 1957, on the world. He said this:

> The success of launching Sputnik I created an intensity of reaction throughout the world which has rarely been paralleled in any other single discovery or invention. The public awareness of the first Sputnik was almost universal. People in remote areas of even the most remote countries knew of this sensational event within a few days.

And that was true. It is still true today. We can make that same impact on the world today through this country's efforts if we do not lag in our effort, if we do not flag in our determination, and if we continue this thing as we started it and not let every little obstacle that comes along present itself as a major obstacle that we have to stand aside for.

I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROUDEBUSH].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WOLFF

Mr. WOLFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WOLFF: On page 8, following line 16, insert the following new section:
>
> "SEC. 7. In accordance with such regulations as the Administrator may prescribe, on all non-competitive procurements not in excess of $25,000, the Administrator or his designee shall require each contractor or subcontractor to certify, subject to the penalties otherwise provided by statute and regulation, that the price specified in the contract or subcontract is no higher, per unit basis, than the price of that contractor or subcontractor to any other purchaser similarly situated with respect to the subject matter of the contract or subcontract."
>
> Renumber the succeeding sections accordingly.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, we are perfectly willing to accept the amendment. We discussed it in committee. We will accept the amendment.

Mr. WOLFF. Mr. Chairman, I thank the gentleman from California.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Chairman, does that amendment refer to the quality of the items involved?

Mr. WOLFF. No, it does not. It refers to an item specifically listed in a catalog.

Mr. HOSMER. Mr. Chairman, we often run across operators who will come out and furnish something for a lesser price, but before we are through with the mess, we wish we would never have had anything to do with them, because the quality turns out to be bad and the workmanship turns out to be bad, or the supplier himself is inadequately financed and fails to achieve the quality or to meet the time, or other requirements of the contract.

I would feel that holding to a simple price criterion here might involve us in that type of situation. Certainly I would not want to see that situation written into law. Will the gentleman elucidate a little?

Mr. WOLFF. Yes, I will.

Mr. Chairman, I was privileged to serve until very recently on the Committee on Science and Astronautics and wish to commend the distinguished gentleman from California for his outstanding work and leadership as chairman of the committee. He knows, I trust, the great respect I hold for him.

As I told the Members in a statement from this very well 2 months ago, I was appalled at certain recent disclosures of the inexcusable business practices adhered to by the National Aeronautics and Space Administration and other Federal agencies and departments.

My own investigation of a single company, Sterling Instrument of Mineola, N.Y., in my own congressional district, turned up numerous instances in which NASA paid many times the catalog price for goods purchased for NASA centers throughout the country. These purchases were made without competitive bidding. I was told that the overcharges were a result of the need to have certain hardware immediately and it was, therefore, impossible to fix prices prior to shipment.

It would be reasonable to assume, I submit, that these overcharges, running as high as 10 times the catalog price, are indicative of something that is repeated daily in purchases from hundreds of suppliers in all parts of the country.

Paying such overcharges is a wanton disregard of the legitimate interests of American taxpayers.

I should note, Mr. Chairman, that I am not satisfied with the excuses for neglect offered by NASA. No substantial reason has been given for the wasteful manner in which the tax dollar is spent.

I fear that the problem is more widespread than any single agency or department. The work of my distinguished colleague from Long Island evidenced equally outrageous practices involving the same firm and the Department of Defense.

When we are faced, as we are today, with great fiscal and monetary problems we must look at the long-range and broad perspectives. But my many years in private business taught me that significant sums can be saved by carefully scrutinizing those areas of short-range and presumably more narrow impact.

Therefore I have proposed this amendment to require that all firms supplying materials on noncompetitive contracts of less than $25,000 shall certify that the per unit price charged to NASA is no higher than the price charged to the contractor's most preferred customer.

This is a simple but necessary amendment to insure the maintenance of sound business practices by NASA.

I would not speculate about how much we might save by enacting this amendment and similar such amendments on all agency and department authorizations. But I can say with absolute certainty that the savings would be meaningful and that the principle is a sound one that should be applied to all Federal agencies and departments.

I trust my colleagues agree that the American public has a right to assume that we are spending tax dollars responsibly and that a small group is not getting rich because the Government is run by bad businessmen. I urge favorable consideration of this amendment in the name of e[redacted]d in the name of good government.

Uncle Sam does not have a bottomless pocket nor an elastic money belt that can be expanded indefinitely because of unsound, unjustifiable business practices by NASA and other Federal agencies.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, I compliment the gentleman on the amendment he has offered. I think it has very general support on this side of the aisle. I understand it has been accepted by the chairman of the committee.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, I talked with the chairman of the committee, and we have discussed this, and we feel it meets the technological and other requirements of the program.

Mr. Chairman, I support the amendment.

Mr. HOSMER. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I do so only briefly because I think there has been an inadequate record made on this amendment which applies, even as it does, to off-the-shelf items. I want to make certain there is nothing in this record today which would impose upon the Administrator of NASA an obligation to buy items which are of an inferior quality or to accept erratic delivery schedules, or which would in any other way impede the operation of his agency merely because he had to adhere to certain price schedules.

I yield to the gentleman for the purpose of receiving that assurance and

keeping this record very clear on that point.

Mr. WOLFF. I assure the gentleman that it is not the purpose of this amendment to limit NASA in any way other than to good business practice of the most favored customer clause normally used in business.

Mr. HOSMER. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. WOLFF].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PELLY

Mr. PELLY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PELLY: On page 8 after line 2 insert the following:

"SEC. 5. No amount appropriated pursuant to this Act may be used to pay salaries of any employee of the National Aeronautics and Space Administration convicted in any Federal, State or local court of competent jurisdiction of inciting, promoting or carrying on a riot, or any group activity resulting in material damage to property or injury to persons found to be in violation of Federal, State or local laws designed to protect persons or property in the community concerned."

And renumber ensuing sections.

Mr. PELLY. Mr. Chairman, my colleagues will recognize that this amendment contains language essentially the same as that which the House adopted yesterday in connection with the Department of Agriculture appropriation bill. In other words, it prohibits paying salaries to any employees of the space agency convicted in Federal, State, or local courts of inciting, promoting, or carrying on a riot.

Mr. Chairman, the Members of the House prefer, I am sure, that legislation should be adopted on authorization bills rather than on appropriation bills. That essentially carries out the rules of the House. I thought it preferable to present this amendment today on the authorization bill rather than later as a limitation on an appropriation bill.

I hope the Members, as they did yesterday, will consider this is appropriate to the times and will accept and adopt my amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, I join in the gentleman's amendment. It is excellent. I believe it should be adopted. I compliment the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. PELLY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 5, after line 7, insert the following new subsection:

"(h) Not to exceed 50 per centum of the funds appropriated pursuant to paragraph (2) of subsection (a) may be expended or obligated for expenditure unless the Administrator has transmitted to the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautics and Space Sciences of the Senate a presentation of two explicit alternative post-Apollo programs, one emphasizing manned missions and the other unmanned missions, including (1) detailed comparisons of projected costs for each mission in the alternative programs, (2) the goals and expected benefits for each mission and a list of probable data-penalties in each approach, (3) the relation of these missions to longer-range NASA plans, and (4) a clear statement of the total financial requirements for the total programs as a basis for open and public discussion of the relative costs and benefits of the alternative approaches."

Mr. RYAN. Mr. Chairman, in view of the adoption of the previous amendment, I believe that this should be paragraph (i) on that page, and I ask unanimous consent that it be conformed to meet whatever the previous amendment was numbered.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Chairman, this amendment is offered because of the fact that NASA has not explicitly presented to the Congress its long-range goals and guidelines for future missions. There is good reason to ask what they are and whether they are intended to support a long-range program to spend us into a manned mission to Mars in the 1980's which this Nation may or may not be willing to support. Many scientists believe that we will gain the least amount of knowledge for scientific purposes at the greatest cost if the manned spaceflight program is allowed to become our primary goal. Many other scientists feel that there are great benefits to be gained by the practical application of space technology to earth use. NASA has stressed this point in its own behalf, but the National Academy of Sciences has complained that NASA has devoted only 2 percent of its budget to earth applications. Dr. Van Allen and others have expressed great distress at the fact that only 2 percent of the NASA budget has been earmarked for valuable unmanned planetary exploration, which is immediately possible—not a long leadtime item.

Again the proposed Apollo applications program which we discussed earlier this afternoon has not been clearly defined, and NASA's cost specifications for that program are inadequate to assess the true magnitude of future financial requirements.

In addition, there is still no adequate evaluation of the duplication between the Apollo applications program and the Department of Defense manned orbiting laboratory. It is unsound to finance two such expensive programs concurrently without assurance of an increase in significant data. The purpose of this amendment is to restrict the use of the funds under the Apollo applications program to 50 percent of the amount authorized unless the Administrator of NASA provides Congress with two explicit alternative post-Apollo programs, one emphasizing manned missions and the other emphasizing unmanned missions, including detailed comparisons of projected costs for each mission in the alternative programs; the goals and expected benefits from each mission and a list of probable data penalties in each approach; the relationship of these missions to long-range NASA plans; and finally, a clear statement of the total financial requirements for the total programs so that we can have an open discussion and debate of the relative costs and benefits of the alternative approaches.

If this amendment is adopted, it should go a long way toward providing Congress with the kind of information required for rational decisionmaking.

Mr. Chairman, I urge support of this amendment and hope that the chairman of the committee will accept it. It is important that NASA be required to come before the committee with a great deal more specific information than it has in the past.

It is important to note that John Lannon, in the Washington Evening Star of April 18, quoted Charles Mathews, Deputy Associate Administrator of NASA, as saying that NASA is now doing some contingency planning for alternative programs as I have been requesting. But Mr. Lannon pointed out, "Mathews also said that the agency has no plans to offer any alternates unless asked."

It is clearly essential that Congress insist on such a presentation.

Mr. TEAGUE of Texas. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I certainly hope that the House will not adopt this amendment. We just adopted an amendment which cuts administrative operations considerably. This amendment would certainly add to the cost considerably. The gentleman from New York is not a member of the manned space flight group to which this amendment applies. If any Member will go through these hearings, they will find the answer to the questions that the gentleman asked.

Our subcommittee goes to NASA each month to the office of Dr. George Miller—and the gentleman from New York [Mr. RYAN] has been with us on one such occasion—we get the answers in our subcommittee to just about every question that he is asking.

Mr. Chairman, I do not think that this amendment would add anything of benefit to the space program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The amendment was rejected.

Mr. RUMSFELD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, during the course of the general debate on this legislation the question of the Mars Mariner 73 flight came up. At that time I expressed the possibility that an amendment might be offered to reduce the authorization by some $20 million, the portion of the lunar planetary funds which are to be allocated for this purpose.

After discussing this matter with several members of the committee, it seems to me that it might not be appropriate to offer such an amendment at this time. Possibly, the amendment should be offered at the time when the NASA appropriation comes to the floor in the independent offices appropriation bill. This

will be after we have a bit more time to see what develops in the NASA program on this matter.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from California.

Mr. MILLER of California. I thank the gentleman from Illinois. It is my opinion that he has taken a very fine stand on this matter and I wish to express my appreciation to the gentleman. I certainly think we will be better prepared in the future to make a better judgment thereon.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 8, strike out lines 15 and 16 and insert the following: "fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration, including—

"(1) any contract to which the Administration is a party having an annual funding level of $10,000,000, or more, in which cost overruns (cumulative from the beginning of the contract) exceed 15 per centum,

"(2) any program of the Administration having an annual funding level of $25,000,000, or more, in which schedule slippage is greater than three months, and

"(3) each instance in which a high level management review is undertaken by the Administration in connection with any program administered by it."

On page 8, line 17, strike out "SEC. 7." and insert in lieu thereof "SEC. 8.".

Mr. RYAN. Mr. Chairman, this amendment goes to the question of NASA's reporting on its operations which I raised earlier. I should like to commend the gentleman from Illinois [Mr. RUMSFELD] for his persistence in arguing that NASA should be required to report and keep the House of Representatives fully and currently informed with respect to its activities. This has been written into the bill as section 6. However, my amendment would go further and specify certain information which should be included in NASA's reports.

I regard this information as essential if Congress is to have a clear understanding of what NASA is doing.

The congressional hearings last year into the Apollo fire—the Phillips report which was finally released through no effort on the part of the Administrator of NASA, and a great deal of other evidence, all revealed very serious but well camouflaged problems in the space program in the quality of the hardware involved, in its management, and in the matter of escalating and inflated costs. All of these problems developed at a time when NASA was compiling a record of successful launches.

Therefore, successful launches cannot be used as a yardstick for measuring the success of this program.

In the course of our hearings NASA seemed to be more protective of North American Aviation, its prime contractor, than of the public. It became apparent that a combination of factors, including degraded hardware, lack of management control, and negligence in inspection and safety procedures were background conditions which led to that fire.

Now, it is claimed that the program is back on the track. However, NASA's candor has not increased. Congressional requests have not brought forth program evaluation documents or the results of internal, high-level management reviews.

In fact, there is no hard evidence of progress along these lines. We do know that there is a need for frankness on the part of NASA in presenting information to the Congress if it is to perform its oversight function effectively.

The committee itself indicated its dissatisfaction by including the language in section 6.

My amendment includes more specific and compelling language. Compliance in 1965 with any one or all three of the specific requirements I propose would have called to the attention of the relevant committees of Congress serious and debilitating conditions in the Apollo program. Early congressional attention to these problems might not only have saved the Nation a great deal of money, it might ultimately have avoided the tragic fire which followed.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment offered by the gentleman from New York.

I can assure the Members that NASA is furnishing us under the provisions of an amendment adopted last year and introduced by the gentleman from Illinois [Mr. RUMSFELD] all the data that we need, and we can get it through the Oversight Committee on the other side.

Mr. RYAN is not a member of that committee, and I am certain that he may not be familiar with all of these matters.

Mr. Chairman, I ask for a "no" vote on the amendment offered by the gentleman from New York.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The amendment was rejected.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 8, immediately after line 16, insert the following:

"SEC. 8. Beginning with the fiscal year 1969, the Administrator of the National Aeronautics and Space Administration shall submit to the Congress budget requests which reflect true program costs. The funding request for each program of the Administration shall include total research and development costs, total administrative operations costs, total construction of facilities costs, total tracking and data acquisition costs, and the totals of all other relevant costs of such program. Each such funding request shall specify the totals of all relevant costs included in the budget of any program office other than the one administering such program."

On page 8, line 17, strike out "SEC. 7." and insert in lieu thereof "SEC. 8.".

Mr. RYAN. Mr. Chairman, in view of the new section 8 just adopted, I ask unanimous consent that my amendment be conformed so that it should now read: "Section 9."

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Chairman, although traditional accounting methods may be the explanation, NASA does not meet desirable standards of candor in connection with its budget. The annual submission to the Congress is designed in such a way that it is not possible to tell the actual cost of a given program either cumulatively or for any given year. Requests for more informative presentations have been met with claims that it would be extremely difficult and time consuming to compile the desired information. In its apparent concern not to place additional burdens upon NASA, the committee has not requested a substantive change in methods of presentation.

The Administrator of NASA testified on February 7 that NASA has conformed completely with the new programing-planning-budgeting system that the President urged Federal agencies to utilize. This implies that agency records should include a clear accounting of all costs incurred by each program. Considering the adoption of PPBS, NASA, a highly computerized agency, should be able to provide essential information along these lines without undue strain. This information should be presented directly in NASA's [redacted] submission to the Congress, so that congressional interest in accurate program costs need not constitute an additional burden. If NASA is not actually in possession of this kind of financial information, then the agency itself has serious deficiencies in this area; and the committee should insist that it make every effort to improve rapidly.

NASA's major budget breakdown is in terms of NASA's program offices—Office of Manned Space Flight, Office of Space Science and Applications, Office of Advanced Research and Technology, and so forth—to which various programs are assigned. NASA installations are also assigned as Centers for one or another of the program offices. Yet, the actual work done at each Center is not limited to programs of the particular office in question. Thus, we have obscurity which can be illustrated fairly simply by NASA's presentation of administrative operations funds which currently amount to approximately two-thirds of a billion dollars per annum. Although salaries, facilities usage, paperwork requirements, and so forth, are clearly program costs, administrative operations funds are not broken down as they relate and add to the cost of programs. They are assigned in bulk to the NASA program offices and are broken down by Centers. The further breakdown of total salaries, total travel, total facilities and maintenance, and so forth, at each Center is interesting but useless in viewing the cost of individual programs.

A typical anomaly was seen when NASA finally, at my insistence, broke down the AO funds authorized this year by the Subcommittee on Advanced Research and Technology. Included in this AO breakdown were items like $6.5 million for launch vehicle procurement—a program under the Office of Space Science and Applications and clearly not an advanced research program—$1.4 million for Apollo applications—a program of

the Office of Manned Space Flight—and other items not included under NASA's Office of Advanced Research and Technology. In other words, without realizing it, the subcommittee was approving funds for programs it had not examined and which were not within its jurisdiction.

The subcommittee acted to reduce the total $195 million in AO funds for which it was responsible by $1.5 million in line with its wish to limit new personnel at the Electronic Research Center in Cambridge. But the subcommittee could not know what AO funds might be coming to this program—or to the other programs it examined—from the budgets of other program offices—acted upon by other subcommittees. Even with the belated breakdown—the true costs for the programs approved could not be known.

An informative budget presentation need not be overlengthy or overdetailed. At the very least the committee ought to be able to expect an explicit presentation of total program costs which include subtotals of relevant construction funds, relevant AO funds, relevant tracking funds, and so forth.

This would enable the committee to make more rational judgments about the relative costs and benefits of programs it is asked to authorize instead of relying on the more intuitive procedures which now guide it. Second, it would enable the committee to see more clearly where sensible reductions may be made in NASA's budget without harm to legitimate funding requirements in valuable programs. Third, it would help the committee to support and strengthen programs which it considers attractive by more direct influence on NASA's budget.

Mr. WAGGONNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will not use the 5 minutes because I think it suffices to say that the information that the gentleman seeks by this proposed amendment is already available simply for the asking, from NASA.

Mr. Chairman, I oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The amendment was rejected.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to explain my motion to recommit.

It provides for an inspector general of programs and operations which is similar to the inspector general in many other Government departments.

For many years I have strongly recommended that an Office of Inspector General, with necessary staff and facilities, be established in the National Aeronautics and Space Administration. I again want to emphasize the critical importance of such an organization to the efficiency and safety of NASA operations and programs.

The current NASA program contains a myriad of complex scientific and technical projects designed to meet a wide variety of objectives of importance to the Nation. The current NASA request contains 19 separate and distinct research and development programs, of which the multibillion-dollar Apollo lunar landing program is only one.

It is inconceivable that many serious management problems will not arise as a result of the various programs and objectives. These involve not only an annual Federal expenditure of over $4 billion but also the future of the national space program. It is necessary that the Administrator of NASA be provided with the capability of obtaining independent evaluations and examinations of management actions by personnel other than those involved in the formulating or implementing management policies. To maintain their complete objectivity and for greater effectiveness, such personnel should not be taken from the ranks of current NASA or aerospace contractor personnel. Their orientation should be independent.

It is significant to note that numerous other agencies of the Federal Government have recognized the importance of utilizing the functions of inspector general offices to effectuate internal and periodic examinations, evaluations, and corrective measures. These offices have been singularly effective. These agencies are the Department of Agriculture, the Atomic Energy Commission, the Central Intelligence Agency, the Departments of the Army, Navy, and Air Force, the Department of Housing and Urban Development, the Department of State, the Veterans' Administration, the Department of Labor, and the Department of Commerce.

An adequate inspector general organization might have been able to uncover the inadequate safeguards which led to the Apollo 204 disaster. It is significant that the Apollo 204 Review Board included a representative of the U.S. Air Force inspector general. If such participation was considered desirable on an after-the-fact basis, why was not such participation equally desirable in the period before the accident? Similarly, if the Air Force inspector general proved of use during the Apollo accident investigation, would not a NASA inspector general office have fulfilled the same purpose? If the inspector general concept is not worthwhile, as may be implied from the continued NASA resistance to my proposal, should all such offices in other Government agencies be abolished and the money now spent used for other purposes?

It is of urgent and vital importance that NASA establish and maintain an inspector general to insure that the space program and objectives of this Nation are carried out and met with both economy and efficiency.

With regard to NASA, there is a great question as to whether there was negligence at the time of the Apollo II fire when we lost Virgil Grissom, Edward White, and Roger Chaffee—three fine astronauts.

Would an inspector general have been able to check and find out the cause of that fire? There is some chance that he would have.

Second, NASA, just within the last 90 days or so, appointed the first safety director.

The problem is that astronauts could only complain to somebody who is either a program director, a contractor, or somebody who must meet a deadline.

If I recall correctly, one astronaut hung a lemon on one of the capsules—which was a public way of saying he did not like the capsule. How could he otherwise object without holding back the program?

There should be an inspector general who is responsible to the Administrator and the Deputy Administrator of NASA and who reports directly to them, not through the agency to a lower level nor to research center administrators or the directors.

Then, an astronaut can appeal to the inspector general who would have the power to shut down a program. It could then be reopened with the approval of the Administrator of NASA or the Deputy Administrator, as the case may be. I urge approval of the motion.

Mr. TEAGUE of Texas. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. TEAGUE of Texas. Mr. Chairman, I would like to speak for about a minute on the gentleman's recommittal motion. All it would [redacted] be to add further administrative costs to NASA. I would like to read to you what inspectors NASA has now. They have the NASA Safety Inspector, who is responsible for conducting an agency-wide safety program to protect the lives, property and facilities of NASA and its contractors. This lemon the gentleman from Pennsylvania is speaking about was not hanging on a capsule. This lemon was hanging on a training device. Every astronaut has a staff of his own safety people to tell him whether it is safe to get into one of those capsules or not.

NASA also has an Audit Division. They have an Inspection Division, a Personnel Division, a Security Division, and a Reliability and Quality Assurance Division.

Mr. Chairman, I submit NASA does not need a further piling on of administrative cost. I urge that the motion be defeated.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 15856) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, pursuant to House Resolution 1114, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FULTON of Pennsylvania. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FULTON of Pennsylvania. I am in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FULTON of Pennsylvania moves to recommit the bill H.R. 15856 to the Committee on Science and Astronautics with instructions to that committee to report the bill back to the House with the following amendment: On page 8, insert a new section 6 as follows:

"INSPECTOR GENERAL OF PROGRAMS AND OPERATIONS

"SEC. 6. (a) In order to promote safety and efficient operations, there shall be established the statutory office, the Inspector General of Programs and Operations of the National Aeronautics and Space Administration, who shall be appointed by the Administrator, and shall be responsible directly to the Administrator and Deputy Administrator.

"(b) The Inspector General shall conduct continuing study, review, and evaluation of operations and programs, with special reference to contractual relations with industry.

"(c) The Inspector General shall have authority to suspend all or any part of any project, operation, or program. Any such suspension shall remain effective until rescinded by the Inspector General or by the Administrator or Deputy Administrator.

"(d) The Inspector General shall use to the fullest practicable extent the auditing, investigation, and inspection facilities of the various departments and agencies of the Federal Government, including those of the General Accounting Office and of the inspector generals of the Armed Forces."

Renumber later sections as required.

Mr. MILLER of California. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 262, nays 106, answered "present" 1, not voting 64, as follows:

[Roll No. 113]

YEAS—262

Abbitt	Bevill	Burton, Calif.
Abernethy	Biester	Bush
Adams	Blackburn	Byrne, Pa.
Addabbo	Blanton	Byrnes, Wis.
Albert	Blatnik	Cabell
Anderson, Ill.	Boggs	Cahill
Anderson, Tenn.	Boland	Casey
	Bolling	Cederberg
Andrews, N. Dak.	Bow	Clark
	Brinkley	Clausen, Don H.
Annunzio	Brock	
Arends	Brooks	Clawson, Del
Ayres	Broomfield	Cleveland
Barrett	Brotzman	Cohelan
Bates	Broyhill, N.C.	Conable
Battin	Broyhill, Va.	Conte
Belcher	Buchanan	Corbett
Bell	Burke, Fla.	Cramer
Bennett	Burke, Mass.	Culver
Berry	Burleson	Daddario
Daniels	Kirwan	Roberts
Davis, Ga.	Kleppe	Robison
de la Garza	Kluczynski	Rogers, Colo.
Delaney	Kornegay	Rogers, Fla.
Denney	Kuykendall	Ronan
Dickinson	Laird	Rooney, N.Y.
Dingell	Leggett	Rooney, Pa.
Dole	Lipscomb	Rostenkowski
Donohue	Lloyd	Roudebush
Dow	Lukens	Roush
Downing	McClory	Rumsfeld
Dulski	McCloskey	Ruppe
Eckhardt	McClure	Ryan
Edmondson	McCulloch	St Germain
Edwards, Ala.	McDade	St. Onge
Edwards, La.	McFall	Satterfield
Eilberg	MacGregor	Schadeberg
Esch	Machen	Schweiker
Eshleman	Madden	Scott
Fallon	Mahon	Shipley
Fascell	Mailliard	Sisk
Fisher	Marsh	Smith, Calif.
Flood	Mathias, Md.	Smith, Iowa
Ford, Gerald R.	Matsunaga	Smith, N.Y.
Fountain	May	Smith, Okla.
Frelinghuysen	Meeds	Springer
Fuqua	Meskill	Stafford
Gallagher	Miller, Calif.	Staggers
Garmatz	Minshall	Stanton
Gettys	Mize	Steed
Giaimo	Monagan	Stephens
Gonzalez	Moorhead	Stratton
Goodell	Morgan	Stuckey
Goodling	Morris, N. Mex.	Sullivan
Gray	Morse, Mass.	Talcott
Green, Pa.	Mosher	Taylor
Griffin	Moss	Teague, Calif.
Griffiths	Murphy, Ill.	Teague, Tex.
Grover	Murphy, N.Y.	Thompson, Ga.
Gubser	O'Hara, Ill.	Thomson, Wis.
Gude	O'Hara, Mich.	Tiernan
Gurney	Olsen	Tuck
Haley	Passman	Tunney
Halleck	Patman	Udall
Hamilton	Patten	Van Deerlin
Hanley	Pelly	Vander Jagt
Hanna	Pepper	Vigorito
Hansen, Idaho	Perkins	Waggonner
Hansen, Wash.	Pettis	Waldie
Hardy	Philbin	Wampler
Harrison	Pickle	Watson
Harvey	Pike	Whalley
Hathaway	Pirnie	White
Hébert	Poage	Whitten
Hechler, W. Va.	Pollock	Widnall
Heckler, Mass.	Pool	Wiggins
Holifield	Price, Ill.	Williams, Pa.
Hosmer	Price, Tex.	Wilson, Bob
Hunt	Pucinski	Wilson, Charles H.
Irwin	Purcell	
Jarman	Quie	Winn
Johnson, Calif.	Rarick	Wolff
Johnson, Pa.	Rees	Wydler
Jonas	Reid, N.Y.	Wylie
Jones, Ala.	Reifel	Wyman
Karth	Reinecke	Zablocki
Kazen	Reuss	Zion
Keith	Rhodes, Ariz.	Zwach
Kelly	Rivers	

NAYS—106

Ashbrook	Hammer-schmidt	Minish
Ashley		Mink
Betts	Harsha	Morton
Bingham	Hawkins	Myers
Brademas	Helstoski	Natcher
Brasco	Henderson	Nedzi
Brown, Mich.	Hicks	Nix
Button	Horton	O'Konski
Carey	Howard	O'Neal, Ga.
Carter	Hull	Ottinger
Clancy	Hutchinson	Podell
Collier	Ichord	Poff
Conyers	Joelson	Quillen
Curtis	Jones, Mo.	Railsback
Davis, Wis.	Kastenmeier	Randall
Dellenback	Kee	Reid, Ill.
Derwinski	King, N.Y.	Rhodes, Pa.
Devine	Kyl	Riegle
Diggs	Kyros	Rodino
Duncan	Langen	Rosenthal
Dwyer	Latta	Roth
Evans, Colo.	Lennon	Roybal
Farbstein	Long, Md.	Saylor
Findley	McCarthy	Scherle
Foley	McDonald, Mich.	Scheuer
Ford, William D.		Schneebeli
	McEwen	Skubitz
Fraser	Macdonald, Mass.	Slack
Fulton, Tenn.		Snyder
Gathings	Mayne	Steiger, Ariz.
Green, Oreg.	Michel	Steiger, Wis.
Gross	Miller, Ohio	Stubblefield
Hall	Mills	Taft
Tenzer	Watkins	Wyatt
Thompson, N.J.	Watts	Yates
Ullman	Whalen	
Utt	Whitener	

ANSWERED "PRESENT"—1

Fulton, Pa.

NOT VOTING—64

Adair	Everett	Long, La.
Andrews, Ala.	Evins, Tenn.	McMillan
Ashmore	Feighan	Martin
Aspinall	Fino	Mathias, Calif.
Baring	Flynt	Montgomery
Bolton	Friedel	Moore
Bray	Galifianakis	Nelsen
Brown, Calif.	Gardner	Nichols
Brown, Ohio	Gibbons	O'Neill, Mass.
Burton, Utah	Gilbert	Pryor
Celler	Hagan	Resnick
Chamberlain	Halpern	Schwengel
Colmer	Hays	Selden
Corman	Herlong	Shriver
Cowger	Holland	Sikes
Cunningham	Hungate	Vanik
Dawson	Jacobs	Walker
Dent	Jones, N.C.	Willis
Dorn	Karsten	Wright
Dowdy	King, Calif.	Young
Edwards, Calif.	Kupferman	
Erlenborn	Landrum	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. O'Neill of Massachusetts for, with Mr. Jones of North Carolina against.

Mr. Feighan for, with Mr. Hungate against.

[redacted]

Until further notice:

Mr. Evins of Tennessee with Mr. Adair.
Mr. Montgomery with Mr. Gardner.
Mr. King of California with Mrs. Bolton.
Mr. Karsten with Mr. Cunningham.
Mr. Sikes with Mr. Halpern.
Mr. Celler with Mr. Fino.
Mr. Andrews of Alabama with Mr. Cowger.
Mr. Baring with Mr. Moore.
Mr. Nichols with Mr. Schwengel.
Mr. Pryor with Mr. Burton of Utah.
Mr. Hays with Mr. Martin.
Mr. Hagan with Mr. Bray.
Mr. Gilbert with Mr. Nelsen.
Mr. Resnick with Mr. Brown of Ohio.
Mr. Galifianakis with Mr. Chamberlain.
Mr. Dent with Mr. Erlenborn.
Mr. Colmer with Mr. Shriver.
Mr. Ashmore with Mr. Kupferman.
Mr. Aspinall with Mr. Mathias of California.
Mr. Selden with Mr. Friedel.
Mr. Gibbons with Mr. Herlong.
Mr. Holland with Mr. Dawson.
Mr. Brown of California with Mr. McMillan.
Mr. Landrum with Mr. Vanik.
Mr. Walker with Mr. Willis.
Mr. Wright with Mr. Jacobs.
Mr. Corman with Mr. Dorn.
Mr. Everett with Mr. Edwards of California.
Mr. Long of Louisiana with Mr. Young.
Mr. Dowdy with Mr. Flynt.

Mr. NIX changed his vote from "yea" to "nay."

Mr. NATCHER changed his vote from "yea" to "nay."

Mr. BROWN of Michigan changed his vote from "yea" to 'nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to extend their remarks and to include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, MAY 3, TO FILE PRIVILEGED REPORT ON INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1969

Mr. SHIPLEY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tomorrow, May 3, 1968, to file a privileged report on the Independent Offices and Department of Housing and Urban Development appropriation bill for 1969.

Mr. JONAS reserved all points of order.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ARMS CONTROL AND DISARMAMENT ACT AMENDMENTS—CONFERENCE REPORT

Mr. MORGAN submitted a conference report and statement on the bill (H.R. 14940) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations.

LEGISLATIVE PROGRAM FOR WEEK BEGINNING MAY 6

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time in order to ask the distinguished majority leader to advise us of the program for the rest of this week and the schedule for next.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we are going to put over the other bill we had programed for this week until next week.

The program for next week is as follows:

Monday is Consent Calendar Day, and we have eight suspensions as follows:

First. H.R. 9391, relating to participation in the judicial survivors annuity system;

Second. H.R. 15421, interstate agreement on Detainers Act;

Third. H.R. 13016, to provide cost-of-living allowances for judicial employees stationed outside continental United States;

Fourth. H.R. 15822, to establish the Robert S. Kerr Arboretum and Nature Center in Oklahoma;

Fifth. H.R. 15345, to provide security measures for banks and other financial institutions;

Sixth. H.R. 16819, Vocational Rehabilitation Act Amendments of 1968;

Seventh. H.R. 15863, to change the name of the Army Medical Service; and

Eighth. H.R. 10897, increasing per diem allowance for members of uniformed services.

On Tuesday, we have Private Calendar day and three bills:

House Joint Resolution 1224, to authorize the President to reappoint the Chairman of the Joint Chiefs of Staff, which will be called up under a unanimous-consent request by the chairman of the Committee on Armed Services;

House Joint Resolution 958, authorizing a study of the motor vehicle accident compensation system, under an open rule with 1 hour of debate; and

House Joint Resolution 15951, uniform annual observance of certain legal holidays on Mondays, under an open rule with 2 hours of debate.

On Wednesday, we will have the Independent Offices and Department of Housing and Urban Development Appropriations Act, for fiscal year 1969.

On Thursday and the balance of the week, we will have:

H.R. 16729, Higher Education Act amendments, under an open rule with 1 hour of debate;

H.R. 16911, Special Drawing Rights Act, subject to a rule being granted; and

House Resolution 1093, investigation of operations of U.S. military credit unions.

This announcement is made subject to the usual reservations that conference reports may be brought up at any time and that any further program may be announced later.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, I take this time to notify the Members that on House Resolution 1093, investigation of operations of U.S. military credit unions, which is a travel resolution for the Committee on Banking and Currency, I intend to oppose that measure on the floor, so for those Members who are interested or will be taking this trip, I will be happy to yield an equal amount of time when this is presented. I intend to ask for a rollcall vote on this measure, House Resolution 1093.

ADJOURNMENT TO MONDAY, MAY 6

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON MAY 8

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with on Wednesday, May 8, 1968.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ENJOINING ADVERSE AND UNTRUE PUBLICITY FROM BEING DISTRIBUTED BY NEWS MEDIA

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, in recent years more and more it has been apparent that we needed to do something in the Congress to make it possible for an individual or for a community to go into court and enjoin certain adverse framed publicity from being distributed by the news media and that severe penalties be provided for the willful issuance of false and injurious statements or pictures.

Mr. Speaker, I have been in practically every area of our Nation and in the poorer sections of many of our older cities, in connection [redacted] school lunch and food stamp programs, which are financed by my Subcommittee on Appropriations. I know my State compares most favorably with any section you can name. Yet for a number of years now my State has been the victim of vicious attacks by certain columnists, newsmen, television, and radio programs.

Mr. Speaker, recognizing that the unwarranted, erroneous, downright falsehoods were doing serious injury to many communities, many counties, and to my State as a whole, I have repeatedly called on the Congress to provide means of relief from such vicious attacks.

Today I take the floor to point out once again the need for action by the Congress to provide a means whereby a community, county, or State may protect itself.

I herewith read to you a letter I received this morning from a fine citizen of Marks in Quitman County, Miss., in my congressional district, which is self-explanatory. The writer is a man of unquestioned integrity whom I have known for many years. I quote:

MARKS, MISS.,
April 30, 1968.

DEAR JAMIE: I guess that you have read in the papers about the planned march from Memphis to Marks to pick up 35 wagons and mules and go on to Washington. The news services have picked it up as usual and were in Marks last week making a newsreel to use on television, which CBS had on their news report yesterday, Monday, April 29th and today on the early morning news. They went to a low, undrained place near the City limits where there are a number of Negro homes (owned by the Negroes) and took pictures saying that this was typical of all of Marks and in particular the Negro section. There was no water or sewerage they said, which of course was untrue except that not all of the Negroes are on the water service, by choice and because the lands are so low in others that they can not have sewerage, but it is all out side of Marks.

They then proceed to either bring along their own clothing or borrowed old torn clothing from some of the Negroes and dressed them up in it and stated that this is the way the Negroes in Marks looked. In other words they had the Negroes dress like they thought they should look and then took the pictures.

They also keep printing about how poor and starving the Negroes are around here, when they own 90% or more of their homes, a large percent of the farm lands, which they are farming, several businesses, two burial associations and other businesses. The Industries works mostly Negroes and can not get enough to work because they do not want to work. We have three factories which will work Negroes and recently opened another for the handicapped people and all have a high percentage of Negroes working. We have several commercial buildings being built, a contractor is beginning work on street and water construction and other works such as these being done in Marks who can not get the Negroes to work. Some of the Negroes will work but a good many will not as they receive pay from the Welfare and also a large number from the Negro organizations work and are paid by SCLC (Snic), NAACP and others to keep things stirred up. They wrote up about a Negro baby not having any milk and yet they are giving a way food stamps to all those who are needy. They had the Negroes move their automobiles back away from their homes and did not take the pictures showing the TV aerials, even in the section they said they were starving.

Of course they did not take a picture of the new $50,000.00 furnished community center recently constructed in the Negro section of the city, nor did it show the many brick and other homes owned by the Negroes. It said nothing about the number of jobs opened and how they were trying to get Negro workers. They did have the paid agitators, children and others get in a church and tell what they wanted to hear and put on the film. In other words they filmed the pictures and reel like one would make a movie and put it on a nation wide tv broadcasting system the Columbia Broadcasting System and tell the people that this was what Marks was like and how the Negroes all looked and acted.

We are getting outsiders here now, who tell the Negroes if they dont do something they will burn their houses down and if they will march on Washington the government is going to give them a House and money to live on the rest of their lives and a lot more like this. They are fooling some of the ones who have lived on farms all their lives and had to leave because of the wage and hour law that Congress passed, they tell these not to work and the welfare will take care of them. They have not been able to find mules or a wagon as yet around here to go to Washington as they have been saying in the news, but they might bring a wagon and mules with them. They have been trying for about a week or more to get the Negroes stirred up, but as yet they have had no success, as most of the Negroes have their own homes, work and tend to their businesses.

I thought that I would write you about the facts since they have put what amounts to lies on the broadcasting and television stations across the country. That if you have the chance that you might have some of the facts at hand to let some of the people know that they have not in any way told the true story about the people or the City. They are suppose to leave Memphis Thursday and get here some time this week and with numbers greater than the population of Marks, we hope that it does not happen, but for some reason they have tried to make Marks a symbol of poverty, which it is not. I believe the people will appreciate it, both white and colored, if the truth is told about the situation. Forgive my typing, as I did it in a hurry without my stenographer to get it in the mail to you. We trust that Congress will not again give them all that they want or ask as the people I believe are a little tired of this continuous marching and riots.

With kindest personal regards,

———— ————.

In July 1966, I introduced House Joint Resolution 1237, to establish a Commission To Investigate the Increase in Law Violation, to Determine the Causes and Fix Responsibility for the Breakdown in Law Enforcement, with the Resulting Destruction of Life and Property, to Recommend Corrective Legislation, and for Other Purposes. This measure I reintroduced as House Joint Resolution 145 on January 16, 1967. This resolution is now pending; and copy is included herewith:

H.J. RES. 145

Whereas organized society and government itself is predicated upon individual restraint for the common good, and their continuance upon requiring the individual to forgo certain personal desires and inclinations for the well-being of the general public,

Whereas the Constitution of the United States and those of the various States, implemented by statute, have set out rules for the protection of the public welfare,

Whereas, notwithstanding such rules, more and more of the protection of the public and of government itself has been held secondary to the protection of admitted criminals from delayed arraignment, from the consequences of confessions and from responsibility for knowledge of right and wrong,

Whereas known criminals have been released on minor technicalities, established by the courts, to continue their robbery, rape, and the commission of other serious crimes,

Whereas such course has been followed almost to the point of granting license to many individuals to do as they please with resulting injury to the public,

Whereas such a course of action has led to a total disregard on the part of many young and older people for law and order, leading to numerous riots, resulting in loss of property and human life, and endangering the lives of police officers, all to the injury of the general public, and

Whereas if not stopped this situation will lead to the destruction of our Government itself, it is therefore imperative that Congress take immediate action to correct this condition, and in order to meet this problem provide for a bipartisan commission to make general investigation, and among other things—

(1) determine and specify the causes of this breakdown in law enforcement, with its disastrous results;

(2) recommend appropriate legislation for correction of such causes, making the general welfare of the public paramount; and

(3) initiate other appropriate action, where it is determined that individuals or courts have set aside general rules for the protection of orderly society to the point of destroying or aiding in the destruction of constitutional guarantees of the safety of the general public from criminals, and criminal acts, essential to maintaining an orderly and law-abiding society: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the Commission To Investigate the Increase in Law Violations and To Fix Responsibility for the Breakdown in Law Enforcement, With Resulting Increase in Loss of Life and Property (hereafter in this Act referred to as the "Commission").

Mr. Speaker, as we study the whole problem, I believe we will become convinced we must do something more if we are to save a country.

As was pointed out in an editorial appearing in the Evening Star of Tuesday, August 23, 1966, under the heading, "A Much Abused Freedom," from which I quote:

> The Supreme Court has been very reluctant, and rightly so, to sanction curbs on freedom of speech. The thought is that it is better to let anyone say what he wants to say and trust to the good sense of the American people to recognize a crackpot when they hear one.

We, of course, having been trained in the law and working in government, recognize the validity of that reasoning. However, saying the word "nonviolence" or presenting a picture in a manner and in concert with actions on the part of the speaker of his associates, the logical and easy-to-anticipate results of which are to incite violence, or to announce on television that a march is to be made regardless, as was done recently, is a far cry from what the framers of the Constitution had in mind and merits serious study by the Congress and perhaps legislation.

Mr. Speaker, we all recognize that modern television and the effects of its programs are far [redacted] from that of the printed word or even radio. We need to prevent persons or programs from inciting people to riot and to destroy whole communities or even States.

To take appropriate action in this area, while protecting essential freedom of speech or of the press which is so well recognized as essential to a free society will be difficult. Yet, under the guise of freedom of the press, more and more it appears likely that certain programs, producers, and broadcasting companies at least border on taking "license" to present partisan and prejudiced programs—held out as objective reporting—without public disclosure of sources of financing or of interest, the result of which is to endanger and in many cases do injury to persons, to property, to States, counties, and communities.

The line between objective news reporting and motion picture type of "framing of the picture" for showing has become so fine that with television the public is frequently unable to tell the difference.

The effect of television broadcasting, where it is possible its actors may be players, or its players actors, where its pictures may be staged or even framed, hardly lends itself to "trusting the American people to recognize a crackpot when they hear one," as was described in the editorial. We must not let freedom be made into "license" and judging by some with such a powerful communications media. With television broacasting, from my own observation, we need to provide a legal remedy so that any individual or any group which suffers or is threatened with economic loss or is threatened with economic destruction may have the right to go into the Federal courts for injunctive relief. After all, television programs, for all practical purposes, can and do come into our homes, virtually unin-

vited and largely uncensored, the ill effects of which need to be documented. It is said that television broadcasting makes it possible to elect a nonexistent, or fictional character to the highest office in the land. Such would appear to be not too farfetched; however, it is evident that more and more television broadcasting, with its means of making situations appear "what they are not," is the most vital force in practically all contested elections.

Studies must be made and recommendations for legislation submitted, so that television programs of events in one area may not be broadcast to incite riots in another.

All of this must be if we are to attach responsibility to the constitutional right of free speech, particularly with regard to this relatively new method of communication.

Because of this need, Mr. Speaker, I have prepared a joint resolution calling for the creation of a commission to study this whole field and to recommend legislation whereby a State, a county, or municipality, or the Federal Government will have the right to injunctive relief, in proper cases, against individuals or corporations, where actions or programs may well lead to riots, or where damage is done to the local economy by biased, prejudicial, or other actions or programs, and to require proper labeling of pictures, portrayals as authentic or staged.

I hope my resolution may have the support of all Members.

Mr. Speaker, on Tuesday, April 9, this year, I addressed myself to the destruction of this country by such acts as are being committed at Marks, Miss., under the title, "Inflammatory Speeches, the Supreme Courts, and Riots," copy of which I include under leave to revise and extend my remarks:

INFLAMMATORY SPEECHES, THE SUPREME COURT, AND RIOTS

Mr. WHITTEN. Mr. Speaker, the shooting of a human being with malice aforethought is murder in the first degree. The killing of Dr. King in Memphis by a sniper is murder of the worst kind and is deeply regretted by all right-thinking people of all races. I know it is a source of sorrow to the people of that city.

Certainly I hope, as all Members do, that the person guilty of such act is captured, convicted, and properly sentenced.

However, Mr. Speaker, the taking of a human life can never be a just cause for the destructive forces we have seen sweep the country. It is simply the excuse. Who would have believed that this Nation would come to such a place that large sections of our cities would be destroyed by thieves and looters, business houses burned, homes destroyed, lives taken all across the land. Who would have thought that American soldiers of all races would be sent into an area where there were hoodlums and outlaws and snipers, almost without number, to attempt to prevent not only theft and arson but murder without ammunition in their guns and, to cap the climax, have a special representative of the executive department go on television to advise these snipers that they were dealing with troops with no loads in their rifles and with leather covers on their bayonets?

Mr. Speaker, this type of thing has gone on far too long for us not to try to seek out the causes and attempt to correct them.

Having been a district attorney in an area where the races were perhaps evenly balanced, I can say to the Members that I discharged my responsibility without fear or favor, and I believe earned the respect and friendship of all our people.

Mr. Speaker, as we try to determine how this terrible situation came about we cannot overlook the leaders in the executive department, and elsewhere who have made speeches agreeing that they did not blame people for taking the law into their hands when they believed they were not being treated right and where they felt they did not enjoy what to them seemed to be a fair share of the Nation's wealth.

We cannot avoid looking at the Supreme Court of the United States and its decisions. Those national figures whose intemperate and inflammatory speeches have done more than anything else to create the atmosphere which has led to murder and death many times over led by or at least supported by the Supreme Court, which by coddling law violators, have led them on.

I have read many articles and many explanations, have read many reports and heard many speeches in all of which it seemed to me the authors and the spokesmen were trying their best to point the finger of blame some place other than where the cause lies; and that cause lies with these public officials and others and the Supreme Court which, in turn, has subordinated the rights of the public, of the community to privileges which it granted to the individual.

The Supreme Court, which is mentioned last in the Constitution, without a dollar to pay itself or an individual to enforce its decrees, in recent years has put court-created privileges of the law violator ahead of rights of the community in at least 35 different instances.

It is sad, Mr. Speaker, to think of those who have suffered most from this crowd which has been burning and destroying property, looting and doing injury to law-abiding citizens of all races. Homes have been destroyed, business houses burned. Many people could not buy milk and food and are now left homeless and jobless.

Most Americans are good citizens, but this Supreme Court has repeatedly acted to release—on technicalities—agitators, rapists, murderers, and revolutionists upon innocent members of the general public. Society itself cannot long last unless the Supreme Court changes its views.

How can the members of the Court and those in the executive department who have condoned if not encouraged these actions, who have created an atmosphere of hate where none existed before which has led to this tragic era, avoid their responsibility for it and for the near anarchy which seems to face us?

We must stop the Supreme Court from its actions of setting itself up as a "supreme department," and hold those making inflammatory speeches accountable for their actions. A country may be saved and once again the individual who destroys, who robs, who kills, will be held accountable for violating the rules of society—the laws so necessary for the general welfare. Once again the rights of society will prevail and the Supreme Court will again be forced back to its constitutional power, that of a court as the Founding Fathers intended it, and not a five-man dictatorship as the Congress and the President have let it become.

To this end I have introduced House Resolution 904, providing for a standing Committee on the Constitution. If we can get hearings on that resolution, all we need do to indict the actions of the Court before the people of this Nation is to read the dissenting opinions of individual judges of the Supreme Court as to their colleagues.

I hope that you and other Members of the Congress, and other interested citizens will do what you can to urge the support of a Standing Committee in the House of Representatives on the Constitution. As I have said many times such a committee may help us to again become a nation where the rights of the general public are paramount; a nation where the person who works and saves to accumulate property will be protected in the enjoyment of the fruits of his labor; a nation whose Constitution once again guarantees to our people freedom of religion—not freedom from religion—as it was intended by our forefathers.

Mr. Speaker, we need action now.

TRIBUTE TO THE HONORABLE MICHAEL J. KIRWAN

Mr. CLARK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLARK. Mr. Speaker, I would like to take this opportunity to say a few words about MICHAEL J. KIRWAN, one of the most beloved Members of Congress that I have ever known. Congressman MICHAEL J. KIRWAN, of the 19th District of Ohio, perhaps more than any other Member of [redacted] is an outstanding example of the American success story. He is the shining example for every American of what can be done when drive and perseverance are pursued by the individual.

MIKE KIRWAN was born in my home State of Pennsylvania in the little town of Plains, in the coal region of the eastern part of the State. As a young man, MIKE KIRWAN traveled this country working his way from coast to coast and border to border. He has worked with people in all regions of the country, and at all stages of life. If there is a person who better understands his fellow man I have not met him.

MIKE settled in Youngstown, Ohio, and there raised a family while working as a railroader. MIKE served as a member of the City Council of Youngstown for two terms before being elected to Congress in 1936. MIKE has the distinction of being the first Democrat ever elected to Congress from the 19th District of Ohio. Since 1936, MIKE KIRWAN has become a legend in the field of conservation and reclamation in the House of Representatives.

For many years he was chairman of the Subcommittee for Interior Appropriations and handled the budget for reclamation, natural resources, forests, national parks, minerals, Indian affairs, fish and wildlife. For the last 4 years he has served as chairman of the Public Works Subcommittee which handles an even larger budget in preservation and development of our natural resources.

The district I represent is adjacent to the 19th District of Ohio. It has been my privilege to work with MIKE KIRWAN on many projects. It has been my privilege to be in disagreement with MIKE KIRWAN on rare occasions, but any disagreement with this great leader has always been objective and on the issues involved. I have never known MIKE to say or do an

unkind act at any time to anybody in disagreement with him.

In addition to his many legislative duties, the Democratic leadership in the House and his colleagues have continually elected him to head their congressional campaign committee. MIKE has been helpful to me in every campaign since I was elected to serve the 25th Congressional District of Pennsylvania in 1954. He has been equally helpful to Democratic candidates running for Congress throughout the country.

MIKE will be running for renomination for his 17th term in Congress and while he does have some opposition, the Nation, the country, and his district can ill afford to do without the services of this great leader.

MIKE, I, and I am sure I am speaking for the vast majority of Democrats everywhere, wish you the biggest majority of your career next Tuesday, May 7.

PREVENTION OF USE OF FEDERAL GOVERNMENT PROPERTY IN THE DISTRICT OF COLUMBIA FOR SIT-INS, CAMPOUTS, AND SO FORTH

Mr. GURNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Speaker, the gentleman from Florida, Congressman CRAMER, and I are introducing today a bill which will prevent the use by organized demonstrators of Federal Government property in the District of Columbia for sit-ins, campouts, or similar conduct.

The bill also provides that in connection with permits for organized demonstrations that a reasonable bond must be posted for damage done to Government property.

The proposed march on Washington by Abernathy's army is a clear sign of our times.

If authorities do not come across with all demands, however unreasonable, the order of the day is marching, sit-ins, and in this case, campouts.

Today, the direction of this Nation is government by minority pressure groups. If this trend continues, then tomorrow we may well have government by mob rule. We will indeed reach a state of permanent anarchy, as we are even now attaining a state of temporary anarchy in our great cities with ever-greater frequency.

The prospective spectacle of the park and public areas in our Nation's Capital being commandeered by organized rabble is appalling.

These park and public areas are for use by all the people of our Nation. They were never intended to be usurped by a few, whose purpose is to use them to pressure the administration and the Congress to meet their demands.

Moreover, the very presence of this latter-day Cox's army camped out in parks areas is an open invitation to further riots and bloodshed here in the Nation's Capital.

It seems to us that we have had more than our share this year.

If the administration permits this campout, then the next step will be sit-ins and takeovers of our Government offices. In fact, we had this attempt last year in the march on the Pentagon. Only Federal troops prevented serious disruption of our defense effort.

We are inviting the state of affairs in the Nation's Capital similar to what happened at Columbia University recently when students seized the president's office.

Last year's march on the Pentagon is proof positive that the bond provision in this bill is badly needed. The direct cost to Uncle Sam of cleaning up the destruction and mess of the marchers, the heavy dollar outlay for the police overtime, transportation and care of Federal troops brought in to protect the Pentagon has been estimated at over a million dollars.

We are also sending a copy of the bill under letter to Secretary of the Interior Udall urging him to carry out the intent of the bill.

ARMY OF VIETNAM REPUBLIC APPROACHING CAPABILITY TO ASSUME ALMOST ANY COMBAT ROLE

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, yesterday, the gentleman from California [Mr. WALDIE] and I participated in a special order which described in detail the results of our visit to Vietnam of the period April 19 to 24.

In order to add to what we stated yesterday, and in light of the activities in the Ashau Valley in Vietnam as well as the conduct of military operations throughout the country of South Vietnam, I would like to emphasize that the Republic of Vietnam's Army is approaching the point today where they are becoming completely capable of assuming almost any combat role. They have not been defeated in a major engagement in the last year in Vietnam.

The Tet offensive particularly points out that with the one exception of the city of Hue that the Vietcong and the North Vietnamese were driven out of the cities and towns of South Vietnam within a 3-day period. This shows a lack of sustaining combat ability on the part of the North Vietnamese and Vietcong, but it also shows a capacity for organization and leadership and the application of military principles on the part of the South Vietnamese Army.

I think the point that is made here, and I cannot emphasize this too strongly, is that we will see in the near future an asumption of the major combat role by the Army of South Vietnam; as I said yesterday this army will reach a total of 800,000 to 900,000 men in the near future.

I think that the withdrawal of American troops and a scaling down of the American military presence in Vietnam is definitely within the foreseeable future, and the logical assumption of the combat and occupation and pacification role in the country of Vietnam will be done by the Vietnamese Army, and we will see the deescalation by the United States and a withdrawal of major United States forces in the not too distant future.

PERSONAL ANNOUNCEMENT

Mr. BROWN of Ohio. Mr. Speaker, I should like to announce that I just missed the vote on the NASA authorization bill because I was on official business this afternoon at the State Department. My office phoned me there when the vote was called, as we had arranged. Though I left at once, I became tied up in the afternoon rush hour traffic. In spite of making every effort to make it to the Capitol in time to vote, I did not make it in time to qualify.

Had I been present, I would have voted "nay."

POLISH CONSTITUTION DAY

The SPEAKER. Under a previous order of the House, the gentleman from Illinois [Mr. PUCI[redacted]cognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, tomorrow, May 3, 1968, marks the anniversary of the Polish Constitution, which originated in 1791, and stands today as a symbol of the inspiring endeavor of men to attain autonomy signaled by the consent of the governed.

Polish Constitution Day is appropriately observed in American cities throughout our Nation by citizens of Polish descent, and this holiday carries with it the same burning desire for freedom for Poland which was sought so desperately by Poland in 1791.

Though short lived, Poland's independent state carried with it a determination to be counted as a people appalled by the tyrannical features of the old system. Class distinctions were virtually eliminated. People were free to worship as their conscience directed. The electorate was enlarged, and many of the economic barriers between the nobility and the merchants were removed.

Despite the overwhelming acceptance of their Constitution and plea for independence, the people of Poland were overcome soon after the enactment of their Constitution by their tyrannical neighbors and became easy prey to the forces against which her people so desperately fought.

Although the present rulers of Poland have abolished recognition of May 3 as a holiday, this day continues to hold unequivocal meaning in the hearts of Polish Americans in America and free countries of the world where such recognition is not suppressed.

For May 3 continues to symbolize the struggle for freedom which has characterized the spirit of the Polish people for more than 1,000 years.

May 3 is not only a Polish holiday. It is a day of reaffirmation for all freedom loving people who rededicate their belief in the dignity of man.

Mr. Speaker, it gives me great pleasure to include in my remarks at this point, related background material prepared by the Polish American Congress on the anniversary of Polish Constitution Day:

POLISH AMERICAN CONGRESS, INC.,
Washington, D.C.

Ever since Poland earned President Roosevelt's accolade as "the inspiration of nations" in the World War II years, the United States Congress annually pays tribute to this valiant nation in commemorating its national holiday of May 3rd. As you know, May 3rd marks the proclamation and adoption of Poland's Constitution of 1791, one of the most liberal and progressive legislation of 18th Century Europe.

The Soviet-imposed communist dictatorship in Poland, bent on the destruction of Polish cultural traditions, abolished May 3rd as the National Holiday of Poland. The observance of this great day of Polish renascence is left to the Poles living abroad and to their descendants.

Americans of Polish ancestry have kept and will keep faith with this noble legacy that speaks of the moral strength and great civic virtue and wisdom of their forefathers.

The Polish American Congress, speaking for ten million Polish Americans, would greatly and sincerely appreciate your participation in this year's program scheduled to take place in the House of Representatives and the Senate on May 3rd.

The 1968 national holiday of the Polish people who never accepted communist tenets, coincides with other significant events in Poland's history.

This year will be the 25th anniversary of the tragic death of General Wladyslaw Sikorski, free Poland's wartime leader and statesman; the 70th anniversary of the discovery of radium by Madame Sklodowska-Curie, the eminent daughter of Poland and one of the great scientists of all times.

Perhaps the most important is the 50th anniversary of the rebirth of the Polish Republic after one and a half centuries of partition and foreign subjugation.

In 1918 Poland regained her independence and freedom, due to valiant fighting of her volunteer armies under Pilsudski and Haller, and due to patriotic sacrifices of Ignace Jan Paderewski and the diplomatic skill of Roman Dmowski.

This rebirth of completely free and independent Poland happened in contradiction to prevailing, at that time, currents in international affairs. The diplomatic misconceptions about the Polish cause at that time were dispelled by our great President Woodrow Wilson who in his 13th point of the general peace preliminaries insisted on a free and independent Poland with an access to the Baltic.

Poland did not enjoy her freedom and independence for long. Within twenty years her traditional enemies, Germany and Russia, effected another partition and plunged the world into the holocaust of World War II.

The point, that sustained the Polish faith in a better future is this:—what has happened fifty years ago when Poland rose from the ashes, is bound to happen again. "Poland is not lost," states the Polish national anthem. The Poles everywhere in the world believe that the time is coming in which international justice will be meted out by mysterious forces of history, and Poland again will return to the western family of nations as a free, independent and sovereign state.

We, in America, can do much to sustain that faith and keep the hope of the Polish nation alive. A great moral contribution toward this end will be this year's observance of May 3rd Constitution in both chambers of the United States Congress.

Respectfully yours,
CHARLES BURKE,
Washington Representative.

MAY 3—THE POLISH NATIONAL HOLIDAY

On May 3rd Poles everywhere and citizens of Polish origin in many countries celebrate a Polish national holiday—the Polish Third of May Constitution Day.

In the United States, wherever Americans of Polish descent live, in cities and towns from coast to coast, this holiday is observed with appropriate exercises throughout the month of May to pay tribute to the Polish nation and to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe.

It was on May 3rd in 1791, barely two years after the adoption of its Constitution by the United States in 1789, that Poland without a bloody revolution or even without a disorder succeeded in reforming her public life and in eradicating her internal decline. But this great rebirth and assertion of democracy came to the Poles too late and did not forestall the third partition of Poland in 1795 by Russia, Prussia and Austria.

POLAND PIONEERED LIBERALISM IN EUROPE

The greatness of the May Third Polish Constitution consisted in the fact that it eliminated with one stroke the most fundamental weaknesses of the Polish parliamentary and social system. The Poles raised this great moment in their history to the forefront of their tradition rather than any one of their anniversaries of glorious victories or heroic revolutions.

We Americans who have been reared in the principle given us as a birthright by the founders of our great Republic, the principle of the sovereignty of the people in the state, which is the primary postulate in the 1791 Polish Constitution, can see how this truism cut off the Poles and the Polish political tradition completely from both the Germans and the Russians, who have been reared in the principle of state, and not national, sovereignty.

The light of liberalism coming from Poland was then, as it has been throughout the years that followed and even unto today, a threat to tyranny and absolutism in Russia and Germany. In 1795 Russian and Prussian soldiers were sent to Poland to partition and rape her. In 1939 Russian and Prussian soldiers met again on Polish soil, as the absolute totalitarianism systems of nazism and communism again felt the danger of true liberalism coming from Poland just as in 1791.

In the Polish Third of May Constitution this liberalism was formulated in these words:

"All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation."

AMERICAN AND POLISH CONSTITUTIONS SIMILARLY INSPIRED

The philosophy of government discernable throughout the Third of May Polish constitution leads one to believe that the American people and the Polish people had each drawn inspiration for their respective constitutions from the same source.

Meditation on the anniversary of May the Third deepens the faith and heightens the courage of every Pole and of every American of Polish origin. It reminds all Americans of Poland's destiny in the history of mankind, and prophesies the ultimate triumph of justice, even though Poland once more has been deprived of her independence, sovereignty and her territory by one of our former allies, Soviet Russia, with the consent of other United Nations.

THE 25TH ANNIVERSARY OF THE GIBRALTAR TRAGEDY: GEN. WLADYSLAW SIKORSKI

General Wladyslaw Sikorski belongs to the front rank of the outstanding military leaders and statesmen of World War Two.

After Poland's catastrophe of September, 1939, he reorganized Polish Armed Forces in the West, became their Commander-in-Chief and Poland's Premier and and Minister of War.

This Polish-Government in Exile at first was granted extra-territorial rights in Angers, France, formed several Infantry Divisions, a nucleus of armed and paratroop brigades, renovated the Polish Air Force and placed at the Allied Powers' disposition Polish Navy consisting of four submarines, two cruisers, numerous smaller crafts and considerable component of merchant marine.

After the debacle of France and after the British withdrawal from Dunkirk, General Sikorski managed to transfer the bulk of the Polish Army, the entire Air Force, Navy and merchant marine to Great Britain.

At the time when the fate of England and of the Western World hung in balance, Polish Army guarded Scotland, Polish Navy contributed to the destruction of the dreaded German pocket battleships, and the Polish Air Force accounted for one third of the German aircraft destroyed during the crucial Battle of Great Britain in 1940.

At the same time, the Polish Army expanded its armored Brigade to a Division which took part in the invasion of Germany and completed the training and outfitting the Airborne Brigade which went through its baptism of fire with flying colors in Falaise. Other Polish units gained military fame in battles from Narvik to Tobruk and crowned their heroic achievements with the conquest of Monte Ca[redacted]

In the midst of these military activities in the West, General Sikorski paid close attention to the organization and effectiveness of the Polish Home Army which tied down some 40 German Divisions in Poland throughout the war.

He was also instrumental in organizing an effective aid to the Jews singled out by the Germans for complete annihilation. "Action Zegoda" directed and financed by the Polish Government in London was the only official and well organized aid to the Jews during the war.

It was not granted to General Sikorski to see all his far-reaching plans to completion.

He was killed in an airplane crash in Gibraltar on July 4, 1943.

The circumstances of his sudden death are still shrouded in mystery.

Was it an accident?

Was it a sabotage?

Was it a planned political murder?

Some day the truth will out. Perhaps not in our lifetime, but in a distant future, the tragedy that weighted so heavily on the fate of Poland will be explained.

General Wladyslaw Sikorski was born on May 20, 1881, in Tuszow, District of Mielec. He was reared and completed primary education in Hyzne—the site of the Technical Institute which is being built with American aid in honor of Sikorski.

In 1908 Sikorski received his master degree in engineering from the Lwow Polytechnic. As a student and later as a young professional man, he was very active in organizing Polish youth into para-military units with infantry training. In later years they were to become the nucleus of the Polish Legions which fought valiantly for the restoration of Poland.

In 1914, at the outbreak of World War One, Sikorski resigned his commission in the Austrian Army and joined the staff of the Polish Legion formed and readied for battles under the command of Josef Pilsudski, who later became the Chief of State and the First Marshal of reborn Poland.

In 1918, Sikorski became commander of the military districts of southern Poland and Silesia (Malopolska and Slask), and recaptured Lwow in epic struggles with the Bolshevik forces.

In the decisive battle of Warsaw of August 15, 1920, known as the Miracle of the Vistula, General Sikorski commanded the Fifth Polish Army on the left flank of main force defending Warsaw. With successful assaults on Soviet forces in Nasielsk, Plonsk and Pultusk, he helped to rout the Red Army that was poised at the gates of Warsaw and threatened to march westward to Berlin and Paris.

In 1921–22, General Sikorski reorganized the Polish Armed Forces as the Army Chief of Staff.

In December, 1922, in the dark hours of the reborn Polish Republic, precipitated by the assassination of its first elected President, Narutowicz, Sikorski became Prime Minister and Minister of Interior. Through resolute acts of political wisdom, he brought peace to the turbulent land.

Under his premiership the port of Gdynia was planned and began to rise as one of the most modern ports in Europe, and one of the most important ports in the Baltic.

General Sikorski retired from the military and public service in 1928 to devote his time to study of modern military science. Among his singularly perceptive writings on military matters, the most important is a study of modern warfare entitled "The Future War, Its Possibilities and Character". It received the highest award of the French Military Academy and in the 1930s became a "must" reading for French and British officers.

From October, 1939 to the fall of France in April, 1940, General Sikorski devoted his time and energy to organize the Polish Government-in-Exile and the Polish Armed Forces in the West.

After the fall of France, General Sikorski signed a Polish-British treaty in August, 1940, based Polish Armed Forces in England and the Polish Government in London.

After the German invasion of Russia in July, 1941, General Sikorski signed a Polish-Soviet treaty which provided for the liberation of hundreds of thousands of Polish prisoners of war and civilians in Russia and for the formation of the Polish Army under the command of General Wladyslaw Anders.

Russia, however, soon proved its intransigence in dealing with the Poles. Becoming stronger due mostly to American aid, Russia began to break promises solemnly given and guaranteed in the Polish-Soviet treaty.

Then came the discovery of the Katyn Forest massacre in which the Russians murdered over 15,000 Polish officers taken into the Soviet captivity in 1939 as prisoners of war.

The discovery was made in April, 1943. Russia, to save face, accused the Polish government of collaboration with Germany and threatened to sever diplomatic relations with the Polish Government in London.

In these critical times, General Sikorski came to the United States twice and conferred with President Roosevelt on the future of Poland and post-war Europe.

He also undertook an inspection tour to the Near East where Polish military units were formed by those who managed to get out of Russia.

After six weeks of inspection, conferences, re-organizational directives, General Sikorski was returning to England with a stop-over in Gibraltar.

That is when the tragedy struck.

Poland lost its beloved leader who personified the hope of a better future in freedom and democracy.

The Allies lost one of the great military minds.

Mr. McCORMACK. Mr. Speaker, late 18th-century history of Poland is full of fateful happenings, but it is also marked with an outstanding event of great significance. That even was the drawing up of a new Constitution for the country, one that was aimed at transforming and modernizing Poland's old and unwieldly governmental machinery, thus strengthening the government in its effort to cope with its internal and external problems.

Late in the 1780's, Poland's leaders saw the imperative need for such a radical reform, and a committee was appointed by the Diet—the Legislature—to draw up a new Constitution. This task was undertaken by a group of youths who were inspired with definite and progressive ideas. And the Constitution they prepared embodied their advanced ideas.

The Constitution which this committee submitted to the Diet, and which was promulgated on May 3, 1791, was a democratic document. By its provisions Poland became a constitutional monarchy. The powers of the monarch were considerably limited, and he was to exercise his authority through his ministers. Irresponsible council-type government was cast aside, and ministerial responsibility was introduced to take its place. Personal privileges formerly enjoyed by the few were made available to all townsmen, and the peasantry was placed under the protection of the law. Religious freedom was guaranteed. Many intricate and obsolete features of the old system were eliminated, and class distinctions among citizens were reduced.

All these features represented a decided advance over anything yet known in Central and Eastern Europe. Thus the Polish Constitution ushered in a new age, not only for the Poles but also for many other East European peoples.

Alas, the unhappy Poles did not have the opportunity to live for long under the new democratic Constitution of 1791. Soon after its promulgation Poland was attacked and invaded by its greedy neighbors, and then partitioned among them. Free and independent Poland was no more, and the spirit of its Constitution lived only in the hearts and minds of the Polish people. That spirit gave birth to the recreated Polish Republic in 1918. Since the beginning of the last war, the Poles have not known freedom, but they are still dominated by the spirit of freedom and independence. On the 177th anniversary observance of their Constitution Day we hope they will soon regain the freedom they have so little enjoyed but so much deserve.

Mr. ST GERMAIN. Mr. Speaker, May 3 marks the proclamation and adoption of Poland's Constitution of 1791, one of the most liberal and progressive legislative measures of 18th-century Europe.

On this date, Poles across the globe pay tribute to the Polish nation which was one of the first pioneers of liberalism in Europe.

We are deeply indebted to the Poles and should never forget their great contribution toward the betterment of mankind.

Though the Polish nation now lies within the confines of communism, I am certain that a strong national spirit still prevails and that one day soon this great nation will once again enjoy its freedom to pursue the democratic way of life.

Mr. BOLAND. Mr. Speaker, events in Europe in the late 18th century were fraught with overtones of impending disaster for the people of the Polish nation, who had already suffered much from the animosities of their neighbors. The geography of Poland left the country with little in the way of natural defenses, and strong nations on either side, Russia and Prussia, constituted a perennial threat to the Polish sovereignty. When Russia and Austria became involved in a war against the Ottoman Turks, the pressures against the Poles were at least lessened on one side. Then Prussia entered an alliance with Great Britain and Holland against the Russians, and the Poles were able to breathe freely for the first time in many years.

To this troubled scene were added the reforms spawned by the revolution in France and the radical ideas of freedom and liberty that emanated from the new democracy arising in Western Europe. In 1788, the Polish Diet began deliberations on much-needed political reforms—reforms which had been partially postponed because of the external threats hanging over the Nation. After 3 years of debate, discussion and argument—under a renewed threat from the Russians, who were in the final stages of their war with Turkey—the Diet began the final drafting of a new constitution in early 1791. xxxxxxxxxx

On May 3 of that year, King Stanislas read the Constitution to an overflow crowd of Diet members and citizens and awaited the verdict of his subjects on a document which he believed would make Poland one of the most liberal and modern states in Europe. The galleries and the chamber immediately acclaimed the new Constitution, and except for a few dissenters who feared losing their special privileges, approved of the Constitution en bloc. King Stanislas immediately swore allegiance to the Constitution and all Poland broke into a spontaneous display of joy and appreciation.

But the happiness and pride of the Poles was short lived. The Russians, under the strong leadership of Empress Catherine II, decided that the dangerous democratic heresy of their neighbor could not be tolerated. On April 8, 1792, the Russian armies invaded Poland and within a year they had destroyed not only the Constitution but the country as well. On September 23, 1793, Poland was partitioned between the Prussians and the Russians, and the Constitution of 1791 was dead.

But the memory of that brief period of democracy and freedom did not die with the Constitution. Liberty-loving Poles and freemen everywhere remember the death of the Polish nation at the hands of tyrants, and await the day when once again Poland under a democratic Constitution, will rejoin the council of democratic nations.

Now that the anniversary of the Polish Constitution of May 3, 1791, is at hand, I salute the spirit of free Poland and reaffirm my faith that the new version of tyranny which presently afflicts Poland—the Communist dictatorship—will one day be banished by the proud and freedom-loving Polish people.

Mr. DULSKI. Mr. Speaker, Polish people everywhere—except, unfortu-

nately, those in Poland—and citizens of Polish origin in many countries, will mark tomorrow the 177th anniversary of Poland's Constitution.

The Soviet-imposed Communist dictatorship in Poland abolished May 3 as the national holiday of Poland—one more step in the effort to stifle and destroy Polish cultural traditions.

Americans of Polish ancestry in particular have kept and will continue to keep faith with this noble legacy that speaks of the moral strength and great civic virtue and wisdom of their forefathers.

Poland's Constitution, proclaimed and adopted on May 3, 1791, is considered one of the most liberal and progressive documents of 18th-century Europe.

Just 2 years after the United States adopted its Constitution in 1789, Poland adopted its own Constitution—and without a bloody revolution or even a disorder. Poland's jubilance over its great rebirth and assertion of democracy was shortlived, however. Three years later, Poland underwent a third partition by Russia, Prussia, and Austria.

The great significance of Poland's Constitution was that it eliminated with one stroke the most fundamental weaknesses of the Polish parliamentary and social system.

Poland indeed pioneered liberalism in Europe, and there are many who are convinced that the American people and the Polish people drew inspiration for their respective constitutions from the same source.

There are three other anniversaries this year of significant events in Poland's history:

First. The 25th anniversary of the tragic death of Gen. Wladyslaw Sikorski, free Poland's wartime leader and statesman.

Second. The 70th anniversary of the discovery of radium by Madame Sklodowska-Curie, the eminent daughter of Poland and one of the great scientists of all time.

Third. The 50th anniversary of the rebirth of the Polish Republic after one and a half centuries of partition and foreign subjugation.

Mr. Speaker, an excellent editorial about Poland's Constitution appears in the April 27 edition of the Polish American Journal, published in Scranton, Pa. With permission, I include the text of the editorial:

THE GREAT CONSTITUTION OF MAY 3, 1791

During the month of May the American Polonia will celebrate the 177th anniversary of Poland's Constitution of the Third of May, 1791. Appropriate exercises will be held in communities heavily populated with Pol-Ams. Some areas are planning parades and outdoor manifestations.

What was so special about the Constitution, framed at a time when the old Polish Commonwealth was being torn asunder by the three autocratic powers of Russia, Prussia and Austria?

After Catherine the Great of Russia engineered in 1772 the first partition that deprived Poland of access to the Baltic Sea and much of its central and southern heartland, a great reform movement began. While Russia was at war with Turkey, the Polish Diet met in 1788 to strengthen the republic's political life.

Groundwork for this "Great Diet" had been laid by the writings of the educator-patriot, Stanislas Konarski, and a powerful pamphlet ("Warnings for Poland") of another brilliant priest and scholar, Stanislas Staszyc. Their enlightened devotion to democracy—contrasting remarkably with the Western European clergy's then blind loyalty to feudalism—was shared by another priest, Hugo Kollataj (Kollontai), who became the guiding spirit of a republican reform group, the Party of Patriots.

Inspired by the French Revolution's Declaration of the Rights of Man, this group decided to lose no time in writing a new constitution. King Stanislaus August collaborated with Kollataj and a few others in writing and putting it into law. Edmund Burke hailed this "bloodless Polish revolution," contrasting it with the mad extremism of the French revolution.

The Third of May Constitution crowned the labors of the Great Diet and the whole evolution of Poland's parliamentary system that began in the two-house Diet created in 1493. In a preamble and 11 articles it reformed completely the nation's political, social and administrative life.

The constitution abolished the worst abuses from which Poland had been sick and dying, including the "liberum veto," by which the negative vote of one Diet member could wreck any legislative measure. It ended the election of kings, which had enabled foreign powers to place members of their royal houses on the Polish throne.

The executive power, however, was strengthened by giving the king a council of ministers resembling a modern cabinet. In the legislative branch the chamber of deputies, as the direct representative of the nation, was given preponderance of power over the senate.

The economic barriers between the landowning nobles and towns people were broken down. The latter recovered judicial autonomy they had enjoyed as early as the 13th century and received the right to high office, magistracies and representation in parliament.

Just as the American Constitution was influenced by Montesquieu's "Spirit of Laws," so also was the organization of the Polish government. The Poles did not follow blindly the French revolutionaries. The Third of May Constitution was framed to meet peculiar conditions, yet it made possible a new, sound and progressive national life. The authors, by showing a rational sense of moderation and an understanding of the maxim that politics is the "art of the possible," made a compromise between the most liberal trends of the time and the existing conditions in Poland.

They were faced with a poor economic situation and the unpreparedness of the landowning nobility for radical reforms. Also a time factor was posed by the increasing threat of the three surrounding predatory powers. Consequently, the peasant question was only partially solved for fear that radical reforms would provoke opposition from even the more progressive gentry and endanger the whole project.

This revolution of the Third of May changed the views of the outside world about Poland. Hitherto, the Poles were held a troublesome and childish people, outlandish in their ideas, and incapable of great and decisive political action. The world now began to take them more seriously. It appeared that Poland could work out its regeneration if only outside powers left it alone.

This political stability and the threat of contagion of its ideas frightened Catherine and her partners in infamy. They hastened a second partition and, after the heroic uprising led by Thaddeus Kosciuszko was crushed by overwhelming forces, a third and final partition removed Poland from the map of Europe until the end of World War I.

Mr. PIKE. Mr. Speaker, it is my privilege once again to salute the people of Polish blood everywhere on this eve of the birth of the Polish Constitution of May 3, 1791, a great and historic document whose high purpose is expressed in these words:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

Yet that small and gallant nation has still to enjoy the glowing promise of its constitution. Despite magnificent resistance, it has been overrun again and again by ruthless forces from the east and the west, but its love of liberty has never been extinguished.

I am proud to count among the people of my district many citizens of Polish origin, who contribute to the area the strength, loyalty, vitality, and sheer joy of living so characteristic of their race. I share with them the conviction that the day is drawing closer when their prayer and mine—"Niech zwyciezy Orzel Bialy"—may the White Eagle triumph—will be fulfilled, and join them in anticipating the happy day when, God willing, Poland will once again be free.

Mr. HELSTOSKI. Mr. Speaker, the people of Po[redacted]tion of its Parliament on May 3, 1791, adopted what historians believe to be the first constitution embodying the basic tenets of human dignity and liberty, and established the basis for real democracy and the democratic development of that nation. Laboring under the tremendous strain and stress of surrounding dictatorships, with Russia, Prussia, and Austria carving out or attempting to appropriate huge areas within its rightful boundaries, the Polish leaders of that day stood firm in their resolve to give the people of Poland a form of government founded on the same democratic principles which later became the foundation stone of our great Government.

Those were dark days for the liberty-loving people of Poland, with dictators on all sides threatening to obliterate all Polish culture—yes, even the Polish language—and replacing them with the cultures and languages of these autocratic neighbors. But the national diet stood firm in proclaiming the new constitution, thus giving to the world this new concept of orderly, humane government.

Unfortunately, the adoption of this new form of government did not end the trials and tribulations of this great land and its people. The sinister influences of greed and aggression which has characterized her neighbors through the centuries and her inability, because of her geographical and physical makeup to ward off the constant encroachment and attacks by her neighbors, brought about the further partitioning in 1836.

Notwithstanding the continuing burdens of foreign oppression, the stalwart Poles never gave up their quest for freedom and independence. There has remained within the hearts and minds of Poles throughout the years the undying belief and determination that their culture, their patriotism, their democratic principles would ultimately triumph and

that they would be permitted to live within their rightful borders in peace and tranquillity. That hope and that belief is still fervently alive in the present population of Poland, crushed as it has been by the present alien government.

During the oppressive years of the 19th century many of the cultural and political leaders were forced to flee their homeland, taking refuge in France, in England, and in our own land of the free. Chopin fled to France, and there gave to the world his immortal works. Earlier Kosciuszko and Pulaski, fired with the spirit of independence and liberty, came to our shores to contribute immeasurably to our successful struggle for freedom.

After many years of foreign rule and domination, Poland again became a free nation as a result of our intercession following World War I. It's leaders were then faced with the struggle of establishing democracy after the tortuous days of autocratic rule. Great progress was being made, at times against almost insurmountable obstacles, but again, before their dreams had been fulfilled the iron heel of conquerors and oppressors took over their fair land in 1939, and the all too recurrent struggle for freedom and liberty has been renewed.

To the eternal credit of Polish people everywhere, the light of liberty remains undimmed. It is being carried and preserved by the faithful and determined Poles throughout the world. The struggle for freedom will not end until Poland has once more been returned to the circle of free nations, its people assured of the right to life, liberty, and the pursuit of happiness. They rightfully look to our Nation for this relief; they know that the triumph of liberty and justice throughout the world for which we are expending our all will be shared by her brave people.

The 3d of May has ceased to be an official Polish national holiday in Poland. But the 3d of May remains a Polish national holiday in the hearts of all true Poles, and in all centers in the United States where Poles or Americans of Polish extraction live. In numerous Polish national homes, the Polish flag hangs proudly on this day, side by side with the American Stars and Stripes. Thousands of people listen attentively to the voices of the past. They hope that there will be a Poland which, in the spirit of the Constitution of May 3, will be free once more and free from a philosophy alien to the Polish people.

On this anniversary date of the adoption of Poland's Constitution—a truly democratic Constitution—I want to urge the Polish people to continue their faith in the ultimate triumph of right over might. The day is not far distant when they will again breathe the air of freedom, when their nightmares will have been forgotten and the joys of liberty and constitutional democracy will return to their beloved land.

Mr. Speaker, in connection with our observance of the 177th anniversary of the Polish Constitution, I include a letter which I have received from Mr. Charles Burke, the Washington representative of the Polish American Congress, Inc., on this commemoration of the Polish Constitution, as well as a statement on this Polish national holiday.

The letter and statement follow:

POLISH AMERICAN CONGRESS, INC.,
Washington, D.C., April 22, 1968.

HON. HENRY HELSTOSKI,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. HELSTOSKI: Ever since Poland earned President Roosevelt's accolade as "the inspiration of nations" in the World War II years, the United States Congress annually pays tribute to this valiant nation in commemorating its national holiday on May 3rd. As you know, May 3rd marks the proclamation and adoption of Poland's Constitution of 1791, one of the most liberal and progressive legislation of 18th Century Europe.

The Soviet-imposed communist dictatorship in Poland, bent on the destruction of Polish cultural traditions, abolished May 3rd as the National Holiday of Poland. The observance of this great day of Polish renascence is left to the Poles living abroad and to their descendants.

Americans of Polish ancestry have kept and will keep faith with this noble legacy that speaks of the moral strength and great civic virtue and wisdom of their forefathers.

The Polish American Congress, speaking for ten million Polish Americans, would greatly and sincerely appreciate your participation in this year's program scheduled to take place in the House of Representatives and the Senate on May 3rd.

The 1968 national holiday of the Polish people who never accepted communist tenets, coincides with other significant events in Poland's history.

This year will be the 25th anniversary of the tragic death of General Wladyslaw Sikorski, free Poland's wartime leader and statesman; the 70th anniversary of the discovery of radium by Madame Sklodowska-Curie, the eminent daughter of Poland and one of the great scientists of all time.

Perhaps the most important is the 50th anniversary of the rebirth of the Polish Republic after one and a half centuries of partition and foreign subjugation.

In 1918 Poland regained her independence and freedom, due to valiant fighting of her volunteer armies under Pilsudski and Haller, and due to patriotic sacrifices of Ignace Jan Paderewski and the diplomatic skill of Roman Dmowski.

This rebirth of completely free and independent Poland happened in contradiction to prevailing, at that time, currents in international affairs. The diplomatic misconceptions about the Polish cause at that time were dispelled by our great President Woodrow Wilson who in his 13th point of the general peace preliminaries insisted on a free and independent Poland with an access to the Baltic.

Poland did not enjoy her freedom and independence for long. Within twenty years her traditional enemies, Germany and Russia, effected another partition and plunged the world into the holocaust of World War II.

The point, that sustained the Polish faith in a better future is this:—what has happened fifty years ago when Poland rose from the ashes, is bound to happen again. "Poland is not lost," states the Polish national anthem. The Poles everywhere in the world believe that the time is coming in which international justice will be meted out by mysterious forces of history, and Poland again will return to the western family of nations as a free independent and sovereign state.

We, in America, can do much to sustain that faith and keep the hope of the Polish nation alive. A great moral contribution toward this end will be this year's observance of May 3rd Constitution in both chambers of the United States Congress.

Thanking you in advance for your cooperation, I remain

Respectfully yours,

CHARLES BURKE,
Washington Representative.

MAY 3—THE POLISH NATIONAL HOLIDAY

On May 3rd Poles everywhere and citizens of Polish origin in many countries celebrate a Polish national holiday—the Polish Third of May Constitution Day.

In the United States, wherever Americans of Polish descent live, in cities, and towns from coast to coast, this holiday is observed with appropriate exercises throughout the month of May to pay tribute to the Polish nation and to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe.

It was on May 3rd in 1791, barely two years after the adoption of its Constitution by the United States in 1789, that Poland without a bloody revolution or even without a disorder succeeded in reforming her public life and in eradicating her internal decline. But this great rebirth and assertion of democracy came to the Poles too late and did not forestall the third partition of Poland in 1795 by Russia, Prussia and Austria.

POLAND PIONEERED LIBERALISM IN EUROPE

The greatness of the May Third Polish Constitution consisted in the fact that it eliminated with one stroke the most fundamental weaknesses of the Polish parliamentary and social system. The Poles raised this great moment in [redacted]ry to the forefront of their tradition rather than any one of their anniversaries of glorious victories or heroic revolutions.

We Americans who have been reared in the principle given us as a birthright by the founders of our great Republic, the principle of the sovereignty of the people in the state, which is the primary postulate in the 1791 Polish Constitution, can see how this truism cut off the Poles and the Polish political tradition completely from both the Germans and the Russians, who have been reared in the principle of state, and not national, sovereignty.

The light of liberalism coming from Poland was then, as it has been throughout the years that followed and even unto today, a threat to tyranny and absolutism in Russia and Germany. In 1795 Russian and Prussian soldiers were sent to Poland to partition and rape her. In 1939 Russian and Prussian soldiers met again on Polish soil, as the absolute totalitarianism systems of nazism and communism again felt the danger of true liberalism coming from Poland just as in 1791.

In the Polish Third of May Constitution this liberalism was formulated in these words:

"All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation."

AMERICAN AND POLISH CONSTITUTIONS SIMILARLY INSPIRED

The philosophy of government discernable throughout the Third of May Polish constitution leads one to believe that the American people and the Polish people had each drawn inspiration for their respective constitutions from the same source.

Meditation on the anniversary of May the Third deepens the faith and heightens the courage of every Pole and of every American of Polish origin. It reminds all Americans of Poland's destiny in the history of mankind, and prophesizes the ultimate triumph of justice, even though Poland once more has been deprived of her independence, sovereignty and her territory by one of our former allies, Soviet Russia, with the consent of other United Nations.

Mr. Speaker, the Bergen, N.J., AMPOLS, an organization of Americans of Polish derivation has been organized for the promotion of Polish culture and for the well-being of Poles and those of Polish extraction.

This Polish-American group has been in existence for only 3 short years, but has already made an impact upon the community with its patriotic approach to the problems of our area. They, too, have taken an interest in the celebration of this historical Polish document and have adopted a resolution suggesting that May 3, 1968, be proclaimed as Polish Constitution Day on both the National and State levels.

With your permission, I wish to include this resolution as part of my remarks on this traditional Polish holiday.

The resolution follows:

Whereas we, the Bergen AMPOL organization, shall on May 3rd mark the 177th anniversary of the Polish Constitution; and

Whereas, the Polish declaration of its constitution as an independent state followed ours by less than a decade, and in that it aimed to prevent partition and oppression from neighboring states, which peril existed since Poland's inception as an entity in 963 A.D.; and

Whereas, the founders of Poland fought for two long years to bring into being said Constitution of 1791 to establish a freedom from the anarchy of the times; and

Whereas in the present day, the people of Poland are again smothered by an aggressor, despite their continuing fight for freedom as expressed by the current unrest in her major cities; and

Whereas the people of Poland are manifestly anti-communist; now therefore

Be it resolved that we, the Bergen AMPOLS shall align ourselves with the 800,000 Americans of Polish extraction here in New Jersey, and the millions of us, regardless of derivation, who hold freedom as a God granted right, to oppose such stricture; and further

Be it resolved that these convictions be conveyed directly to the President of the United States, and the Governor of New Jersey, and through our representatives to the Congress of the United States, the Senate and Assembly of New Jersey, to be indelibly recorded on the public record of our great nation; and

Be it suggested that May 3, 1968, be proclaimed State and Nationwide as Polish Constitution day; further

Be it ordered that full copies of this resolution be sent to the President and to the Governor, and be forwarded specifically to our representatives on the State and National level.

PAUL BORUTA,
President, Bergen AMPOLS.
W. MAKOWSKI,
Corresponding Secretary.

Mr. PATTEN. Mr. Speaker, I am honored to again take part in helping to commemorate Poland's national holiday of May 3, observing the proclamation and adoption of Poland's Constitution of 1791.

Even though the Communist dictatorship in Poland abolished May 3 as the national holiday of that brave country of liberty and hope, this day is still observed throughout the world by persons of Polish extraction—as well as by the millions who sympathize with the aspirations of the people of Poland.

This year, however, other memorable events in Poland's glorious history are also being observed:

The 50th anniversary of the revival of the Polish Republic after 150 years of territorial separation and foreign domination.

The 25th anniversary of the death of free Poland's military leader and statesman, General Wladyslaw Sikorski.

The 70th anniversary of the discovery of radium by one of history's greatest scientists—and famous daughter of Poland—Madame Sklodowska-Curie.

When Poland recovered her independence and freedom in 1918, there was happiness, but it did not last very long, for in September 1939, she was overwhelmed by the military power of Nazi Germany.

Mr. Speaker, Poland has suffered military defeat before—but she has always regained her freedom, because the Polish people are tenacious in their love for liberty.

Because of her great courage and strength of spirit, Poland was called the inspiration of nations by President Franklin D. Roosevelt during World War II. The world will always remember—with profound respect and deep gratitude—the courage of Poland's Army against the tremendous armed forces of Germany. Poland's Army was defeated—but not her people. The Polish national anthem cries out, "Poland is not lost." She is only hoping and working to be free again.

Poland will rise again—as she has so many times in the past. And when she does, not only will the people of Poland rejoice. All the free world will join in that victory and celebration, because Poland's sacrifices have no equal and her devotion to freedom touches every heart that cherishes liberty.

Mrs. GRIFFITHS. Mr. Speaker, 177 years ago, tomorrow, the people of Poland celebrated the adoption of what has become to be known as the May 3d Constitution.

The tenacity of the Polish people in seeking a true realization of national hopes and identity has persevered throughout the centuries. This is reflected in the words of the Polish national anthem, "Poland is not lost." The spirit of the Polish Constitution lives on in spite of declamations against it. In this Constitution, the Polish people proclaimed their faith that, "All power in civil society should be derived from the will of the people."

Polish people all over the world, whether openly in joyous celebration or within their minds and hearts, commemorate the anniversary of this occasion. We join them in this celebration and the spirit of freedom that lies at its foundation for all mankind.

Mr. MADDEN. Mr. Speaker, May 3, 1968, marks the 50th anniversary of the rebirth of the Polish Republic after one and a half centuries of partition and foreign subjugation.

The Polish people throughout the world and friends of Poland are happy to join in commemorating this anniversary along with the Polish freedom Constitution of May 3, 1791. It rededicates in the minds of freedom-loving people everywhere their love for self-government and liberty. This anniversary is a great milestone in the long history of Poland. It was on this day that Poland established itself as a nation of freemen whose Constitution guaranteed the rights of the individual on a plane similar to that great document upon which the freedom in our United States is anchored.

Poland has stood for centuries between western civilization and the primitive tyranny of Moscow despots for centuries in European history. Poland by reason of its geographical position has for generations, been the beachhead of defense for Christian civilization. It has also been the victim of powerful neighbors who have fought to control the Polish people with the hope of adding strength and power to their warlike and aggressive designs. Through all the tyranny and partisan which Poland has suffered, none has been able to break the Polish nationalist spirit which has kept alive the culture, religion, and aspirations of a great people whether they reside in captive Poland or in other lands.

I do not need to recall the great contribution patriots like Generals Thaddeus Kosciusko, Pulaski, and other Polish heroes have contributed to America's battle for freedom and independence. The spirit of freedom which is inherent in the minds and hearts of every Pole [redacted] be an invaluable aid in overthrowing British colonialism and establishing American independence which is today enjoyed by all Americans including millions of Poles and their descendants who have helped make this country the No. 1 free nation of the world.

We learned during World War I that a new kind of tyranny was rising from the atheistic dogma of Karl Marx through the teachings of Lenin, Trotsky, and other pioneer leaders of modern communism. It was Poland in 1919 that first took up the cudgel to fight against Communist imperialism as she did against the czars 150 years earlier. After World War I, the Communists had established strongholds in Germany, Rumania, Hungary, and Italy. Poland, at that time, fought and won against the desperate Communist effort to take over a devastated Europe. Polish armies repulsed the Red leaders' onslaught and one of the great decisive battles in world history was won in Warsaw in 1920. Poland again through organization, statesmanship, and its inherent ability to govern, rose from the brink of ruination to reestablish itself as one of the ranking nations on the European Continent.

Up until 1939, Poland ranked sixth among the European nations. Its Constitution guaranteed the same political and civil rights to other nationals as the Poles themselves. Freedom of religion and education was one of the bulwarks of its Constitution. During this short period of time great developments took place in Poland's agriculture, industry, finances, social progress, labor legislation, and other rights which guaranteed freedom and justice.

Beginning in 1939, Poland again became a victim of two powerful tyrants, one on the east and the other on the west. The heroic battle of the Polish home army in their fight against the

Nazis will be recorded as one of the outstanding battles for freedom during World War II. While Poland was carrying on the fight against the tyrants from the west, she was also a victim of the duplicity from the Communist tyrants in the other direction. Besides the great battle which Poland fought within its own borders, one of the great highlights of World War II was the sterling contribution made by General Anders and his Polish Army in Italy and the Polish Air Force in Britain and on the western front.

It is needless today to review the recent history of World War II and the gallant battle that the Polish people made to preserve their free government against the Nazi and Soviet tyranny. Recent developments exposing the controversy between the two great Communist powers, China and the Soviets presents an optimistic view for the future of the free world.

Our Nation, along with other free nations, must continue the sacrifice and the leadership to curtail any further Communist aggression and do everything in our power to bring about and again restore freedom to Poland and other enslaved nations throughout the globe.

Mr. BUCHANAN. Mr. Speaker, May 3, 1968, marks the 177th anniversary of the Polish Constitution of May 3, 1791. On this day the people of Poland adopted their Constitution for the establishment of a constitutional monarchy and parliamentary type of government making long strides toward liberty and representative government. Our own U.S. Constitution was adopted only 4 years earlier, and the Polish Constitution of May 3 was modeled after our own Declaration of Independence and Constitution.

The people of Poland have a long history of dedication to freedom and national independence. They have fought long and hard to free their nation from oppression and tyranny and have set an example for others to follow.

It is one of the tragedies of our time that a people who have so loved freedom, and have fought so valiantly and sacrificed so much for the cause of liberty, are today still under the domination of Soviet communism.

We join with the Polish people and those of Polish descent in the United States and in all parts of the world in commemorating this anniversary of the Polish Constitution, and in the hope that the people of Poland may soon again enjoy the blessings of liberty in a free Poland in which the principles of Poland's historic Constitution may govern.

I take great pleasure in joining in this commemoration of the 177th anniversary of the Polish Constitution of May 3, 1791.

Mr. RYAN. Mr. Speaker, I am pleased to join our distinguished colleague, the gentleman from Illinois [Mr. PUCINSKI], in observing the 177th anniversary of the adoption of Poland's Constitution of 1791.

It is appropriate that we salute Americans of Polish ancestry who have carried on the traditions of liberty and maintained the legacy of freedom of their forefathers.

Today in Poland the historic dedication of the Polish people to liberty and democracy is again clashing with decaying totalitarian state institutions. Reactionary and repressive elements in Poland are attempting to blame the outcry for more freedom on the ancient scapegoat, the Jewish people. But we know that democratic ideals in Poland are not solely attributable to the small remaining Jewish community there. The democratic strain in Polish history runs as deep as it does in our own history, although, sadly, it has only been realized in practice for brief periods.

Poland's first democratic Constitution is as old as our own, and was influenced by it. Just 177 years ago today, the Polish Diet ratified a new Constitution, embodying a parliamentary, constitutional monarchy. It provided for a strengthened executive, a cabinet system similar to our own, and a bicameral and representative legislative body. Clearly, we can appreciate this government for its features of self-determination are much akin to our own.

The Constitution also broke down the economic barriers between nobles and bourgeoisie, reestablished the political and judicial autonomy of townsmen, opened the gates of the Diet to representatives of the cities, and included the peasantry, so long at the mercy of their masters, under the protection of the law. These provisions of that Polish document, confirmed just 2 years after our own American Constitution, remind us of the struggle we in this country face today. We are attempting to eliminate the barriers between the affluent and the poverty-stricken; we are trying to guarantee in practice judicial autonomy and political rights for every American; the courts have been working to effect equal representation for the cities in our diet, this House of Representatives; and by its actions on open housing and protection of civil rights workers, Congress has taken even more Americans under the protection of the law.

Although our own great democratic experiment has persevered to this day, the Polish Constitution did not fare so well. A scant 2 years after the 1791 Constitution was established, Poland was partitioned for the third time by Austria, Russia, and Prussia. The country did not resurface as an independent nation until after World War I, and since World War II has been subject to the harsh repressive measures of state socialism. In light of Poland's cruel history over the past 150 years, it is a tribute to the Constitution of May 3 that the light of freedom burns on in its homeland. The Communist regime has been unable to squelch the spirits of three groups, the church, the intellectuals, and the students. The sermons of the brave Cardinal Wyszynski, the words of the writer Melchior Wankowicz, and the demands and demonstrations from the university centers attest to the strong democratic strain in the Polish people.

The spirit of freedom and courage embodied in the Constitution of 1791 has been carried to America. Generals Pulaski and Kosciusko were of great aid to Gen. George Washington in our Revolutionary War. Other Polish citizens were instrumental in opening the West to settlement. Large numbers of Polish citizens died on the battlefields of World War II for the cause of freedom on the side of the Allies at a time when their own nation had been overrun by the Germans and Russians.

Americans of Polish ancestry have made invaluable contributions to the development of the institutions of our democracy.

Although constitutional government in Poland was short lived, its ideals live on. Poland ignited the fires of liberal European political thought that has burned bright through the years. We are indebted to the Polish people for those principles that affect not only our lives but our dreams as well. And in the waning days of Polish freedom, the Constitution remains for us to see. As Robert Howard Lord, the prominent historian of Polish history writes:

> This heroic breach with the past, this abjuration of the ancient sins, this renunciation of the idolized "golden liberty" throws an immortal gleam over the last dark years of the Republic.

Mr. ZABLOCKI. Mr. Speaker, I am pleased to join with my colleagues in marking the anniversary of the adoption of the Polish [redacted] of May 3, 1791—that memorable milestone in the evolution of democracy in Europe.

As we pay tribute to this historic document, we are mindful of its significance in the history of man's advancement in freedom, liberty, and justice.

It is, therefore, entirely fitting that we pause in our deliberations in the Congress of the United States to pay homage to the Constitution of 1971 and honor the Polish nation which created it.

The Constitution of May 3, modeled after our own Declaration of Independence and Constitution, guaranteed the people of Poland the rights to which men everywhere, and in all eras, have aspired.

It embodies a fundamental principle handed down to us as a birthright by the founders of our own country—the principle that sovereignty belongs to the people.

It truly is tragic to reflect that the freedom-loving people of Poland who conceived this brilliant and enlightened document should now be under the yoke of communism. This materialistic, determinist philosophy is completely alien to the spirit of the Polish people, just as it is completely alien to the Judeo-Christian tradition in which the Poles have played so important and integral a part.

Today the Poles to a great degree are denied these principles of liberty and freedom, denied any meaningful participation in the political life of their nation, denied the rights that were the keystones of the Constitution of May 3.

There can be little doubt that improvements occurred in Poland after the death of Stalin and the 1956 revolt. Yet the present regime continues to deny any meaningful freedom in the press or in the universities or in non-Communist political activities. Further, the regime

is consciously and with determination pursuing policies designed to transform Poland, and the Polish nation, into a 100-percent materialist, Communist, godless state.

Moreover, there have been recent, disturbing signs that Poland—rather than moving toward increased liberalization as some of its neighboring states are doing—is, instead, moving backward toward Stalinism once again.

Among those disturbing signs have been the campaign of anti-Semitism which has swept the country, the repression of student protest and the purge of writers, artists, and intellectuals.

If the current trends continue, Poland will have wiped out completely the gains of the 1956 revolt. This is particularly tragic to contemplate when one considers the kind of Poland which might exist if the May 3 constitution had prevailed.

At the same time, however, we do not falter in our hope for a better day for the great people of Poland. In their hearts still burns the fire of freedom. The setbacks of recent months are but minor obstacles in their onward movement to ultimate freedom and liberty.

Mr. FEIGHAN. Mr. Speaker, May 3 is the 177th anniversary of a great event in the history of Poland—the adoption of the Polish Constitution. This historic document was adopted by the freedom-loving people of Poland on May 3, 1791, less than 3 years after the ratification of the Constitution of the United States. It was the first written democratic constitution adopted by a European nation and is similar in many respects to the Constitution of our United States. What the Declaration of Independence means to an American, and the Magna Carta to an Englishman, the Constitution of the 3d of May means to the Poles. Article 5 of the Polish Constitution expresses the form of government which the framers of the Constitution intend for Poland and which is a true reflection of the Polish spirit throughout all of recorded history. It states:

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty, and the good order of society on an equal scale, and on lasting foundation.

Unfortunately, the freedoms and liberties in which the Polish people believed and for which they have fought, not only for themselves, but for others, have been difficult to maintain for themselves. Even as war clouds have gathered over them, they have been firmly convinced of the righteousness of the principles of their Constitution, and have shown great determination to uphold them. They have stood heroically and fought bravely against the forces of aggression. Anguish and agony have been endured because the doctrines of their Constitution were not empty words, but rather were principles that were inculcated into their minds and hearts to such a degree that those principles meant more to them than life itself.

Events in Poland's history during the 18th century denied the Polish people the reality of the dreams and hopes of Thaddeus Kosciuszko and Casimir Pulaski.

The Polish people recognize the highest law—the moral law of God, and the principles which that law embodies. They have been steadfast in their adherence to those principles. They have never compromised with the law of the jungle—the law that might makes right. Because of their unwavering devotion to their principles, the scourge of war, which engulfed the whole world, came to them in 1939.

Only people imbued with the highest ideals of morality and justice, would have resisted the onslaught of the greatest military machine that the world had ever known up to that time. What courage it took to stand for principle when compromise with the ideology of the aggressors would have been so materially expedient.

What irony of fate that Poland, which presented to the free world an example of steadfastness to the cause of freedom, by resisting Nazi aggression, would now be subjugated by an equally brutal, conscienceless regime—the Soviets.

Fifty years ago, at the end of World War I, when Poland again achieved its independence, it was as a truly democratic state. Even though surrounded by totalitarian ideologies of communism and nazism, a proud and resolute democracy with the capable leadership of men like Adam Mickiewicz and Ignace Jan Paderewski, Poland took its place in the family of free nations. But once again liberty and freedom have been denied these zealous and democratic Poles.

The free world must not, and can not with honor, fail to make every effort to restore freedom to Poland. Poland's courage and sufferings have made her an immortal symbol of resistance to tyranny. To the millions of Poles who are our fellow citizens, who have so enormously contributed to our liberty and progress, we must pledge our aid and our strength in their just cause—a free and democratic Poland must again take its proper place in the family of nations of the world.

Mr. DINGELL. Mr. Speaker, 177 years ago, on May 3, 1791, the people of Poland adopted a democratic constitution which firmly declared that "all power in civil society should be derived from the will of the people."

This inspiring event took place just 2 years after our Constitution was established in this country by "we, the people of the United States."

It was obvious to political leaders then, as it is today, that the American and Polish Constitutions were expressions of the same desire for individual liberty which many men throughout the civilized world shared.

Unfortunately, that Polish Constitution of 1791 did not live long. Catherine of Russia invaded Poland for the avowed purpose of abolishing this "dangerous novelty," established a puppet government, and in 1793 partitioned the country with Prussia.

The people of Poland, however, never gave up their hopes for eventual liberty and freedom, and have not given them up today. For generations they celebrated May 3 as Polish Constitution Day until the Communists after World War II forbade the practice.

Since then people in other lands, including Americans of Polish descent, have carried on the practice. The 1791 Constitution of Poland was one of the most liberal and progressive proclamations of human rights and popular authority ever to appear in 18th century Europe, and it has inspired men in every generation and of all nationalities since then.

The belief in an ultimately free Poland has never died. This year for example we who observe Polish Constitution Day also honor the memory of Gen. Wladyslaw Sikorski, the World War II leader and statesman of free Poland whose unexplained death in an airplane crash at Gibraltar occurred just 25 years ago.

This 1968 Polish Constitution Day also marks the 50th anniversary of the rebirth of the Polish Republic in 1918, a republic that was to last, alas, only 20 years.

Mr. Speaker, Polish hopes for liberty and Polish frustrations over the past 177 years provide a tragic contrast to the American story, which I would have people in this country understand and appreciate. The history of these United States might have been different. We are fortunate that it was not. Let us count our blessings, continue to protect ourselves, and extend sympathy and understanding to people in Poland and elsewhere who share our beliefs in personal liberty, human freedom, and the dignity of man.

GENERAL LEAVE

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that all Members have 5 days in which to revise and extend their remarks on Polish Constitution Day.

The SPEAKER pro tempore (Mr. PATTEN). Is there objection to the request of the gentleman from Illinois?

There was no objection.

ATTORNEY GENERAL AGAIN SHIRKS DUTY

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, Attorney General Ramsey Clark has rightfully been accused to being one of the most inept law-enforcement officials in the Nation. In dealing with rising crime rates and escalating riots, Ramsey Clark's most notable distinctions have been his hesitancy to use modern science and technology to break up organized crime, and his orders to ignore looters and arsonists in the hope they will either "go away," or grow tired of their "fun and games."

But now there is a strong indication

that this same Attorney General may be guilty of criminal negligence in the failure to carry out his sworn duties as the chief law enforcement officer in the Nation.

Last year, as a result of stories which appeared in the St. Louis Globe-Democrat, I wrote to the Attorney General and said that a serious question had been raised about a possible violation of the Federal Corrupt Practices Act in the case of political contributions made by the Steamfitters Union in St. Louis to various national candidates for public office. After first evading my inquiry with a nebulous and misleading reply, public pressure forced the Department of Justice to initiate a grand jury investigation. At that time I said I was encouraged by this decision, but would withhold judgment until I saw whether this was to be a "whitewash," or a sincere effort to determine if there has been a violation of the law.

Today, a Wall Street Journal story tends to confirm my worst fears that the Attorney General of the United States may be involved in a conspiracy to suppress the facts in this case and avoid bringing an indictment which an investigation indicates is overdue.

I learn with astonishment that Justice Department Attorneys Brian Conboy and Edgar Brown have twice urged prosecution, each time they have had the approval of Henry Paterson, Chief of the Department's Organized Crime Section, and Robert Rosenthal, Chief of the Election Fraud Unit. But each time, "higher-ups" have overruled the recommendations. From 97 counts, the draft indictment has been progressively pared to one, and even this third abbreviated draft, dated March 1, seems in danger of being sidetracked. The people have a right to ask, Just what is going on here?

Is the risk of opening some locked doors so dangerous to the Democrat Party that the Attorney General is willing to suppress violations of Federal law?

Many Members of Congress and many citizens have called for the Attorney General's resignation. However, his conduct now has reached the stage that his dereliction of duty could constitute grounds for impeachment. Such a remedy is harsh, but his tenure in office has produced harsh results on the American society. I ask the President of the United States, who has declared he will not engage in partisan politics during the remaining days of his term, to insist that the Attorney General vigorously prosecute this case. Anything less would violate the oath he publicly swore, to uphold the law of the land.

I insert at this point the following article from the Wall Street Journal:

PARTY ON THE SPOT—PROBE OF UNION'S GIFTS FOR CAMPAIGNS POSES A RISK FOR DEMOCRATS—U.S. AIDES SEEK TO PROSECUTE CHIEF OF ST. LOUIS LOCAL, BUT HIGHER-UPS BAR MOVE—HIDING THE SOURCES OF FUNDS

(By Jerry Landauer and Nicholas Gage)

WASHINGTON.—A labor leader who bosses just 1,200 Steamfitters Union members in one Midwestern city might seem unworthy of fretful attention from the Government's top law enforcers. Yet the Justice Department is worried about Lawrence Callanan—not so much because he's an ex-convict holding union office but because a proposed exposure of his doings might harm the Democratic Party.

Mr. Callanan, business manager and boss of Steamfitters Local 562 in St. Louis, already enjoys considerable power and notoriety in his home state. A Wall Street Journal story on Feb. 2 revealed how he is able, as a free-spending friend of numerous politicians, to hand-pick candidates for public office, dispense patronage and influence legislation in Missouri. On the national level, Mr. Callanan has been the beneficiary of an eyebrow-raising tax decision by the Internal Revenue Service and the grateful recipient of a Presidential commutation enabling him to resume union activity in 1964 following a six-year prison term for extortion.

Now Federal prosecutors would like to send him back to jail. They have presented to a grand jury in St. Louis evidence seeking to show that he has converted union dues money to political purposes, including $60,000 contributed to the Democrats six months after the Presidential commutation. If he's brought to trial, the courtroom disclosures might impel the Government to investigate how other unions, local and national, raise money to help underwrite the Democratic Party's campaign expenses. So far, however, the prosecutors' efforts to try Mr. Callanan have been blocked by higher-ranking Justice Department officials.

DUCKING A LAW

Besides drying up or scaring away millions of dollars in campaign cash, putting Mr. Callanan on trial could also expose law avoidance by certain of the party's leading fund-raisers.

It's known, for example, that Mr. Callanan met with two Democratic money men in October 1964 to receive instructions on how to divide the prearranged $60,000 campaign gift. Specifically, he was told to send one check for $25,000 directly to Doyle Dane Bernbach, Inc., the New York advertising agency that handled LBJ's 1964 campaign. In this way, the fund-raisers ducked the law requiring national political committees to disclose the sources of all their income.

"This is the kind of case that used to make Bobby Kennedy wring his hands and say, 'My God, why did I ever become Attorney General?'" One Government man remarks, noting that few beneficiaries of Mr. Callanan's $300,000-a-year political fund care to be identified with him. Accordingly, the White House is known to be interested in the case, and the Justice Department is handling it with particular care.

In recent months, Justice Department attorneys Brian Conboy and Edgar Brown have twice urged prosecution. Each time they have had the approval of Henry Petersen, chief of the department's organized crime section, and Robert Rosthal, chief of the election fraud unit. But each time higher-ups overruled the recommendations. From 97 counts the draft indictment has been progressively pared to one. And even this third abbreviated draft, dated March 1, seems in danger of being sidetracked. Top Justice Department officials refuse comment on any aspect of the Callanan matter, beyond saying it's still under investigation.

A "VOLUNTARY" FUND

Between last Oct. 16 and Feb. 2, a special 23-man grand jury in St. Louis spent 18 days examining stacks of subpoenaed records and taking testimony from more than 60 witnesses. These included many members of Local 562 who pay 50 cents a day (outsiders working temporarily in the local jurisdiction pay $2) into a "voluntary political fund" controlled by Mr. Callanan.

The witnesses' statements raised doubts that these political collections are truly voluntary, as required by law. On the contrary, witnesses indicated, the union chiefs seem to regard the contributions much like dues, collecting them systematically, periodically and rigorously.

But, for reasons that haven't been explained, the Government failed to follow up with a recommendation either to indict or to ignore the mass of testimony. Indeed, there hasn't been a peep from Washington in three months.

Meantime, the grand jury's life is being extended beyond the six-month period prevalent in St. Louis: ordinarily, it would have been dismissed about April 1. To some observers, the extension indicates that Washington may yet give the go-ahead, perhaps after waiting long enough to assure that no prominent names will be mentioned in pretrial motions until after Election Day. But cynics think the extension is a Justice Department excuse to explain inactivity. "While the jury's sitting they can keep saying the case is under investigation," one such cynic observes.

CHECKOFF CARDS

New members of Local 562 arriving on the job routinely receive political fund checkoff cards along with medical forms and other necessary work documents; somehow, nearly every man becomes a "voluntary" contributor. Almost automatically, the job steward collects from the rank-and-file, the area foreman collects from the job steward, the general foreman collects from the area foreman and th[redacted]s into the local's political fund.

Steamfitters from Kansas, Illinois and other neighboring states working temporarily in Local 562's area have been similarly trained to contribute. Some simply regard the political payments as a cost of working in Mr. Callanan's bailiwick, and many don't distinguish between the union's treasury fed by dues and its theoretically independent campaign chest fed by the contributions.

In any event, the pint-sized union's political spending seems astonishingly high. In the years 1963 through 1966, the local is known to have ladled out $1,082,761 to candidates for Federal, State, and local office, and even this figure may be incomplete. All told, 32 candidates for Congress received campaign funds in those years. Included, on March 1, 1966, was the first $5,000 of $13,000 the local contributed in 1966–67 to early-starting committees working for the reelection of Sen. Edward Long, Missouri Democrat; Mr. Long's current Senate term expires this year.

A look at Callanan's political operation suggests the variety of techniques being employed by contributors and candidates to keep secret the sources of much of the cash being spent for politicking this year.

FAILURE TO REPORT

The easiest method is to ignore that part of the Corrupt Practices Act requiring groups that support Congressional candidates in more than one state to report income and spending. Mr. Callanan's political fund supports candidates in half a dozen states, but it doesn't report. Nonreporting national unions include the National Maritime Union.

PHANTOM COLLECTORS

In theory, the money not reported by contributors should nonetheless show up in the reports filed by recipients. The law requires a candidate to disclose all the money given to him or solicited with his "knowledge and consent." Yet he can avoid identifying contributors by ignorance, feigned or real, of who's collecting on his behalf. Consequently, a mere half-dozen of the 32 candidates known to have received contributions from the Callanan fund reported the income, and in two of these instances the contribution was listed as having come not from Local 562 but from

the parent union, the United Association of Journeyman & Apprentices of the Plumbing & Pipefitting Industry of the United States and Canada.

TESTIMONIAL DINNERS

Steamfitters often attend (or at least contribute to) many such events raising funds for office-holders. Following Senate censure of Connecticut Democrat Thomas Dodd for keeping $116,000 raised at testimonial dinners, the term was shunned both by fundraisers and donors. But now it's back in style.

Though unions and corporations can't contribute to campaigns for Federal office, no law prevents either from donating in the guise of no-strings testimonial gifts. Thus most testimonial invitations carefully refrain from stating the candidate's intent to use the "gifts" for campaign purposes.

COLLAPSIBLE COMMITTEES

At least once each year, local 562 kicks in $1,000 or more to the Democratic Congressional Dinner Committee, a paper organization set up mostly to deflect prying eyes. It collects checks, divides receipts among the standing House and Senate Democratic campaign committees, then folds up.

Though the disclosure laws require the two standing committees to identify sources of income, those committees, in filing their reports, limit the identification to lump-sum receipts from the dummy dinner committee; individual contributors aren't named.

A similar technique enabled couples who paid $1,000 each last fall for tickets to the Democratic "President's Ball" to dance in anonymity; its sponsors refused even to put out a guest list.

It's not surprising that some in the Justice Department regard the Steamfitters local as a promising target for prosecution on charges of illegal political contributions. They think such a prosecution might help end lax enforcement, by Democratic and Republican Administrations alike, of laws governing political contributions. But the prosecutors' progress to date doesn't suggest stepped-up enforcement by any Government agency.

For almost a year, the Internal Revenue Service has been pursuing what one insider calls a "half-hearted" investigation of undercover corporate contributions to political candidates. (Like unions, corporations are prohibited from contributing to campaigns for Federal office.) The agency suspects that some businessmen not only violate the ban but even seek to make such gifts tax-deductible. According to this theory, these businessmen get certain law firms or public relations firms to pad their regular bills by an extra amount that can be listed on tax returns as a business expense; the lawyers and PR men then contribute the amount of the overcharge to political candidates.

BIASED REPORTING BY TIME MAGAZINE ILLUSTRATES PERIL OF THIS PERIOD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. KUYKENDALL] is recognized for 15 minutes.

Mr. KUYKENDALL. Mr. Speaker, in recent weeks as rioting and lawlessness has swept our country from one end to another we have heard frequent criticism of the Nation's news media. It has been said that inflammatory reporting and the spreading of unfounded rumors by supposedly objective news reporters has actually contributed to the violence in many instances.

I have deep respect for the hard-working, honest news reporter in every media who does his best to present the news without making his own prejudices or social beliefs a part of an alleged news story. I am happy to say that, in my opinion, most reporters fall into this category.

It is always the one bad apple, however, that rots the whole barrel. I regret, at this time, I am forced to expose one of the country's oldest news weeklies as being guilty of inept reporting, scandalmongering, and in inspiring a vicious character attack upon the people of Memphis and its entire business community.

In its April 12 issue Time magazine carried a story on the assassination of Dr. Martin Luther King. The writer of the piece, who certainly cannot claim the honored title of reporter, began his story by calling Memphis a "backwater and a decaying Mississippi River town."

On April 10, I wrote to Mr. Hedley Donovan, editor in chief of Time, protesting this type of reporting and asking for a retraction of this slander against the good people of Memphis.

My contention is that whatever the writer's personal opinion of Memphis and its people may be, that opinion has no place in a news article which most people assume is a factual report of what happened. The very fact that some news writers now pass off personal opinion as news is destroying the fabric of truthful reporting and is one of the principal reasons for much of the confusion, racial tensions, and loss of faith in America by those who depend upon the news media for shaping their own opinions.

I include my letter of April 10 to Mr. Donovan at this point:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 10, 1968.

MR. HEDLEY DONOVAN,
Editor in Chief, Time,
New York, N.Y.

DEAR MR. DONOVAN: At this time when the nation is going through a tragic experience, it is imperative to our survival that the news media of the country exercise mature and intelligent responsibility. It is, therefore, painful to me to note in the April 12 issue of Time in your story on the assassination of Dr. Martin Luther King, Jr., a lead which borders on hysteria, and one which can only add fuel to the flame of intolerance and hate that is so much a part of our times.

I refer to your correspondent's description of Memphis as a "backwater," and "decaying Mississippi River Town." Not only is this an open appeal to prejudice and hate against a whole community, but is an absolute falsehood. If your correspondent observed even the rudimentary elements of good news reporting he would have checked the record of Memphis and reported it as it is or would have refrained from trying to describe the city in any way.

It is to be noted that this condemnation of Memphis as being responsible for the assassination was made even before it has been determined that the assassin was a resident of Memphis or that the killing had any connection whatsoever with either the strike of sanitation workers or the planned march. This hysterical reporting reminds us of the infamous statements which were made immediately following the killing of President Kennedy. At that time there were those who, without any basis in fact, blamed the killing on the right wing elements and they had to see the day come when the truth became known that it was a Communist who was the assassin.

The senseless act of one individual does not condemn a whole city. If this is so, then all America and all Americans stand forever condemned because of the senseless acts of violence, rape and murder which have become common-place in these past few years.

On behalf of the 600,000 good citizens of Memphis, I demand that Time issue a public apology for the immature and vicious insult contained in this article. Failure to take a decent stand against this kind of irresponsible news writing will put your publication in the category of a scandal publication undeserving of the respect or confidence of decent, honest, people anywhere.

Sincerely,

DAN KUYKENDALL,
Member of Congress.

I did not hear from the editor in chief of Time and in the April 22 issue of the magazine, the publication continued its attack on Memphis. In a story, "Who Killed King," a slur was cast upon the entire business community of Memphis by printing a statement, again disguised as news, that is nothing less than vicious scandal mongering of the type expected over the back fence rather than in a supposedly reputable news magazine. An excerpt from that article is included here:

WHO KILLED KING

The world had hardly learned of Martin Luther King's murder in Memphis before speculation began that the civil rights leader had been the victim of a well-planned conspiracy. The r[redacted]were lubricated in part by the assiduously cultivated doubts that some still entertain about the killing of John F. Kennedy. In this case, however, the conspiracy theorists could point to the fact that, though the gunman was clearly identified, he remained—for all the far-flung resources of the FBI—mysteriously at large.

While the hows and whys of the murder continued to elude the authorities, amateur assassinologists assumed from the start that King's death had been engineered by a group of white Southern racists. The plot, said some, was hatched in Birmingham; others maintained that it was a made-in-Memphis undertaking. The latter theory was given some support last week by a Memphian who told Time and later the FBI that he had overheard a local businessman giving an unknown triggerman urgent orders to kill King on the balcony of his motel, and even specifying the price for the job ($5,000) and the pickup point for his fee (New Orleans).

Neither in the rest of that article or since has Time offered any proof that such a conversation ever took place, or if indeed there was such a conversation, no information has been forthcoming as to the identity of this alleged businessman.

To make such a charge and then to leave it hanging is the work of an expert in the art of character assassination who has evidently decided to direct his venom toward the entire business community of one of the most progressive and forward-looking cities in the United States.

Following the publication of this attack on the whole business community in Memphis, I sent the Time editor the following telegram:

APRIL 23, 1968.

MR. HEDLEY DONOVAN,
Editor in Chief, Time,
New York, N.Y.:

Please refer to my letter of April 10th concerning the slanderous attack by Time on the city of Memphis, Tenn. Please advise when I may expect an acknowledgement from you.

DAN KUYKENDALL,
Member of Congress.

On April 29, still having received no word from Editor Donovan, I wrote the following letter:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 29, 1968.

Mr. HEDLEY DONOVAN,
Editor in Chief, Time,
New York, N.Y.

DEAR MR. DONOVAN: Please refer to my letter of April 10 and my telegram of April 23.

It is quite apparent now that you have no intention of acknowledging my correspondence or to justify the unwarranted attacks on the people of Memphis, Tennessee which some Time propagandists have made under the guise of reporting the news.

Your first slander against Memphis was contained in Time, April 12, in which your writer referred to the city as a "backwater" and "decaying Mississippi town." This was followed in Time, April 22, with an unwarranted attack and slur upon the entire business community of Memphis. In your story, "Who Killed King," your correspondence quoted a "Memphian" who is reported to have told Time that "he had overheard a local businessman giving an unknown triggerman urgent orders to kill King on the balcony of his motel, and even specifying the price for the job ($5,000) and the pickup point for his fee (New Orleans)."

Nowhere in your story then, and at no time since, has Time offered any proof as to who this so-called Memphis businessman was or that such a conversation indeed was even overheard. Time instead has allowed this slur against the entire Memphis business community to stand and evidently you have no intention of correcting what amounts to scandalmongering under the guise of news reporting.

Your calloused attitude in encouraging such careless news reporting and your apparent indifference to show any evidence that this is not the policy of Time, forces us to the conclusion that Time is not a news magazine but rather a propaganda medium serving some purpose other than to inform its readers or to accurately report the news.

Your refusal to give me the courtesy of a reply to my communication and your determination to allow the slur against the people of Memphis and the whole Memphis business community to stand, leaves me no choice but to spread the whole story on the pages of the Congressional Record so that members of Congress and the people of the United States may be better able to judge the value of Time reporting in future stories.

Sincerely,

DAN KUYKENDALL,
Member of Congress.

Yesterday, May 1, I finally received a reply from Time. Not from the editor to whom I had addressed my communications, but from Otto Fuerbringer, listed as managing editor. Mr. Fuerbringer's letter was dated April 25, but the envelope was postmarked April 30. Fuerbringer's letter follows:

TIME,
New York, N.Y., April 25, 1968.

Congressman DAN KUYKENDALL,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN KUYKENDALL: Hedley Donovan has asked me to respond to your letter. He and I agree with you that the press has a responsibility in these days of tragedy and unrest not to make a bad situation worse by careless reporting.

I have reviewed the references to Memphis in Time's April 12 issue with the editor and writers responsible. We believe that although the indictment of Memphis was harsh, it was not unwarranted. We did not hold the people of Memphis to blame for the assassination of Dr. King; our point was, rather, that Dr. King was drawn to Memphis, and ultimately to his death, because of the impasse between the sanitation workers (largely Negro) and the mayor, and that the passions aroused by the strike were at once symbolic and symptomatic of racial sickness everywhere in the country.

There is certainly some impressive statistical and physical evidence that Memphis is growing, and Memphians have every reason to be encouraged by the new plants, new housing, and so forth. But any balanced look at Memphis would also have to assess where the city stands with respect to the conditions that go to the heart of the urban crisis in America today. We considered, for example, that racial attitudes in Memphis are still a discouraging mixture of paternalism at the top and ignorance, even hostility, at the bottom, and that Memphis's Negroes, in good part because of the complacency of well-meaning whites toward their problems, have yet to participate on anything like an equal basis in the city's economic gains. In short, there is physical renewal in Memphis, but there is also a disturbing amount of human blight which justifies, I think, the use of such words as decay and malaise.

We published two letters in the April 26 issue which reflect the tenor of our mail from Memphians. I hope you had a chance to see them.

Sincerely yours,

OTTO FUERBRINGER.

In the Time answer no defense is made of the charge that the magazine is using its news columns for personal opinion and editorializing and for spreading rumored conversations allegedly heard by some unidentified witness. A conversation supposedly held by some unknown person thought to be a businessman.

Instead, Mr. Fuerbringer admits the news stories in these two instances are based on what Time believes to be the attitudes of the people of Memphis, the leadership of our community and its business people. This is the very point I tried to make, that masquerading personal views of the editors or the magazine's writers as factual news reporting is dishonest and a threat to responsible communication.

The managing editor calls my attention to the fact that Time printed two letters in its April 26 issue which were received from Memphis and states that these two letters "reflect the tenor of our mail from Memphians." I know for a fact that a number of letters were written to Time protesting the two articles because I received copies of the letters from the writers. Now, it may be that the Post Office is at fault for not having delivered any letters to Time which contradicted Time's preconceived opinion of Memphis. I hardly believe that such is the case, but am forced to the conclusion that Time edits its letters to the editor column with the same reckless irresponsibility it displays in reporting the news and prints only those letters which enhance its own attitudes.

Mr. Speaker, I know there is little purpose in getting into a controversy with a major news publication, but I feel a duty to the people of Memphis, whom I represent, and to a community which has a proven record of responsible leadership and remarkable efforts in bringing all the people of the city together for the common good, to make the record clear concerning the unfair and unfounded attacks upon that city by Time.

I am making this exchange of correspondence a part of the RECORD, also, that my colleagues in Congress may become aware of the type of news reporting encouraged by Time. If this slander against a great city and its people is allowed to go unchallenged, then all of you may expect like treatment whenever the editors of Time send out one of their agents to to do a hatchet job on your community.

REORGANIZATION PLAN NO. 2 OF 1968 FOR TRANSPORTATION

Mr. FALLON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FALLON. Mr. Speaker, the Committee on Public Works has given careful study to Reorganization Plan No. 2 of 1968 for transportation which the President submitted to the Congress on February 26, 1968. Under this plan certain functions relating to urban mass transportation are to be transferred from the Secretary of the [redacted] of Housing and Urban Development to the Secretary of the Department of Transportation. The transfer of functions as outlined in the plan are deemed to be desirable. Information came to the attention of the committee, however, which indicated that the two Secretaries were contemplating an exchange of functions that was not intended in the transfer defined in the Reorganization Plan No. 2.

The committee was deeply concerned since this information indicated that the Secretary of Transportation had agreed to relinquish much of his responsibility for transportation planning in our urban areas. As a result of conversations between members of the committee and Secretary Boyd and subsequent discussions between members of the committee staff and the staff of the Department of Transportation, I received a letter dated April 25, 1968, signed by M. Cecil Mackey, Acting Secretary, which clarifies the Secretary's position on some of the matters that had caused us concern. I should like to include this letter in the RECORD.

The Secretary of Transportation has assured us that he does not contemplate relinquishing any of his basic statutory responsibilities for determining the adequacy of the urban transportation planning process and approving Federal aid highway projects. I am extremely disappointed, however, that he did not explicitly state that he expects to continue full-scale cooperation with the States in the development of long-range highway plans and programs as specified in the second sentence of section 134, title 23, United States Code. Title 23 is under the jurisdiction of this committee. Section 134 was added by the Federal-Aid Highway Act of 1962 because of the interest and concern of this

committee in encouraging effective urban transportation planning.

The transportation planning processes which have been established pursuant to section 134 are being carried on cooperatively by the States and the local communities and are eminently successful. Any lessening of the Department of Transportation's administrative and technical involvement in transportation planning in urban areas would, in my opinion, seriously jeopardize the Secretary's ability to exercise his responsibilities with respect to planning determinations and Federal aid highway project approvals, and would certainly be inconsistent with the stated reasons for creating the Department of Transportation.

The committee will look forward to further information on the understandings developed by the two Departments which the Secretary of Transportation has assured us he will provide.

The letter referred to follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., April 25, 1968.

Hon. GEORGE H. FALLON,
Chairman, Committee on Public Works,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This will confirm Secretary Boyd's conversations with Mr. Cramer of the Public Works Committee and subsequent discussions between members of the Committee staff and staff of the Department regarding the arrangements to be worked out between the Departments of Housing and Urban Development and Transportation in connection with the transfer of the urban mass transportation program.

The basic concern which Mr. Cramer expressed was that the Secretary of Transportation not relinquish any of his basic statutory responsibilities for determining the adequacy of the urban transportation planning process and approving Federal aid highway projects. I can give the Committee unequivocally my assurance that this is not contemplated.

Several questions were raised with respect to the meaning to be given certain provisions of the "Summary of HUD and DOT Positions on Major Reorganization Plan Issues" of February 19, 1968:

1. Section B1a provides that the Federal responsibility for assisting and guiding area-wide comprehensive planning (including comprehensive transportation planning) by local communities resides in HUD. The question was raised whether, pursuant to this understanding, the Department would relinquish any of its authority to make determinations and findings under section 134 of title 23 U.S.C. I can assure you that it does not. The quoted understanding simply reflects what the two Departments believe to be the statutory function of HUD as set forth in section 701 of the Housing Act of 1954 and other statutes relating to comprehensive urban planning.

2. Section B1c of the HUD–DOT paper provides that "where a local agency having responsibility for comprehensive planning for the area is qualified, as determined by HUD, to carry out transportation system planning, that agency or one responsible to it, shall carry out the transportation system planning." This provision would have no effect on the authority presently residing in the Secretary of Transportation to make all determinations and findings as to the adequacy of transportation planning processes pursuant to section 134 of title 23. Consistent with the HUD–DOT position paper, however, we would anticipate establishing formal coordinative relationships with HUD so as to harmonize as completely and as practically as possible the section 134 planning process with the comparable planning requirements of the Urban Mass Transportation Act.

3. The last sentence of section B1d provides that "HUD will keep DOT informed on a current basis of the status of planning operations in the various areas. The role of HUD pursuant to this sentence is intended to be advisory to DOT. DOT would retain the responsibility for making the findings and determinations required by section 134 and would continue to conduct such staff activity as it deemed necessary to the proper exercise of that responsibility.

4. Section C1 provides that HUD will certify to the Department as to the adequacy of the continuing transportation planning process in urban areas of more than 50,000 population, pursuant to section 134 of title 23 and that this certification will provide a basis for a DOT finding as to the adequacy of the planning process and a finding that projects are based on such a process. It is the intent of this provision that the certification by HUD will be advisory to DOT. The Secretary of Transportation shall retain the authority and responsibility for approving projects and making findings under section 134. In the final analysis the Secretary of Transportation would not be bound by the recommendations of HUD in making these approvals or findings.

5. The provision of paragraph 1 of section E which states "HUD will assume with respect to highway projects having significant impact on the planning and development of urban areas, the same role as specified in D above with respect to mass transportation project approvals," does not give to HUD the authority to disapprove a highway project in an urban area. It is nonetheless intended that HUD will review highway projects having a significant impact on urban areas and submit comments and recommendations to the Secretary of Transportation. Of course, if no recommendations or comments are forthcoming within a reasonable time, DOT will proceed to make a timely determination.

6. The provisions of paragraph 1 of section G which state, "DOT will utilize HUD in the review of annual work programs developed by State highway agencies under section 307(c) of title 23, insofar as these programs have an impact on comprehensive planning (including comprehensive urban transportation planning) in metropolitan areas," means that while DOT will conduct its review of these programs with its staff, HUD in addition will consult with DOT and submit its recommendations. It is anticipated that DOT and HUD will jointly develop criteria to be utilized by DOT in its review and approval of such programs. HUD's role in this matter will be one of consultation and recommendation in relation to overall comprehensive urban planning.

You may be sure that the Department will keep the Committee of Public Works in both the House and the Senate informed as to the understandings developed by the two Departments.

Sincerely,

M. CECIL MACKEY,
Acting Secretary.

THE "OTHER WAR" AT CAMP KILMER

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, much has been written and spoken about the Office of Economic Opportunity and its multiple attack on poverty in our own Nation. We hear that the OEO is either doing too much or not enough in the struggle against poverty, want, and despair.

Mr. Speaker, I believe it is a great help to all of us when we obtain objective and well-balanced reports about the various OEO programs. The Morning Call of Paterson, N.J., on April 16 featured an article by Frank Lombardi which described in detail the efforts and success of Job Corps enrollees at Camp Kilmer. This article demonstrates what many of us in the Congress have been saying about the OEO and its Job Corps program; namely, that young people can be prompted to learn rather than burn.

The following article about the Job Corps at Camp Kilmer should make evident the need to continue this valuable and constructive OEO program. I think that Mr. Lombardi should be commended for writing the article just as the Morning Call should be commended for publishing it.

The article follows:

ANOTHER WAR: CAMP KILMER—TRAINING TO BATTLE POVERTY

(By Frank Lombardi)

CAMP KILMER.—There's a war being fought again at this former Army base. A war fought with kids from farms and ghettoes, with welding torches and books, with government and industry and by a lot of people who simply care.

The war against unemployment and its cohorts of ignorance and poverty rivals in importance the one that once brought five million men and women through Camp Kilmer in World War II.

It's a big war and the three years the Kilmer Job Corps Center has been operating have brought victory just a fraction closer—the end is nowhere in sight.

Yesterday, the center was bracing for the flock of dignitaries, reporters and visitors expected for ceremonies marking the Job Corps' third anniversary. It was a scene being repeated at 100 such centers throughout the country in conjunction with Job Corps Week.

Many of the 1,700 corpsmen here were busy finishing up exhibits of their work to be viewed by the public in the large gym. Others were going through their routine of classes and job instruction.

The war-vintage buildings are the same except for repairs and white paint but there is little else to remind a visitor of the stifling regimentation of Army life. The only pressure these kids face is the awesome one of living down their pasts and learning how to live in the future.

"Every kid who comes here is a certified failure," said E. P. Greene of Allendale, the center's manager of community relations. He's one of the executives of ITT's Federal Electric Corporation running the center on contract with the Office of Economic Opportunity.

"They've been defeated so many times (with jobs, schools, and the police) that they just don't care anymore. They've lived in an atmosphere of defeat."

It's the center's goal to give the corpsman back his pride and sense of responsibility and to train him in skills that will make him productive when he goes out the gate months later.

Officials here feel they are succeeding. In its three years, 3,500 young men have become corpsmen and 3,000 have returned to confirmed jobs.

The corpsmen, aged 16 through 21, spend an average of eight months living, sleeping and most of all learning with other youth in the same dilemma. They are here from throughout the country because of employment agencies, counselors, or their own initiative.

The majority (80 per cent) are "nonwhite". Few have finished high school, and if they have most are still functional illiterates, unable to fill out job applications or take a simple test. It's the center's job to do in eight months what should have been done in 17 years.

D. L. (Jack) Webber of Franklin Lakes, Camp Kilmer's director, said "There are no guidelines for what we are doing. There's no precedent for such a program in history. It's not a panacea but at least we're doing something to help many men find themselves."

"When you start with nothing and wind up with something that's an achievement," he added. Officials are ready to admit some failures over the past three years, but are aggressively confident of the program's overall success.

According to Greene, the corps has done more than just give vocational school training to its graduates. It has given them an entire new approach to living in society. The emphasis is on the Horatio Alger success story, achieved by work and determination.

Frank Gallagher, an instructor in the center's welding, electric and printing school, summed it up by saying, "I want them to leave here and get good jobs."

One of his student's a 22-year-old Newark Negro with three offenses on his police record, put it another way, "I know I can't get nowheres on a street corner."

Besides training in such fields as painting, welding, auto repair, auto-body work, computer operation, carpentry and machine operation, the youths receive academic help a great deal of it almost on a tutoring basis. Both are then combined with a thorough job placement effort.

Joseph Molinari, placement director, said he could place every one of his graduates within 50 miles of Edison if they wished. Many, however, become home sick and want to return to their families rather than relocate in the New York-New Jersey area.

Some may go home to rural areas and find that their new skills still leave them unemployed. This is another aspect of the problem the corps is still trying to solve. The skills taught are those in demand in most areas of the country, but the individual must be convinced to use that skill and not slide back into despair.

There are 10 Bergen-Passaic County youths at the center, seven from Paterson and one each from Ridgewood, Garfield and Passaic.

James Holmes, 17, of 68 Myrtle St., Passaic, is a new arrival. He will undergo an eight month course in auto-body repair. His goal, he said, is to make something of his life.

Vernon Lee Davis, 18, of 261 S. Broad St. Ridgewood who has five months left in his cook's training course, said exactly the same thing. They've accepted the goal of the corps as their own.

That goal is an expensive one to reach. Each corpsman, it was estimated, receives about $5,000 worth of training during his stay. The last three years has seen an expenditure of close to $30 million, including the rehabilitation of the old Army barracks.

Webber said it's impossible to put a dollar and cents value on the corps' program. The youth go on to earn three dollars for every one spent on their training. They are also kept off welfare and out of jails and are contributing again to society, he added.

Each of the officials interviewed offered suggestions on how the public can help. Their most common answer was, "Help them when they get through. Help those who are trying to help themselves."

All agreed that the corps' unofficial motto is reaping results: "Any boy can join the Job Corps. It takes a man to stick with it."

SELECTIVE SERVICE TASK FORCE REPORT

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, more than a year ago the President received recommendations for changes in the structure and administration of our Nation's draft system from his National Advisory Commission on Selective Service. Some of these recommendations could be implemented under existing Executive authority, others require legislation.

Subsequently, the President appointed a special task force, consisting of Gen. Lewis B. Hershey, former Defense Secretary Robert S. McNamara, and former Budget Director Charles Schultze, to review the Commission findings and recommendations. This task force reported to the President more than 3 months ago. According to General Hershey's office the report was forwarded to Selective Service "for appropriate action" on January 23.

This report has yet to be published, and it was only on April 29 that any concrete indication of its contents became a matter of public knowledge—through a newspaper article. Reaction to this article caused General Hershey to call a press conference at which it became clear that virtually all the major recommendations of the Commission have been rejected.

General Hershey is quoted at this press conference as saying the Commission had "erred by ignoring the experience of the past," and that:

> Maybe they're the wave of the future—I couldn't say—it hasn't come yet.

Whatever else comes out of this conference, it has illustrated once again that this administration, far from being the "wave of the future," is unwilling to update and improve our military manpower recruiting procedures.

I submit that allowing General Hershey to pass on the merits of the Commission findings is to assure their burial. Quite naturally his inclination is to support the regulations and procedures he has helped shape over the past two decades.

I further submit that it is not at all clear from the reports of the press conference the extent to which the views of the other members of the task force are reflected in General Hershey's statements, and that this will not be clear until the full text of the task force report is made available to the public, the press, and the Congress.

The statement that funds are not available to publish the report are in the best tradition of the kind of obfuscation the American people have come to expect from this administration, and I find it totally unacceptable.

Along with a considerable number of other Members of Congress, I am convinced that changes are in fact needed in our draft laws and in their administration. Having studied the report of the President's Commission, I cannot believe that most of its recommendations could have been determined to be without merit. And if this is in fact the finding of the task force, it is essential that the American people be told the basis on which this finding was made.

I call on the administration to immediately publish and distribute the task force report so that we may have the benefit of its findings in undertaking this vital task.

CENSUS FORM—1970

Mr. BETTS. Mr. Speaker, I ask unanimous consent to [redacted] my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, the controversy over plans for the 1970 census of population, housing, and unemployment involves the number and type of questions proposed and the fact that the millions of Americans receiving the questionnaires will be compelled to answer all inquiries under penalty of $100 fine or 60 days' imprisonment.

Interest in census reform, particularly favorable action to simplify questions or remove the penalty from all but a few essential questions—through H.R. 10952—has resulted in a great demand for copies of the form being used to test 1970 census plans.

The Census Bureau has provided me with an informational copy of the exact form to be used in May 15 pretests of Dane County—Madison area—Wisconsin and Sumter and Chesterfield Counties of South Carolina. A form very similar to it was tested in New Haven, Conn., and North Philadelphia, Pa., last year.

Mr. Speaker, there are 67 subjects with over 120 questions on this form. I believe there are many questions which could be deferred to a sample household survey or at least placed on a voluntary basis for answering. I include the actual form so my colleagues and other concerned Americans can make their own judgment as to the need, propriety, and potential effectiveness of the 1970 census if conducted using this questionnaire:

INFORMATIONAL COPY

This leaflet shows the questions being used in the "dress rehearsal" program for the 1970 Census of Population and Housing. See explanatory notes on back page.

U.S. DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS
WASHINGTON, D.C. 20233

Dear Fellow Citizen:

Wednesday, May 15, is Official Census Day. Please fill out this form and mail it on May 15, or as soon afterward as possible. We must call on you for the information if you do not return your completed form to us.

Your cooperation in carefully filling out the form and mailing it back on Wednesday, May 15, will help make the census successful, and save the government the expense of calling on you for the information. Estimates may be made where exact answers are not known.

Answers to the census questions are required by law (Title 13 U.S. Code). By the same law, the information you furnish is CONFIDENTIAL. It may be seen only by sworn census employees and may be used only for statistical purposes.

The householder should make sure that the information is shown for everyone here, as explained in the form. If a boarder, roomer, or anyone else prefers not to give the householder all his information to enter on the form, the householder should write at least his name, relationship, and sex in columns 1 to 3. A Census Taker will call to get the rest of the information directly from the person.

Thank you for your cooperation.

Sincerely yours,

A. Ross Eckler

A. Ross Eckler
Director
Bureau of the Census

INFORMATIONAL COPY

UNITED STATES CENSUS

SAMPLE COPY

	a1.	a2.	a3.	a4.	a5.

If the address shown above has the wrong apartment identification, please write the correct apartment number or location here:

XXXXXXXXXX

A FEW GUIDES --

- Black pencil is better to use in filling your census form than ball point or other pens. This form will be read directly by an electronic computer. Black pencil marks are read most accurately.
- Fill circles " O " like this: ●
- If you fill the wrong circle, please erase the mark completely.
- For write-in answers, please print or write clearly.
- If you want help in filling this form, please call the Census phone number shown on the brown return envelope.

We want to be sure that each and every house, apartment, or flat at this address gets a Census form.

A. How many living quarters, occupied and vacant, are at this address?

- O One
- O 2 apartments or living quarters
- O 3 apartments or living quarters
- O 4 apartments or living quarters
- O 5 apartments or living quarters
- O 6 apartments or living quarters
- O 7 apartments or living quarters
- O 8 apartments or living quarters
- O 9 apartments or living quarters
- O 10 or more apartments or living quarters
- O A mobile home or trailer

FORM D-60(X)
(11-30-67)
Budget Bureau No. 41-S67103
Approval Expires 4-30-69

PLEASE TURN THIS FLAP IN BEFORE FOLDING THE FORM

After filling question A, please read the instructions and question B on this flap. Then continue with column 1 on the inside of the form.

In column 1 of the inside page, please list everyone who was living here on Wednesday, May 15, 1968. Also list anyone staying or visiting here who had no other home.

Include:

- All family members and other relatives living here, including babies.
- All lodgers, boarders, servants, hired hands, and other nonrelatives living here.
- All persons who usually live here but are temporarily away.
- All persons with a home elsewhere but who stay here most of the week while working or attending college.

Do Not Include:

- Any college student away from here at school (or who is here only on vacation).
- Any person away from here in the Armed Forces or in an institution such as a nursing home, mental hospital, or sanitarium.
- Any person visiting here who has a usual home elsewhere.

B. If everyone in this home, apartment, or unit is only staying here temporarily and has a usual home elsewhere, please fill this circle ○ and print their names to the right. Mail the form back without any other entries on Wednesday, May 15.

→ _____

_____

_____

_____

_____

PLEASE TURN THIS FLAP IN BEFORE FOLDING THE FORM

Page 2

DO NOT MARK THIS COLUMN	Line No.	Col. 1. NAME OF EACH PERSON who was living here on Wednesday, May 15, 1968 or who was staying or visiting here and had no other home. Print names in this order: Head of the household; Wife of head; Unmarried children, oldest first; Married children and their families; Other relatives of the head; Persons not related to the head	Col. 2. RELATIONSHIP TO HEAD OF THIS HOUSEHOLD. Fill one circle. If "Other relative of head," also give exact relationship, for example, mother-in-law, brother, niece, grandson, etc. If "Other not related to head," also give exact relationship, for example, partner, roomer's wife, maid, boarder's daughter, etc.
○ ○ ○ ■	(1)	Last name ---------- First name ---------- Middle initial	○ Head of household ○ Wife of head ○ Son or daughter of head ○ Other relative of head -- Print exact relationship → ---------- ○ Roomer, boarder, lodger ○ Patient or inmate ○ Other not related to head -- Print exact relationship ----------
○ ○ ○	(2)	Last name ---------- First name ---------- Middle initial	○ Head of household ○ Wife of head ○ Son or daughter of head ○ Other relative of head -- Print exact relationship → ---------- ○ Roomer, boarder, lodger ○ Patient or inmate ○ Other not related to head -- Print exact relationship ----------
○ ○ ○ ■	(3)	Last name ---------- First name ---------- Middle initial	○ Head of household ○ Wife of head ○ Son or daughter of head ○ Other relative of head -- Print exact relationship → ---------- ○ Roomer, boarder, lodger ○ Patient or inmate ○ Other not related to head -- Print exact relationship ----------
○ ○ ○	(4)	Last name ---------- First name ---------- Middle initial	○ Head of household ○ Wife of head ○ Son or daughter of head ○ Other relative of head -- Print exact relationship → ---------- ○ Roomer, boarder, lodger ○ Patient or inmate ○ Other not related to head -- Print exact relationship ----------
○ ○ ○ ■	(5)	Last name ---------- First name ---------- Middle initial	○ Head of household ○ Wife of head ○ Son or daughter of head ○ Other relative of head -- Print exact relationship → ---------- ○ Roomer, boarder, lodger ○ Patient or inmate ○ Other not related to head -- Print exact relationship ----------
○ ○ ○	(6)	Last name ---------- First name ---------- Middle initial	○ Head of household ○ Wife of head ○ Son or daughter of head ○ Other relative of head -- Print exact relationship → ---------- ○ Roomer, boarder, lodger ○ Patient or inmate ○ Other not related to head -- Print exact relationship ----------
○ ○ ○ ■	(7)	Last name ---------- First name ---------- Middle initial	○ Head of household ○ Wife of head ○ Son or daughter of head ○ Other relative of head -- Print exact relationship → ---------- ○ Roomer, boarder, lodger ○ Patient or inmate ○ Other not related to head -- Print exact relationship ----------
○ ○ ○	(8)	Last name ---------- First name ---------- Middle initial	○ Head of household ○ Wife of head ○ Son or daughter of head ○ Other relative of head -- Print exact relationship → ---------- ○ Roomer, boarder, lodger ○ Patient or inmate ○ Other not related to head -- Print exact relationship ----------

9. Do not list more than 8 persons on this form. Fill this circle ○ and we will call to get the information about those persons not listed on the form.

10. Did you leave anyone out of Column 1 because you were not sure if he should be listed -- for example, a new baby still in the hospital, or a lodger who also has another home? ○ Yes ○ No — On back page, give name(s) and reason left out.

11.

Col. 3. SEX	Col. 4. COLOR OR RACE	DATE OF BIRTH			Col. 8. MARITAL STATUS
		Col. 5. Month and year of birth and age last birthday	Col. 6. Month of birth	Col. 7. Year of birth	
Fill one circle	Fill one circle. If "Indian (American)," also give tribe. If "Other," also give race.	Print	Fill one circle	Fill one circle for first three numbers / Fill one circle for last number	Fill one circle
Male ○ Female ○	○ White ○ Negro ○ Indian (Amer.) ○ Japanese ○ Chinese ○ Filipino ○ Hawaiian ○ Part Hawaiian ○ Other-- Print race. Print tribe →	Month _____ Year _____ Age _____	○ Jan.-Mar. ○ Apr.-June ○ July-Sept. ○ Oct.-Dec.	○ 186- ○ 187- ○ 188- ○ 189- ○ 190- ○ 191- / ○ 192- ○ 193- ○ 194- ○ 195- ○ 196- / ○ 0 ○ 1 ○ 2 ○ 3 ○ 4 / ○ 5 ○ 6 ○ 7 ○ 8 ○ 9	○ Now married ○ Widowed ○ Divorced ○ Separated ○ Never married
Male ○ Female ○	○ White ○ Negro ○ Indian (Amer.) ○ Japanese ○ Chinese ○ Filipino ○ Hawaiian ○ Part Hawaiian ○ Other-- Print race. Print tribe →	Month _____ Year _____ Age _____	○ Jan.-Mar. ○ Apr.-June ○ July-Sept. ○ Oct.-Dec.	○ 186- ○ 187- ○ 188- ○ 189- ○ 190- ○ 191- / ○ 192- ○ 193- ○ 194- ○ 195- ○ 196- / ○ 0 ○ 1 ○ 2 ○ 3 ○ 4 / ○ 5 ○ 6 ○ 7 ○ 8 ○ 9	○ Now married ○ Widowed ○ Divorced ○ Separated ○ Never married
Male ○ Female ○	○ White ○ Negro ○ Indian (Amer.) ○ Japanese ○ Chinese ○ Filipino ○ Hawaiian ○ Part Hawaiian ○ Other-- Print race. Print tribe →	Month _____ Year _____ Age _____	○ Jan.-Mar. ○ Apr.-June ○ July-Sept. ○ Oct.-Dec.	○ 186- ○ 187- ○ 188- ○ 189- ○ 190- ○ 191- / ○ 192- ○ 193- ○ 194- ○ 195- ○ 196- / ○ 0 ○ 1 ○ 2 ○ 3 ○ 4 / ○ 5 ○ 6 ○ 7 ○ 8 ○ 9	○ Now married ○ Widowed ○ Divorced ○ Separated ○ Never married
Male ○ Female ○	○ White ○ Negro ○ Indian (Amer.) ○ Japanese ○ Chinese ○ Filipino ○ Hawaiian ○ Part Hawaiian ○ Other-- Print race. Print tribe →	Month _____ Year _____ Age _____	○ Jan.-Mar. ○ Apr.-June ○ July-Sept. ○ Oct.-Dec.	○ 186- ○ 187- ○ 188- ○ 189- ○ 190- ○ 191- / ○ 192- ○ 193- ○ 194- ○ 195- ○ 196- / ○ 0 ○ 1 ○ 2 ○ 3 ○ 4 / ○ 5 ○ 6 ○ 7 ○ 8 ○ 9	○ Now married ○ Widowed ○ Divorced ○ Separated ○ Never married
Male ○ Female ○	○ White ○ Negro ○ Indian (Amer.) ○ Japanese ○ Chinese ○ Filipino ○ Hawaiian ○ Part Hawaiian ○ Other-- Print race. Print tribe →	Month _____ Year _____ Age _____	○ Jan.-Mar. ○ Apr.-June ○ July-Sept. ○ Oct.-Dec.	○ 186- ○ 187- ○ 188- ○ 189- ○ 190- ○ 191- / ○ 192- ○ 193- ○ 194- ○ 195- ○ 196- / ○ 0 ○ 1 ○ 2 ○ 3 ○ 4 / ○ 5 ○ 6 ○ 7 ○ 8 ○ 9	○ Now married ○ Widowed ○ Divorced ○ Separated ○ Never married
Male ○ Female ○	○ White ○ Negro ○ Indian (Amer.) ○ Japanese ○ Chinese ○ Filipino ○ Hawaiian ○ Part Hawaiian ○ Other-- Print race. Print tribe →	Month _____ Year _____ Age _____	○ Jan.-Mar. ○ Apr.-June ○ July-Sept. ○ Oct.-Dec.	○ 186- ○ 187- ○ 188- ○ 189- ○ 190- ○ 191- / ○ 192- ○ 193- ○ 194- ○ 195- ○ 196- / ○ 0 ○ 1 ○ 2 ○ 3 ○ 4 / ○ 5 ○ 6 ○ 7 ○ 8 ○ 9	○ Now married ○ Widowed ○ Divorced ○ Separated ○ Never married
Male ○ Female ○	○ White ○ Negro ○ Indian (Amer.) ○ Japanese ○ Chinese ○ Filipino ○ Hawaiian ○ Part Hawaiian ○ Other-- Print race. Print tribe →	Month _____ Year _____ Age _____	○ Jan.-Mar. ○ Apr.-June ○ July-Sept. ○ Oct.-Dec.	○ 186- ○ 187- ○ 188- ○ 189- ○ 190- ○ 191- / ○ 192- ○ 193- ○ 194- ○ 195- ○ 196- / ○ 0 ○ 1 ○ 2 ○ 3 ○ 4 / ○ 5 ○ 6 ○ 7 ○ 8 ○ 9	○ Now married ○ Widowed ○ Divorced ○ Separated ○ Never married
Male ○ Female ○	○ White ○ Negro ○ Indian (Amer.) ○ Japanese ○ Chinese ○ Filipino ○ Hawaiian ○ Part Hawaiian ○ Other-- Print race. Print tribe →	Month _____ Year _____ Age _____	○ Jan.-Mar. ○ Apr.-June ○ July-Sept. ○ Oct.-Dec.	○ 186- ○ 187- ○ 188- ○ 189- ○ 190- ○ 191- / ○ 192- ○ 193- ○ 194- ○ 195- ○ 196- / ○ 0 ○ 1 ○ 2 ○ 3 ○ 4 / ○ 5 ○ 6 ○ 7 ○ 8 ○ 9	○ Now married ○ Widowed ○ Divorced ○ Separated ○ Never married

Did you list anyone in Column 1 who is away from home now-- for example, on a vacation or in a hospital? ○ Yes ○ No — *On back page, give name(s) and reason person is away.*

12. Did anyone stay here on Tuesday, **May 14**, who is not already listed? ○ Yes ○ No — *On back page, give name of each visitor for whom there is no one at his home address to report him to a census taker.*

Page 3

H1. Is there a telephone on which people who live here can be called?
- ○ Yes → What is the number? _____ (Phone number)
- ○ No

H2. How do you enter your living quarters?
- ○ Directly from the outside
- ○ Through a common or public hall
- ○ Through someone else's living quarters

H3. Do you have complete kitchen facilities? *(Complete kitchen facilities are a sink with piped water, a range or cook stove, and a refrigerator)*
- ○ Yes, for this household only
- ○ Yes, but shared with another household
- ○ No complete kitchen facilities for this household

H4. How many rooms do you have in your living quarters? *(Do not count bathrooms, porches, balconies, foyers, halls, or half-rooms)*
- ○ 1 room
- ○ 2 rooms
- ○ 3 rooms
- ○ 4 rooms
- ○ 5 rooms
- ○ 6 rooms
- ○ 7 rooms
- ○ 8 rooms
- ○ 9 rooms or more

H5. Is there hot and cold piped water in this building?
- ○ Yes, hot and cold piped water in this building
- ○ No, only cold piped water in this building
- ○ No piped water in this building

H6. Do you have a flush toilet?
- ○ Yes, for this household only
- ○ Yes, but shared with another household
- ○ No flush toilet

H7. Do you have a bathtub or shower?
- ○ Yes, for this household only
- ○ Yes, but shared with another household
- ○ No bathtub or shower

H8. Is this building built--
- ○ With a basement?
- ○ On a concrete slab?
- ○ In another way?

H9. How are your living quarters heated? *(Fill one circle for the kind of heat you use most)*
- ○ Steam or hot water system
- ○ Central warm air furnace with ducts to the individual rooms, or central heat pump
- ○ Floor, wall, or pipeless furnace
- ○ Built-in electric units *(permanently installed in wall, ceiling, or baseboard)*
- ○ Room heater(s) with flue or vent *(circulating heaters, radiant gas heaters, stoves used for heating, etc., connected to a flue, vent, or chimney; include fireplaces here)*
- ○ Room heater(s) without flue or vent *(portable gas, kerosene, and electric heaters, radiant gas heaters, stoves used for heating, etc., not having a flue, vent, or chimney)*
- ○ In some other way-- *Describe* _____
- ○ Not heated

H10. Are your living quarters--
- ○ Owned or being bought by you or by someone else in this household? *(Do not include cooperatives and condominiums here)*
- ○ A cooperative or condominium which is owned or being bought by you or by someone else in this household?
- ○ Rented for cash rent?
- ○ Occupied without payment of cash rent?

H11a. Do you live in a one-family house?
- ○ Yes, a one-family house
- ○ No, a building for 2 or more families
- ○ No, a mobile home or trailer

b. *If "Yes"*-- Is any part of this property used as a commercial establishment, as a medical office, or for farming?
- ○ Yes, as commercial establishment or medical office
- ○ Yes, for farming
- ○ No

H12. *If you live in a one-family house which you own or are buying*-- What is the value of this property; that is, how much do you think this property (house and lot) would sell for if it were for sale?
- ○ Less than $5,000
- ○ $5,000 to $7,499
- ○ $7,500 to $9,999
- ○ $10,000 to $12,499
- ○ $12,500 to $14,999
- ○ $15,000 to $19,999
- ○ $20,000 to $24,999
- ○ $25,000 to $29,999
- ○ $30,000 to $34,999
- ○ $35,000 to $49,999
- ○ $50,000 or more

H13. *Answer this question if you pay rent for your living quarters.*

a. *If you pay rent by the month* --

What is your monthly rent?

Write amount here → $ _____.00 *(Nearest dollar)*

and

Fill three circles here →
- ○○○ 0
- ○○○ 1
- ○○○ 2
- ○○○ 3
- ○○○ 4
- ○○○ 5
- ○○○ 6
- ○○○ 7
- ○○○ 8
- ○○○ 9

Example: If $137, fill circle for "1" in first column, "3" in second column, and "7" in third column.

Example: If $75, fill circle for "0" in first column, "7" in second column, and "5" in third column.

Also, see pink instruction sheet.

b. *If you do not pay rent by the month*--

What is your rent, and what period of time does it cover?

$ _____ (Nearest dollar) .00 per _____ (Week, half-month, year, etc)

FOR CENSUS TAKER'S USE ONLY

a4. Block number | a5. Serial number

0	○	○	○	0	○	○	○	0
1	○	○	○	1	○	○	○	1
2	○	○	○	2	○	○	○	2
3	○	○	○	3	○	○	○	3
4	○	○	○	4	○	○	○	4
5	○	○	○	5	○	○	○	5
6	○	○	○	6	○	○	○	6
7	○	○	○	7	○	○	○	7
8	○	○	○	8	○	○	○	8
9	○	○	○	9	○	○	○	9

Make no mark in this margin

C. Type of unit or quarters

Occupied
- ○ First form
- ○ Continuation

Vacant
- ○ Regular
- ○ Usual residence elsewhere

[redacted]

Group quarters
- ○ First form
- ○ Continuation

For vacant units, also fill D, E, H2 to H9, and H11 to H13

D. Vacancy status

Year round --
- ○ For rent
- ○ For sale only
- ○ Rented or sold, not occupied
- ○ Held for occasional use
- ○ Other vacant
- ○ Seasonal
- ○ Migratory

E. Months vacant
- ○ Less than 1 month
- ○ 1 up to 2 months
- ○ 2 up to 6 months
- ○ 6 up to 12 months
- ○ 1 year up to 2 years
- ○ 2 years or more

Make no mark in this margin

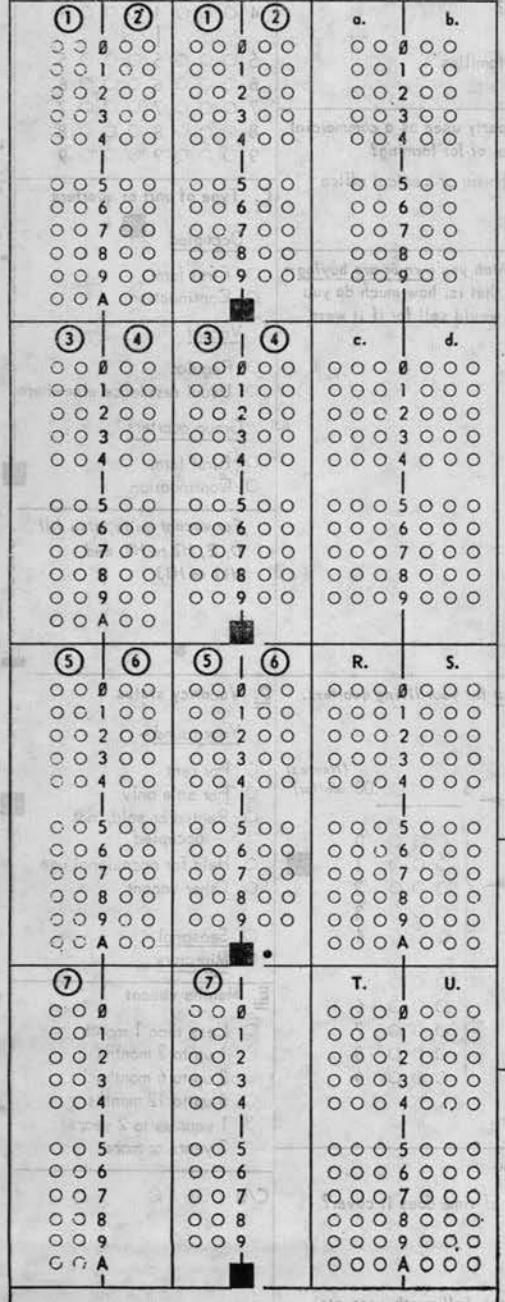
C/O ○ ○

Page 4

Please continue with the questions on page 5. →

FOR OFFICE USE ONLY

Col. 2 | Col. 4 | H 14



HOUSEHOLDER MAKES NO ENTRIES ON THIS PAGE; IT IS FOR OFFICE USE ONLY.

Make no mark in this margin

Make no mark in this margin

Page 5

H14. *Answer question H14 if you pay rent for your living quarters.*

In addition to the rent entered in H13, do you also pay for--

a. Electricity?
- ○ Yes, average monthly cost is → $ _____.00 *Average monthly cost*
- ○ No, included in rent
- ○ No, electricity not used

b. Gas?
- ○ Yes, average monthly cost is → $ _____.00 *Average monthly cost*
- ○ No, included in rent
- ○ No, gas not used

c. Water?
- ○ Yes, yearly cost is → $ _____.00 *Yearly cost*
- ○ No, included in rent or no charge

d. Oil, coal, kerosene, wood, etc.?
- ○ Yes, yearly cost is → $ _____.00 *Yearly cost*
- ○ No, included in rent
- ○ No, fuels not used

H15. About when was this building originally built? *(Mark when the building was first constructed, not when it was remodeled, added to, or converted)*
- ○ 1967 or later
- ○ 1965 to 1966
- ○ 1960 to 1964
- ○ 1950 to 1959
- ○ 1940 to 1949
- ○ 1939 or earlier

H16. Which best describes this building? *(Include all apartments, flats, etc., even if vacant)*
- ○ A one-family house detached from any other house
- ○ A one-family house attached to one or more houses
- ○ A building for 2 families
- ○ A building for 3 or 4 families
- ○ A building for 5 to 9 families
- ○ A building for 10 to 19 families
- ○ A building for 20 to 49 families
- ○ A building for 50 or more families
- ○ A mobile home or trailer
- Other -- *Describe* _____

H17. Is this building--
- ○ On a city or suburban lot? *(Skip to H19)*
- ○ On a place of less than 10 acres?
- ○ On a place of 10 acres or more?

H18. Last year, 1967, did sales of crops, livestock, and other farm products from this place amount to--
- ○ Less than $50 (or None)
- ○ $50 to $249
- ○ $250 to $2,499
- ○ $2,500 to $4,999
- ○ $5,000 to $9,999
- ○ $10,000 or more

H19. Do you get water from--
- ○ A public system *(city water department, etc.)* or private company?
- ○ An individual well?
- ○ Some other source *(a spring, creek, river, cistern, etc.)*?

H20. Is this building connected to a public sewer?
- ○ Yes, connected to public sewer?
- ○ No, use septic tank or cesspool
- ○ No, use other means

H21. How many bathrooms do you have?

A complete bathroom is a room with flush toilet, bathtub or shower, and wash basin with piped water.

A half bathroom has at least a flush toilet or bathtub or shower, but does not have all the facilities for a complete bathroom.
- ○ No bathroom, or only a half bathroom
- ○ 1 complete bathroom
- ○ 1 complete bathroom, plus half bath(s)
- ○ 2 complete bathrooms
- ○ 2 complete bathrooms, plus half bath(s)
- ○ 3 or more complete bathrooms

H22. Do you have air-conditioning?
- ○ Yes, 1 individual room unit
- ○ Yes, 2 or more individual room units
- ○ Yes, a central air-conditioning system
- ○ No

H23. How many passenger automobiles are owned or regularly used by members of your household? *(Count company cars kept at home)*
- ○ None
- ○ 1 automobile
- ○ 2 automobiles
- ○ 3 automobiles or more

Make no mark in this margin

→ Please turn to page 6 and answer the additional questions for the person listed on line (1) of page 2.

Page 6

Name of person on line (1) of page 2 — Last name / First name / Initial

13. Where was this person born? *(If born in hospital, give State or country where mother lived, not location of hospital)*
If born in U.S., fill circle or print name of State.
If not born in U.S., print name of country, U.S. possession, etc.
Use international boundaries as now recognized by the U.S.
Distinguish Northern Ireland from Ireland (Eire).
○ This State
OR
(Name of State or foreign country; or Puerto Rico, Guam, etc.)

14. What country was his father born in?
○ United States
OR
(Name of foreign country; or Puerto Rico, Guam, etc.)

15. What country was his mother born in?
○ United States
OR
(Name of foreign country; or Puerto Rico, Guam, etc.)

17. What language, other than English, was usually spoken in this person's home when he was a child? *(Fill one circle)*
○ Spanish ○ Other--
○ French *Specify* _____
○ German ○ None, English only

18. When did this person move into this house (or apartment)? *(Fill circle for date of last move)*
○ 1967 to 68 ○ 1955 to 59 ○ 1939 or earlier
○ 1965 or 66 ○ 1950 to 54 ○ Always lived in this house or apartment
○ 1960 to 64 ○ 1940 to 49

19a. Did he live in this house on April 1, 1963?
○ Born April 1963 or later *(Skip to 20)*
○ Yes, this house
○ No, different house

If in Armed Forces or college in April 1963, report place of residence there.

b. Where did he live on April 1, 1963?
(1) State, foreign country, U.S. possession, etc. _____
(2) County _____
(3) Inside the limits of a city, town, village, etc.?
○ Yes ○ No
(4) *If "Yes,"* name of city, town, village, etc. _____

20. Since February 1, 1968, has this person attended regular school or college at any time? *(Count nursery school, kindergarten, and schooling which leads to an elementary school certificate, high school diploma, or college degree)*
○ No
○ Yes, public school
○ Yes, parochial school
○ Yes, other private school

21. What is the highest grade (or year) of regular school he has ever attended?
(Fill one circle. If now attending, mark grade he is in.)
○ Never attended school *(Skip to 23)*
○ Nursery school
○ Kindergarten
Elementary through high school (grade or year)
1 2 3 4 5 6 7 8 9 10 11 12
College (academic year)
1 2 3 4 5 6 or more

22. Did he finish the highest grade (or year) he attended?
○ Now attending this grade (or year)
○ Finished this grade (or year)
○ Did not finish this grade (or year)

23. When was this person born?
○ Born before April 1954 *(Please go on with questions 25 through 41)*
○ Born April 1954 or later *(Please omit questions 25 through 41 and go to the next page for the next person)*

25. *If this is a woman--*
How many babies has she ever had, not counting stillbirths? *(Do not count her stepchildren or children she has adopted)*
○ None ○ 1 ○ 2 ○ 3 ○ 4 ○ 5 ○ 6 ○ 7 ○ 8 ○ 9 ○ 10 ○ 11 ○ 12 or more

26. *If this is a man--*
Has he ever served in the Army, Navy, or other Armed Forces of the United States?
○ Yes
○ No

Was it during--*(Fill one circle for each period)*

	Yes	No
Viet-Nam Conflict *(Aug. 1964 to present)*	○	○
Korean War *(June 1950 to Jan. 1955)*	○	○
World War II *(Sept. 1940 to July 1947)*	○	○
World War I *(April 1917 to Nov. 1918)*	○	○
Any other time	○	○

ANSWER QUESTIONS 29 THROUGH 41 FOR EVERYONE BORN BEFORE APRIL 1954 INCLUDING HOUSEWIVES, STUDENTS, OR DISABLED PERSONS AS WELL AS PART-TIME OR FULL-TIME WORKERS

29a. Did this person work at any time last week?
○ Yes — *Fill this circle if this person did full- or part-time work. (Count part-time work such as a Saturday job, delivering papers, or helping without pay in a family business or farm; and active duty in the Armed Forces)*
○ No — *Fill this circle if this person did no work, or did only own housework, school work, or volunteer work* *(Skip to 30)*

b. How many hours did he work last week (at all jobs)? *(Deduct any time off and add overtime or extra hours worked)*
○ 1 to 14 hours ○ 40 hours
○ 15 to 29 hours ○ 41 to 48 hours
○ 30 to 34 hours ○ 49 to 59 hours
○ 35 to 39 hours ○ 60 hours or more

c. Where did he work last week? *(If he worked in more than one place, print where he worked most last week)*
(1) State _____ (2) Zip Code _____
(3) County _____
(4) Address *(Number and street name)* _____
(5) Inside the limits of a city, town, village, etc.?
○ Yes ○ No
(6) *If "Yes,"* name of city, town, village, etc. _____

FOR OFFICE USE

Person 13. 14-15 17. 19. 29c. 29c. 29c.

Make no mark in this margin

Make no mark in this margin

Page 7

d. How did he get to work last week? *(Fill one circle for chief means used on the last day he worked at the above place)* *After completing this question, skip to question 33.*

- ○ Driver, private auto
- ○ Passenger, private auto
- ○ Bus or streetcar
- ○ Subway or elevated
- ○ Railroad
- ○ Taxicab
- ○ Walked only
- ○ Worked at home
- ○ Other means -- *Specify*

30. Does this person have a job or business from which he was temporarily absent or on layoff last week?

- ○ Yes, on layoff
- ○ Yes, on vacation, temporary illness, labor dispute, etc.
- ○ No

31a. Has he been looking for work during the past 4 weeks?

- ○ Yes
- ○ No *(Skip to 32)*

b. Was there any reason why he could not take a job last week?

- ○ Yes, already has a job
- ○ Yes, because of this person's temporary illness
- ○ Yes, for other reasons (in school, etc.)
- ○ No, could have taken a job

32. When did he last work at all, even for a few days?

- ○ In 1968
- ○ In 1967
- ○ In 1966
- ○ 1962 to 1965
- ○ 1958 to 1961
- ○ 1957 or earlier
- ○ Never worked

(Skip to 37)

33-35. Current or most recent job activity

(Describe clearly this person's chief job activity or business last week, if any. If he had more than one job, describe the one at which he worked the most hours. If he had no job or business last week, give information for last job or business since 1958).

33. Industry

a. For whom did he work? *(If now on active duty in the Armed Forces, write "AF" and skip to question 37)*

(Name of company, business, organization, or other employer)

b. What kind of business or industry was this? *(Describe activity at location where employed)*

(For example: Junior high school, retail supermarket, dairy farm, TV and radio service, auto assembly plant, road construction)

c. Is this mainly -- *(Fill one circle)*

- ○ Manufacturing
- ○ Wholesale trade
- ○ Retail trade
- ○ Other *(agriculture, construction, service, government, etc.)*

34. Occupation

a. What kind of work was he doing?

(For example: TV repairman, sewing machine operator, spray painter, civil engineer, farm operator, farm hand, bulldozer operator, junior high English teacher)

b. What were his most important activities or duties?

(For example: Types, keeps account books, files, sells cars, operates printing press, cleans buildings, finishes concrete)

c. What was his job title?

35. Was this person -- *(Fill one circle)*

- ○ Employee of private company, business, or individual, for wages, salary, or commissions ..
- ○ Federal government employee .....
- ○ State government employee.....
- ○ Local government employee (city, county, etc.)
- Self-employed in own business, professional practice, or farm --
  - ○ Own business not incorporated .....
  - ○ Own business incorporated .....
- ○ Working without pay in family business or farm

37. In April 1963, was this person -- *(Fill one circle on each line)*

	Yes	No
Working at a job or business *(full or part time)*	○	○
In Armed Forces	○	○
Attending school or college.....	○	○
Doing something else *(own housework, retired, etc.)*	○	○

39a. Last year (1967), did this person work at all, even for a few days?

- ○ Yes
- ○ No *(Skip to 41)*

b. How many weeks did he work in 1967, either full-time or part-time? *(Count paid vacation, paid sick leave, and military service as weeks worked)*

- ○ 13 weeks or less
- ○ 14 to 26 weeks
- ○ 27 to 39 weeks
- ○ 40 to 47 weeks
- ○ 48 to 49 weeks
- ○ 50 to 52 weeks

40. Earnings in 1967 -- *Fill parts a, b, and c for everyone who worked any time in 1967 even if he had no income.* *(If exact amount is not known, give best estimate)*

a. How much did this person earn in 1967 in wages, salary, commissions, bonuses, or tips from all jobs? *(Before deductions for taxes, bonds, dues, or other items)* $_____.00 *(Dollars only)* OR ○ None

b. How much did he earn in 1967 from his own nonfarm business, professional practice, or partnership? *(Net after business expenses. If business lost money, write "Loss" above amount.)* $_____.00 *(Dollars only)* OR ○ None

c. How much did he earn in 1967 from his own farm? *(Net after operating expenses. Include earnings as a tenant farmer or sharecropper. If farm lost money, write "Loss" above amount.)* $_____.00 *(Dollars only)* OR ○ None

41. Income other than earnings in 1967 -- *Fill parts a, b, and c.* *(If exact amount is not known, give best estimate)*

a. How much did this person receive in 1967 from Social Security or Railroad Retirement? $_____.00 *(Dollars only)* OR ○ None

b. How much did he receive in 1967 from public assistance or welfare payments? *Include aid for dependent children, old age assistance, general assistance, aid to the blind or totally disabled. Exclude separate payments for hospital or other medical care.* $_____.00 *(Dollars only)* OR ○ None

c. How much did he receive in 1967 from all other sources? *Include interest, dividends, veterans' payments, pensions, and other regular payments. (See pink instruction booklet)* $_____.00 *(Dollars only)* OR ○ None

FOR OFFICE USE

33. A B C D E F G H J K L M

34. N P Q R S T U V W X Y Z

0 1 2 3 4 5 6 7 8 9 AF NW

XXXXXXXXXX

40a. 0 1 2 3 4 5 6 7 8 9 A

40b. 0 1 2 3 4 5 6 7 8 9 A

40c. 0 1 2 3 4 5 6 7 8 9 A

41a. 0 1 2 3 4 5 6 7 8 9 A

41b. 0 1 2 3 4 5 6 7 8 9 A

41c. 0 1 2 3 4 5 6 7 8 9 A

Make no mark in this margin

Make no mark in this margin

Please turn to the next page and answer the questions for the person listed on line (2) of page 2.

CENSUS OF POPULATION AND HOUSING, 1970

INFORMATIONAL COPY OF SUBJECT CONTENT PLANNED FOR THE 1970 CENSUS

The questions planned for the 1970 census, which were selected after extensive consultation with many government and private people, will appear on the questionnaires used in the "dress rehearsal" program being conducted during 1968. In this program, overall plans and basic methods and materials will undergo final testing on the presumption that they will be utilized unchanged in the 1970 census itself unless unanticipated problems or changed conditions require revisions to be made.

Three forms will be used, as described below. The particular form for each household will be determined on a random basis.

75 percent of the households will answer a form containing only the questions on pages 1, 2, and 3 of this leaflet.

20 percent of the households will answer a form which also contains the questions on pages 5, 6, and 7 (with the dates adapted for 1970). On pages 6 and 7, which are repeated for each person in the household, items 25 to 41 do not apply to children under 14 years of age.

The remaining *5 percent* of the household will answer a form similar to the 20-percent form except that (a) on page 5, items H19 to H23 are replaced by questions on number of stories in building, type of fuel used, number of bedrooms, ownership of a second home, household equipment, television, and radio; and (b) on pages 6 and 7, items 14, 15, 17 to 20, 26, and 29 c and d are replaced by questions on citizenship and year of immigration, marital history, vocational training, presence and duration of disability, and State lived in and occupation-industry 5 years ago.

The same set of questions will be used throughout the country, regardless of whether the census is conducted by mail or house-to-house canvass. An instruction booklet will be enclosed with each questionnaire to help the householder complete the form.

ADDENDUM TO INFORMATIONAL COPY OF THE "DRESS REHEARSAL" QUESTIONNAIRE

Shown below are the 5-percent sample items which replace the 20-percent sample items, as explained on the back page of the Informational Copy, Form D–60(X):

Housing Items

H24a. How many stories (floors) are in this building?

- ○ 1 to 3 stories
- ○ 4 to 6 stories
- ○ 7 to 12 stories
- ○ 13 stories or more

b. *If 4 or more stories--* Is there a passenger elevator in this building?

○ Yes ○ No

H25. Which fuel is used most for — *(Fill one circle in each column)*

	House heating	Cooking	Water heating
Coal or coke	○	○	○
Wood	○	○	○
Utility gas from underground pipes serving the neighborhood	○	○	○
Bottled, tank, or LP gas	○	○	○
Electricity	○	○	○
Fuel oil, kerosene, etc.	○	○	○
Other fuel	○	○	○
No fuel used	○	○	○

H26. How many bedrooms do you have?
(Count rooms used mainly for sleeping even if used also for other purposes)

- ○ No bedroom
- ○ 1 bedroom
- ○ 2 bedrooms
- ○ 3 bedrooms
- ○ 4 bedrooms
- ○ 5 bedrooms or more

H27. Do you (or any member of your household) own a second home or other living quarters which you occupy sometime during the year?

○ Yes ○ No

H28. Do you have the following items in your living quarters?
(Mark "Yes" or "No" on each line)

	Yes	No
Clothes washing machine — Wringer or separate spinner	○	○
Clothes washing machine — Automatic or semi-automatic	○	○
Clothes dryer — Gas heated	○	○
Clothes dryer — Electrically heated	○	○
Dishwasher (built-in or portable)	○	○
Home food freezer which is separate from your refrigerator	○	○

H29a. Do you have a television set?
(Count only sets in working order)

- ○ Yes, one set
- ○ Yes, two or more sets
- ○ No

b. *If "Yes"* -- Is any set equipped to receive UHF broadcasts, that is, channels 14 to 83?

○ Yes
○ No

H30. Do you have a battery-operated radio?
(Count only sets in working order. Include car radios, transistors, and other battery-operated sets.)

○ Yes, one or more
○ No

- 2 -

Population Items

16. *For persons born in a foreign country--*
a. Is this person naturalized?
○ Yes, naturalized
○ No, alien
○ Born abroad of American parents

b. When did he come to the United States to stay?
○ 1965-68 ○ 1950-54 ○ 1925-34
○ 1960-64 ○ 1945-49 ○ 1915-24
○ 1955-59 ○ 1935-44 ○ Before 1915

24. *If this person has ever been married--*
a. Has this person been married more than once?
Once More than once

b. When did he get married? When did he get married for the first time?
Month Year Month Year

c. *If married more than once--* Did the first marriage end because of the death of the husband (or wife)?
Yes No

27a. Has this person ever completed a vocational training program? *For example, in high school; as apprentice; in school of business, nursing, or trades; technical institute; or Armed Forces schools.*
○ Yes
○ No *(Skip to 28)*

b. What was his main field of training? *(Fill one circle)*
○ Business, office work
○ Nursing, other health fields
○ Trades and crafts *(mechanic, electrician, beautician, etc.)*
○ Engineering or science technician; draftsman
○ Agriculture or home economics
○ Other field--
Specify

28. *If 65 years old or over, skip to question 29--*
a. Does this person have a health condition or disability which limits the kind or amount of work he can do at a job?
○ Yes
○ No

b. Does his health keep him from doing any work at all?
○ Yes
○ No

c. *If "Yes" in a or b --* How long has he had this condition or disability?
○ Ever since birth ○ 6 to 11 months
○ Less than 3 months ○ 1 to 4 years
○ 3 to 5 months ○ 5 years or more

36. In April 1963, what State did this person live in?
○ This State
OR
(Name of State or foreign country; or Puerto Rico, etc.)

XXXXXXXXXX

38. *If "Yes" for "Working at a job or business" in question 37--*
Describe this person's chief activity or business in April 1963.
a. What kind of business or industry was this?

b. What kind of work was he doing (occupation)?

c. Was he--
An employee of a private company or government agency ○
Self-employed or an unpaid family worker ○

CONTROLLING CRIME

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, crime and violence in our country today have reached new peaks, and something has to be done and soon. The time has already passed when we should have enforced a crackdown on breaking of the laws.

In the past 7 years crime has increased 88 percent while the population has grown 10 percent. The cost of crime has been estimated at more than $50 billion annually, in terms of death, injury, anguish, stolen property, and destruction.

Many steps should be taken, and can be taken, to solve this problem. But they require more than just makeshift, piddling moves of the kind that the Federal Government has made. The solution calls for a new outlook and new directions.

We need expansion of the State role in crime control instead of more Federal power. This means added responsibilities for State police, with added facilities for State-to-State coordination without Federal control.

Courtroom procedures must be speeded up, and made more effective. Long delays in trials impose wrongful impositions on the innocent and allow the guilty to sidestep the moment of truth or avoid it entirely.

Local law enforcement officials have been handicapped in recent years so that today they either are not sure what they can and cannot do or else are not allowed to conduct their work effectively.

The prevailing attitudes seem to center around a permissive philosophy which seeks to find any excuse for breaking the law while at the same time pointing the finger of accusation against the police.

The courts should be empowered to impose heavier sentences on convicted crime leaders. The extent of organized crime should be exposed for what it is, not covered up as it has been in recent years.

Programs of control of juvenile crime should be coordinated more effectively. At the same time, our leaders must provide a greater moral drive for curtailing juvenile crime by guidance in the home, school, and church.

More effective control of drug traffic is essential, and I have spearheaded an effort in the House of Representatives to do just that. We need to do a better job of stemming the flow of narcotics into the country from Mexico and Canada and other foreign countries.

Many more steps should be taken for the solution of the crime problem. The Government should start with enforcing the laws against those few who are inciting others to violence.

I do not believe any country can tolerate organized violation of laws such as we have seen in recent weeks, and still survive.

Stokely Carmichael has been quoted as saying:

> More people are now beginning to plan seriously a major urban guerrilla warfare where we can begin to retaliate not only for the death of King but where we can move seriously with this country to bring it to its knees.

He is telling people to go home and get their guns. The assassination of whole cities is being planned by people who are known violators of the law, and virtually nothing is being done to curtail them.

There are laws on the books to put the Carmichaels out of business. One of them is the District of Columbia Crime Reduction Act which provides penalties for anyone who incites a riot resulting in bodily harm.

Mr. Speaker, the Justice Department is still pussyfooting with Carmichael and others of his stripe. If we ever are going to control crime and riots in this country we have to make a start—now.

By far most Americans of all races are law-abiding people who believe that laws are to be obeyed, and if the laws are wrong we try to change them peacefully. The Government cannot condone lawbreaking in some cases and then expect to enforce it in others.

And the sooner we all understand this the better.

UNETHICAL CONDUCT OF COLLEGE STUDENT MINORITY

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentelman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, I am utterly distressed over the completely unethical conduct of a minority element of college students within recent weeks.

The May 6, 1968, issue of Newsweek carried the headline "Columbia at Bay," and then went on to say:

> In the space of five days, a militant vanguard of some 200 revolutionary students physically seized control of five major university buildings, occupied and vandalized the office of Columbia president Grayson Kirk . . . held the dean of the college prisoner for 24 hours, brought classroom instruction to a halt and faced university and municipal officials—and their counterparts in scores of other U.S. academic-urban centers—with an ominous new development.

No, Mr. Speaker, this is not fairyland where this is going on but right here in America.

Unfortunately, this is not the only instance of college campus disruptions, for on April 6 none other than the Honorable FRANCES P. BOLTON, our distinguished colleague, was held as a hostage at Tuskegee Institute for 16 hours, where she had gone to deliver an address. Mrs. BOLTON is a trustee of this institution.

Here is a further rundown on where some of the other major campus takeovers have occurred:

Ohio State University: On April 26 students took over the administration building, fastening the doors and detaining two university vice presidents.

Boston University: On April 24 students took charge of the administration building for 12 hours.

University of Oregon: On April 23 and 24 students occupied the administration building.

Trinity College: On April 22 students took over the administration building.

Colgate University: On April 10 students engaged in a 5-day protest over certain aspects of university administration.

Virginia Union University: On April 8—and for 4 days previous to that date—students held the university's administration building.

Bowie State College: On March 29 students took over this institution for 1 day.

Virginia State College: On March 28 students took over the administration building for a full week.

Howard University: For the period March 19–23 students occupied the administration building.

What are these students striking out against? According to reports, they are objecting to everything from supposed discrimination against students to unsuitable cafeteria service.

Mr. Speaker, these individuals have every right to offer their objections to that which they consider to be out of order on the campus—the right of dissent is basic to our "free society." On the other hand, there is a way of registering disapproval, and it is in the accepted way of law and order and not through force and disregard for human dignity and private property.

These disruptions on the campus are being carried out by an antagonistic and cantankerous minority student element that is completely devoid of a sense of propriety and respect for the rights of others. Fortunately the majority of our students are well ordered and dedicated to their scholastic pursuits. The completely irresponsible malcontents seem to forget that as they have a right to a formal education, so too do they have a responsibility—to their university, to the university faculty, to their fellow students, and to our society.

These disorder-oriented students also seem to forget that they are able to go to school because they have qualified under the law for a student deferment from military service—other lads not enjoying such an exemption are out fighting and dying in the rice paddies and jungles of Vietnam.

Mr. Speaker, paragraph 6 of Public Law 90–40, the Military Selective Service Act of 1967 provides, among other things, as follows:

> . . . The President shall, under such rules and regulations as he may prescribe, provide for the deferment from training and service in the Armed Forces of persons satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning and who request such deferment.

This paragraph further provides, as follows:

> A deferment granted to any person under authority of the preceding sentence shall continue until such person completes the requirements for his baccalaureate degree, fails to pursue satisfactorily a full-time course of instruction . . .

It follows from this, Mr. Speaker, that if these students are not pursuing "satisfactorily a full-time course of instruction," as required by the law, they should forfeit their right to student deferment from military service.

I would like to say at this point that I am seriously entertaining the thought of introducing legislation that would require a reevaluation of the draft status of those students who are involved in university disorders. If these students are not honoring the terms of law that provide them with a student deferment from military service, then it follows that this privilege of deferment should be considered for withdrawal—if these students have a right to deferment, so do they also have the responsibility to comply with the requirements of this deferment.

Whether or not I proceed with this type of legislation will be contingent upon developments on [redacted] campuses in the near future. Something has to be done to discontinue this disgrace to America caused by an unruly minority student element—if legislation will eliminate this odium, then I shall endeavor to implement such legislation.

A pertinent editorial from the May 1 issue of the Washington Post follows:

MORNINGSIDE DEPTHS

The affair on Morningside Heights during the last week belies the fact that it is the home of a great university peopled by thousands of intelligent men and women. The fundamental tenets of any great university are freedom and tolerance—freedom to learn what one will and to express one's views without fear of the consequences, tolerance for those who hold differing views and for their right to express them. The corollary of these tenets, of course, is the settlement of disputes through reasonable, rational discussions and not through raw, physical power. The fact that this demonstration at Columbia University had to be broken by physical force is clear evidence that the students involved have no idea of what a university is or what freedom or tolerance mean.

Regardless of its origin or its purposes, the affair at Columbia had reached the point where the University had little choice but to ask the police to remove the demonstrators. These students, apparently aided by outside agitators, had illegally seized University office buildings. They were denying to the vast majority of Columbia students the right to attend class and to get an education. They had established as the price for a peaceful solution conditions that were totally unacceptable to the University or to American education. And they had set the scene for an all-out brawl with the students who wanted peace and education on their campus.

The University's administration had gone as far as it could in meeting the demands of the demonstrators before it asked for police assistance. To have gone farther would have been to invite a similar display of student power on any issue that might arise in the future at Columbia or any other university. The fact that the administration suspended construction on the controversial gymnasium and agreed to change its disciplinary policy

indicate that it has not been adequately responsive to and far out of touch with student and community views in the past. But whatever the short-comings of University policy management may have been, they did not justify the occupation of campus buildings by the extremists.

Universities, particularly Columbia, need to reexamine their policies to make certain they are alert to the views of their students and faculties and, especially, the communities in which they exist. But the students involved in this affair and those who sympathize with their current plight need to do some re-examining, too. Their apparent beliefs that they have a moral obligation to see that their views prevail through force and power if discussion fails are not the making of democracy.

THE LAW-ABIDING CITIZEN: HE TOO HAS RIGHTS

Mr. DOLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, when the Bail Reform Act of 1966 passed this House on June 7, 1966, I was one of 14 Members voting against passage. I believed then, and just as strongly believe today, that this legislation was ill considered. Far from offering reform, it allows the criminal to take further advantage of the law-abiding citizen and community.

The unfortunate Washington, D.C., riots of early April show most forcefully an urgent need to amend the Bail Reform Act of 1966. Amendment of this legislation must come soon in order to avert recurring disaster in the cities this summer and fall.

The Bail Reform Act of 1966 virtually requires the court to release looters and even arsonists caught in civil insurrection—on their personal recognizance.

The immediate release of these rioters constitutes a real threat to the community and should not be tolerated hereafter.

WASHINGTON, D.C., RIOT STATISTICS

Mr. Speaker, the following statistics, provided me by the District of Columbia clerk of the District Court of General Sessions, are a fair representation of how riot offenders are managed after being caught in the act.

As of April 24, 1968—the date of the most recent tabulation—there had been 1,669 cases filed in the court of general sessions involving defendants apprehended during the height of the Washington riot, from April 5 through April 8, inclusive. Since some defendants were charged with more than one offense, the 1,669 cases involved only 1,488 defendants.

As of April 24, 471 defendants were free on personal recognizance, 236 has provided 10 percent cash bond or surety bond, 86 were still in jail awaiting disposition of their cases, and 695 had already been processed.

The offenses these defendants were accused of included 925 felonies and 294 misdemeanors of a more serious nature than disorderly conduct and curfew violation.

The vast majority of the felonies stemmed from looting. Although there were nearly 200 fires set, only three cases involved the charge of "arson."

Mr. Speaker, these statistics show one thing: The vast majority of looters caught in the heat of riot—because they can establish residence in the community—are released on personal recognizance, perhaps to again contribute to the civil disorder.

BAIL REFORM ACT OF 1966 TOO PERMISSIVE

The great majority of these defendants were released under the provisions of the Bail Reform Act of 1966.

Today there is widespread questions raised about the advisability of this act.

A Washington area grand jury recently protested the present bail bond procedure. This grand jury often saw examples of persons released on personal recognizance who, while awaiting trial, were found to commit additional serious crimes.

Today a person accused of a capital crime may be held in jail pending trial. This has been Federal law since the Judiciary Act of 1789 was passed and signed.

Mr. Speaker, while I appreciate the motives of the Bail Reform Act of 1966 and am aware of the urgency for releasing a defendant, most likely to be law-abiding, until his trial, I must submit the pattern of civil disorder in our cities from April 5 through April 10 of this year demands new legislation to control and curb rioters, looters, and arsonists caught in the act.

Under present law, if these persons can establish residence, they may be released to loot and riot and commit arson again.

I am today introducing legislation allowing the court to detain a defendant who, in the opinion of the court, will be a danger to the community if released. For capital cases, this provision has been law since 1789. I merely suggest this same consideration must be given the community in certain noncapital cases. No constitutional question is involved that was not involved in the Judicial Act of 1789, which has continuously been in effect since that early time.

URGE ADOPTION OF CORRECTIVE LEGISLATION

Mr. Speaker, the courts were virtually required to release hundreds of felons during the Washington riots under the provisions of the Bail Reform Act of 1966. Because of the belief I have that law-abiding citizens and communities have rights as well as criminals, I am introducing an amendment to the Bail Reform Act of 1966 which will allow a court to detain a person who, if released, would constitute a real threat to the community.

I urge the Congress to take early action on this most essential legislation, in view of the pressing danger to the Nation's cities through the summer ahead.

THE OTEPKA CASE AND THE GEORGE BALL NOMINATION

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, as those who have been following the Otto Otepka case know, the Civil Service Commission has heard the appeal of the State Department security officer, and its decision is eagerly awaited at the moment. According to veteran newsman, Willard Edwards of the Chicago Tribune, the Government's ruling was ready 40 days ago, but apparently complications have arisen which center around George W. Ball, who will appear before the Senate Foreign Relations Committee shortly as the nominee to succeed Ambassador Arthur J. Goldberg at the United Nations. Columnist Edwards states:

On March 7, at a secret commission hearing, Otepka boldly documented a charge that Rusk and Ball "covered up" for subordinates who engaged in a conspiracy to oust him from his security post. He named 11 state department employes, headed by John F. Reilly, former deputy assistant secretary for security, as members of the conspiracy.

Later Edwards refers to an "espionage room" under the charge of George Ball which carried on widespread phone-tapping. This same room is the subject of another article which appeared in the Government Employees' Exchange of May 1 and which will be found elsewhere in this issue of the CONGRESSIONAL RECORD. According to the Exchange account, this "electronics lab" was built into the State Department when the new State Department addition was finished in 1960. In 1963—the year that Otepka's phone was tapped—the espionage or electronics room became overburdened. The Exchange goes on to say that:

For this reason, when Mr. Reilly decided to have Otto F. Otepka's telephone monitored, he had to obtain Mr. Ball's approval to have it done outside the facilities of the central electronics room. Working with others, Elmer Dewey Hill placed a direct tap ineptly on Mr. Otepkas telephone and eventually Mr. Otepka learned of the tapping and informed the Senate Internal Security Subcommittee.

The central issue in the Otepka case is whether, as Otepka claims, there was a concerted effort or conspiracy among State officials to "get him." If so, was George Ball a party to this effort. It must be remembered that Dean Rusk reviewed and affirmed the finding of the hearing officer at the State Department hearing that there were "no extenuating circumstances which would mitigate the delivery of the two memoranda and investigative report to the person outside the Department." If Ball did order the tapping of Otepka's phone, this would certainly indicate possible existence of a concerted move against Otepka. It must also be remembered that the person or persons guilty of mutilating the documents—a Federal offense—for which Otepka was charged have not been apprehended. Otepka asked the Civil Service Commission to review the mutilation charges, but the Commission stated that it was restricted to the three charges made by State. This is the sig-

nificance of the reference to the 11 persons in Willard Edwards' article above.

In the name of justice, the Senate Foreign Relations Committee should ask Mr. George Ball to what extent, if any, he participated in the Otepka bugging. Even more important, because there is a Federal offense involved, Mr. Ball should be questioned as to his part, if any, in the mutilation of the documents. And finally, Mr. Ball should be asked to list all the persons involved in the buggings and mutilations—from the lowest to the top.

I place the Willard Edwards column appearing in the Chicago Tribune of May 2, 1968, in the RECORD at this point:

CAPITOL VIEWS

(By Willard Edwards)

WASHINTON, May 1.—Another sordid chapter, straining credulity, is now being added to the extraordinary epic known as "The Otepka Tragedy."

The government's final ruling in the celebrated case was ready for release 40 days ago. On the point of publication, it was held up and inquiry today indicated that the mysterious delay may be protracted.

High federal officials stopped issuance of the ruling, it was learned, in order to prevent the simultaneous removal of the secret label from explosive testimony now hidden in the files of the Civil Service commission.

The evidence thus being suppressed involves two major administration figures—Secretary of State Dean Rusk and former Undersecretary George W. Ball, ambassador-designate to the United Nations.

Ball awaits a Senate hearing on his qualifications as President Johnson's nominee to succeed the resigned Ambassador Arthur J. Goldberg. Publication of the Otepka transcript could provide the basis for questions embarrassing to him and to the administration.

Otto F. Otepka thus endures another agonizing wait in an ordeal which began five years ago when he was fired as the state department's top security officer because he dared give testimony to a Senate committee about lax security procedures in the department.

He won reinstatement after four years of intimidation and harassment. Most of the charges against him were dropped but Rusk imposed a reprimand and a demotion in grade which ended his career as a security officer. Otepka, maintaining he was entitled to complete vindication appealed to the Civil Service commission, the presumed guardian of the rights of all government employes.

CHARGES COVER-UP FOR REILLY

On March 7, at a secret commission hearing, Otepka bodly documented a charge that Rusk and Ball "covered up" for subordinates who engaged in a conspiracy to oust him from his security post. He named 11 state department employes, headed by John F. Reilly, former deputy assistant secretary for security, as members of the conspiracy.

Recalling that Reilly tapped his telephone, drilled open his safe, and placed him under surveillance, Otepka said the evidence clearly demonstrated that Rusk and Ball "fully protected Reilly in his attempts to escape culpability when he was trapped in his own falsehoods."

Congressional investigators are now probing reports that Otepka was only one of a number of state department officials whose conversations were monitored during the Kennedy-Johnson administrations. Ball, undersecretary from 1961 to 1966, was named as the official in charge of what was known as "the espionage room" which handled this widespread phone-tapping operation.

As the hearing ended, Commission Examiner James Masterson said his decision would be ready in "10 days or two weeks."

Otepka asked for a copy of the transcript in order that he might make corrections, if necessary. This is a routine courtesy granted all witnesses. Masterson promised to furnish him or his attorney, Roger Robb, with a copy of the testimony. Nearly two months later, despite numerous requests, neither Robb nor Otepka has been supplied the transcript.

Masterson's verdict, reportedly adverse to Otepka, was ready, as he had predicted, by March 21. But alarm had meanwhile spread thru high administration circles as the transcript was studied. It was a highly persuasive account of vicious intrigue designed to destroy a government servant whose only crime was a refusal to protect security risks he found in the state department.

OFFICIALS FACE A QUANDARY

Officials faced this quandary: They were anxious to rid themselves of the Otepka case, which has become a grave political liability, but an official ruling would require release of the transcript to Otepka and his attorney for use in appeal to the courts if they decided to keep on fighting. Suppression of its damaging contents would no longer be possible.

As the weeks passed, this dilemma remained unresolved. Inquiries at Masterson's office were met with a statement that the decision was not yet ready for release.

Otepka, meanwhile, put himself on an unpaid leave status. He could not, in good conscience, he said, accept pay for the clerical duties assigned by Rusk which ignored his 25 years of experience as a security officer.

"I haven't lost hope," he said. "Somehow, some day, in this land of freedom and justice, the right of government employes to furnish information to Congress is going to be upheld."

LONG-RANGE RESULTS OF A FIRM STAND IN VIETNAM

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, debate over the war in Vietnam often stalls on points of short-term, emotional value rather than proceeding to conclusions based on the long-range results of our determination to help the South Vietnamese people. Many are quick to pounce on today's casualty figures but fail to contemplate the fate of the free Vietnamese if men from several nations were not defending them with their lives.

A recent article from the Newark, Ohio, Advocate indicates this problem. Assistant managing editor, Bill Rogers, reports on a lecture given at Denison University, Granville, Ohio, by Dr. Ernest W. Lefever of the Brookings Institution.

Writing from a partially editorial position, Mr. Rogers points out Dr. Lefever's concern that the "long-range consequences of giving in to violence" are not being fully examined and appreciated. He speculated that millions of people would die in Asia within 5 years if the United States withdrew suddenly.

There are other valuable points reported in the article and I shall include it in the RECORD. Too often we are subjected to treatments other than those of qualified observers such as Dr. Lefever.

The article by Bill Rogers and another article follow:

[From the Newark Advocate, Apr. 18, 1968]

DENISON SPEAKER GIVES GRAPHIC WAR PICTURE

(By Bill Rogers)

Only a handful of Denison University students and faculty (and for that matter, less than half a dozen other citizens out of 104,000 in the county) attended a public lecture billed as "Vietnam: The Just War."

The speaker last night was Dr. Ernest W. Lefever, political analyst for the Brookings Institution in Washington. His discussion of what is happening in Asia and why the U.S. is there was the most cogent reasoning I've heard, and I've followed the Asian situation closely since I served in the Far East as a Marine officer nearly a decade ago.

I spent two days this week in Washington listening to Secretary of State Dean Rusk and other high government officials discuss Vietnam. Dr. Lefever says essentially the same things that they do, only he says it better.

The U.S. is in South Vietnam because South Vietnam's government asked us to help. We're there because of aggression from the north by people who use violence as a first resort rather than a last resort. Aggression by people who believe that political power grows from the barrel of a gun.

Dr. Lefever pointed out the very basic facts that the world is made up of separate states—some 120 of them—and that the first rule for the survival of the system is that one state does not violate the border of another.

He defined ag[redacted] crossing the border of a state to overthrow the government of that state. That is what North Vietnam has done to South Vietnam and why we have responded to South Vietnam's request for help.

He asked his audience, which seemed largely unsympathetic with his views, to consider the consequences of a sudden withdrawal from Vietnam, or having ignored the aggression.

A former pacifist, Dr. Lefever argued eloquently in defense of the use of force to stop aggression on the part of people who want to change other nations by force. He has been a researcher for the Institute for Defense Analyses, a consultant for the State Department, and on Hubert H. Humphrey's staff.

He acknowledged that there were differing positions which could be honestly held, but asked his audience to believe that it is plausible for honest, sincere men to arrive at the position of the U.S. government.

The United States is carrying out its responsibilities as a world power and Pacific power, the speaker declared. He said that he wasn't trying to persuade his audience, but only to show that the "just war" position is tenable.

Dr. Lefever repeatedly asked the students to consider the long-range consequences of giving in to violence. He said that capitulation is the way to encourage war. President Truman intervened in Korea, quickly and without a lot of consultation, because he didn't want to repeat the mistake made in not stopping Japanese aggression during the 1930's, the speaker said.

The Korean aggression was contained, Dr. Lefever declared, "and prevented a very serious situation."'

A primary goal of the U.S. is to prevent nuclear war. To do this the U.S. tries to maintain an equilibrium, a balance of power, so "that catastrophic wars are prevented and small wars are contained."

In order to keep this equilibrium the U.S. has a responsibility to throw back aggression when asked. While it is easy to see a short-term, cause-and-effect relationship between our war policy and dead children, he asked the Denison audience to consider the long-range results. He speculated that millions of

people would die in Asia within five years if the U.S. withdrew suddenly.

The U.S. is in Vietnam solely in regard to the outside involvement from the north and is using limited means for limited objectives. There is no desire to overthrow Hanoi. The U.S. is being very discriminating in its bombing and tries very hard to prevent civilian casualties.

When Dr. Lefever claimed that no other major military effort in history has been so self-limiting, a disbelieving chuckle ran through the audience.

The meeting was sponsored by the ad hoc committee for peace in Vietnam. Dr. Louis Brakeman, professor of political science, and the Rev. Edward Burdick, led a discussion period.

Dr. Lefever is one of a series of speakers on Vietnam. Most of the speakers have been anti-war and one faculty member asked that this talk get good coverage "since the others have given us something of a black eye."

Most of the questions directed to the speaker were concerned with whether war is ever just, or whether the U.S. is the real aggressor in Vietnam.

One faculty member, who said that he was a "nuclear pacifist" charged that the U.S. was engaged in undiscriminate bombing, shooting, and raping in Vietnam.

The speaker replied that the U.S. has not deliberately killed a single civilian, but that killing civilians was a deliberate policy of Hanoi. The communists have murdered thousands of civilians in attempting to gain control through terror, he said.

While there is room for disagreement about U.S. policy, Dr. Lefever emphasized his belief that the motives of President Johnson are the best.

FOREIGN POLICY ANALYST TO LECTURE AT DENISON

Dr. Ernest W. Lefever, political analyst on the senior Foreign Policy Studies staff of the Brookings Institution, independent research center in Washington, D.C., will speak on "Vietnam: The Just War" at 7:30 p.m. Wednesday in Slayter Auditorium at Denison University.

His lecture, open to the public without charge, is sponsored by the ad hoc committee for peace in Vietnam at Denison, and will be followed by a panel discussion. Panelists include Dr. Lefever; the Rev. Edward N. Burdick of St. Luke's Episcopal Church; Dr. Louis F. Brakeman, professor of political science; and Dr. Ronald E. Santoni, professor of philosophy.

Dr. Lefever, who supports the administration's policies in Vietnam, was a senior researcher at the Institute for Defense Analyses in 1961–64, was Washington consultant for the Council on Religion and International Affairs in 1958–64, and also was a State Department consultant in 1961–64.

A graduate of Elizabethtown College, he earned his BD and PhD degrees at Yale University. He is the author or editor of six books, including "Ethics and United States Foreign Policy" and "The World Crisis and American Responsibility."

In 1964 he lectured at the Salzburg Seminar in American Studies and in 1965 at the National Defense College of Japan. In 1966 he was visiting professor at the German Development Institute in West Berlin. He has traveled widely in Asia, Europe, and Africa.

Since going to Washington in 1955, he has done research on international studies at Johns Hopkins University, taught at the University of Maryland, headed the Foreign Affairs Division of the Library of Congress, served as foreign relations staff consultant for Hubert H. Humphrey, and was associated with the Washington Center of Foreign Policy Research. He has lectured at many universities and is adjunct professor at American University.

DESIGNATION OF PORTION OF MONOMOY ISLAND, BARNSTABLE COUNTY, MASS., AS WILDERNESS

Mr. KEITH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEITH. Mr. Speaker, today I introduced a bill to designate Monomoy Island in Barnstable County, Mass., as wilderness. The entire Massachusetts delegation has joined me in sponsoring this legislation. Also, both Senators from Massachusetts [Mr. BROOKE and Mr. KENNEDY] introduced identical legislation in the other body. This unanimous and bipartisan support demonstrates the importance of this measure to the entire Commonwealth of Massachusetts and, in fact, New England. I am hopeful this support will convince the Congress that the Monomoy Island wilderness bill merits prompt action.

Monomoy Island is a 2,600-acre roadless island, extending about 9 miles south from the elbow of Cape Cod, in the town of Chatham, Barnstable County, Mass. It is a barrier beach island bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean; the island varies from one-fourth to 1½ miles in width and is separated from the mainland by a shallow waterway about one-half mile wide. Currently, the area is under the jurisdiction of the Department of the Interior as a national wildlife refuge. The exterior boundaries of the wilderness proposal are all lands on Monomoy Island to the line of mean low tide which coincides with the national wildlife refuge boundary around the island.

The Monomoy National Wildlife Refuge has been managed as a wild area since its establishment; the area is secluded and primeval and offers an exceptional opportunity for perpetual nonmotorized use by fishermen, naturalists, families, and weary citizens searching for respite from the stress of modern civilization. No changes in managment are envisioned if the island is designated as wilderness. Thus, the laws and regulations which provide for public uses such as hunting and other wildlife oriented forms of outdoor enjoyment will continue to apply.

Mr. Speaker, this legislation will preserve for future generations a unique barrier beach-type of island wilderness, still largely undeveloped and unspoiled by man's activities. Moreover, Monomoy Island is the only area with a wilderness potential within a reasonable 1-day drive from the Boston Cape Cod areas; it will complement the Cape Cod National Seashore by providing a true wild area for those who seek an ideal human retreat and are willing to endure the rigors of a journey to the island.

Mr. Speaker, the congressional support that the Monomoy Island wilderness proposal has received reflects the support of Cape Cod and Massachusetts citizens for the preservation of this unspoiled area. I would like to insert in the RECORD at this point, a portion of a statement issued by the board of selectmen of the town of Chatham regarding the proposal to designate Monomoy Island as a wilderness area:

Over the years, Congress has legislated the uses of our public lands with the intent to divide portions of them into three categories; Natural, Historical and Recreational. The wisdom of this is apparent—that the whole man, his mind as well as his body, be served—that there be areas for active recreational pursuits, areas for passive enjoyment of scenic features, and areas to inspire an appreciation of our historical heritage. To these categories has now been added the Wilderness areas, through an Act obviously designed to save man from his own folly—that in his headlong pursuit of physical pleasures, he consume all his natural environment, leaving none to nurture and refresh the mind and soul.

Perhaps nowhere in America is so dramatically illustrated the Congressional wisdom of this division of public lands as here on Cape Cod. Beginning at one end of the Cape, Provincetown, and continuing to the southernmost tip of Monomoy, there are 29,000 acres of land and waters within a Federal complex. In about ninety per cent of this public domain, now the Cape Cod National Seashore, recreational uses are provided for. Beach buggy trails have been laid out among the dunes and along the shorefront, bathing beaches have been developed, roads and parking areas con[redacted]d appropriate buildings erected. Its southernmost extremity, Nauset Beach, very similar in size and character to Monomoy, and about one mile distant, is devoted entirely to recreational purposes. Here on a typical summer weekend may be found throngs of beach buggies, sportsmen, bathers and other outdoor enthusiasts.

The other ten per cent of this public domain is Monomoy Island, a wildlife refuge. Here, Congress has saved a small portion of the eastern coast of Cape Cod for ideal detachment from "those areas where man and his own works dominate the landscape." Here is a place for mental and spiritual nourishment. Thus, in this little area of our country, Congress has provided for the whole people and the whole man.

A NEW THREAT TO DOMESTIC TRANQUILLITY AND PUBLIC DECENCY IN AMERICA

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, I wish to take this opportunity today to comment briefly on a matter of major concern to all responsible Americans, and especially to parents.

Whether we choose to admit it or not, I believe forces are at work in this country to undermine and subvert our national fiber, and shatter the traditions that have kept us strong and free these many years. Many Americans who agree with this deduction are now asking: Just what do the words "sedition," "patriotism," "anarchy," "obscene," and "pornographic" mean anymore?

Of all the forms this movement has taken, one of the most offensive and obnoxious has been the assault on freedom

of speech which we have all seen emerge in recent years. And leading the way in this offensive are the so-called underground newspapers and magazines that are now being sold openly at newsstands and by "hawkers" on our city streets. Using the facade of "modern journalism," these publications feature a neatly woven combination of obscenities and "antisocial hate literature" to tell their story.

In my judgment, these underground publications pose a new and ominous threat to domestic tranquility and public decency in America and the Congress would do well to take heed of the true nature and purpose of such literature and determine, through investigation, if legislation is appropriate to deal with the problem.

The threat of which I speak is particularly significant since, at first glance, such publications appear newsworthy. Their front pages are normally of the type which attempt to reflect the signs of our times—racial strife, the war in Vietnam, social changes, conflicts at home and abroad. But inside, the true message begins to unfold. Stories, interviews, editorials, and advertisements containing vile and obscene language are freely mixed with seditious-like denouncements of time-honored American institutions.

While this brand of "yellow journalism" may appeal to a small, undesirable element in our society, it seriously undermines law and order by blatantly glorifying crime and violence. Such publications have literally become the "mouthpiece" for the "let's kick America" crowd that is already receiving more than its share of undeserved coverage by the legitimate press.

These so-called underground publications are indicative of and at the vanguard for the sickness that is creeping into our society. They exploit the Nation's faults and problems to the exclusion of nearly everything decent and right about it. They peddle hate and filth and apparently take great pleasure in using patriotism, decency and morality as public "punching bags."

Even a superficial examination of the type of publications to which I refer, will clearly suggest they are intended primarily for young people. While I do not suggest that the Congress become the guardian of the Nation's morals, I am concerned over the fact that such publications can be so easily obtained by children and teenagers in their formative and impressionable years. In addition, these publications go far beyond morality per se. Their real goal is what has come to be known as the establishment—our Government and all the things that make up our American way of life. Their immediate target is the youth of America.

On April 22 of this year, the Supreme Court held, and rightly so, that a State may regulate the dissemination of what it calls objectionable material to juveniles that it could not otherwise regulate to adults. These cases, however, were primarily concerned with obscene and pornographic material. Underground publications, on the other hand, are not limited to indecent material, but extend themselves into areas over which the Federal Government has an abiding and exclusive interest.

There are many compelling questions surrounding "underground" publications that people would like to have answers to, and I believe the Congress should attempt to provide them with the answers. Questions such as:

Are underground publications owned, controlled, or operated on a nationwide syndicated basis?

Who are the people behind these publications?

Where does the money come from to finance publication of underground newspapers and magazines?

Why do our copyright laws sanction such irresponsible and reprehensible publications?

Is it possible to untangle and clarify the level of government responsibility and jurisdiction for legislating and enforcing laws dealing with obscene and pornographic literature?

Do such underground publications constitute a real and present danger and do they, in fact, undermine American institutions and freedom of speech?

We, as the Nation's lawmakers, must become more than just concerned about this open and flagrant assault on public decency, law enforcement, and on the principles responsible Americans hold inviolate and worth preserving.

This is a time for "cool heads" to take over the "hotheads"—for responsible Americans and dedicated public officials to stand up against this sickening outpouring of venom.

The youth of America and future generations of Americans surely deserve better than this.

HASTY, INCREDIBLE ACTION BY POST OFFICE AND CIVIL SERVICE COMMITTEE

Mr. NIX. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, the House Post Office and Civil Service Committee in a hasty and panicky action without proper hearings or study tacked on an amendment to a Post Office pay bill which would bar persons arrested during riot situations from Federal employment for 5 years. This was an incredible action. Criminal courts provide punishment and it is not the business of the Civil Service Commission or anyone else to force unemployment on people for 5 years in misdemeanor cases involving no more than $25 fines. What is even more shocking about such a bill is the fact that a man who has been found guilty of homicide and served a prison sentence would be eligible for employment but a man picked up in a police dragnet for disorderly conduct and paying a small fine would not be able to get employment for 5 years. The results of such a bill in the city of Washington, D.C., would be catastrophic where almost all employment is by the Federal Government. We need reconciliation not recrimination and revenge in this country. We are beset by a sea of trouble today, all of us are, white and black, but blind panic is not the answer. It is never the solution for anything.

The Federal Government already has authority according to civil service officials to suspend or fire people convicted of serious crimes, but this bill goes much further when it makes mandatory the firing and barring from employment of people who very often are themselves victims of riots. This bill has been so badly written that I have not been able to find a legal definition for the words civil disturbance which are included in the bill. I am obliged to say that I am disturbed by this action and I will do all that I can to fight this ill-considered, untimely, and thoughtless bill. If the Congress does not remain calm and provide some leadership for the country I do not know who will.

WE NEED FAITH AS NEVER BEFORE IN THIS NATION'S HISTORY

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER [redacted]ore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, I would like to share with my colleagues the timely remarks of my friend and constituent, the Honorable Ralph Elliott, when he addressed a group at a naturalization ceremony recently in Sherman, Tex.:

WE NEED FAITH AS NEVER BEFORE IN THIS NATION'S HISTORY

(EDITOR'S NOTE.—This is the text of an address delivered by Sherman Attorney Ralph Elliott to 14 persons who became naturalized citizens in federal court here last week. Because of its significance for the native born, as well, the address is reprinted below. U.S. Dist. Judge Joe Fisher ordered the speech be made a permanent record of the court.)

May it please this Honorable Court, members of that distinguished society affectionately known as the DAR, other ladies and gentlemen, and this select group now before me whom I can dignify with no higher address than "New Citizens of the United States":

This is an hour of fulsome pride to me and it is a moment of unparalleled accomplishment for you.

I am proud of both the circumstance and the occasion—proud that I was asked by this great, sincere and dedicated Judge, to say a few, select words to you—but infinitely prouder to cross with you the threshold of American citizenship. I cannot today fail to allude to the words of the immortal George Washington, gleaned from his masterful farewell address. On that occasion, he said:

"Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations."

That advice from the Father of our Country was true then but it is truer now.

You come of many bloods, and diverse cultures—you have harbored many beliefs and undergone unforgettable experiences—many are of different tongues and varying re-

ligions—but, today, these finite differences have been melded together in a commonality that is the great "American Dream" and so out of the metamorphosis of your past, you stand today as an American citizen.

And in the days that follow today, I urge you to live as an American citizen—to live in the tradition of that office. If you have affection to give—give it to this land that has taken you in. If you have courage to spare, spend it to make this country strong. If you have strength and more, use it to dissuade her enemies from within as well as without. Most of you will never have to defend this country by force of arms but all of you will have to defend it by force of character. The right of decent Americans to live in freedom and dignity is being constantly challenged at home as well as abroad.

These scurrilous characters who bore from within are many and varied but, mostly, they are small ilk concerned in making only a public spectacle. I refer to those who obstruct the defense of this country by encouraging and advising the avoidance of military service and publicly burning their draft cards. Civil rights leaders who blatantly advocate civil disobedience and disrespect for law. Beatniks who claim the right to determine which laws they will obey. Irresponsible recidivists who openly foment riots and publicly advocate murder and assassination. Bigots who wrap themselves in bed sheets and seek to take the law into their own hands for their own purposes.

You will find, if you have not already done so, that there are those with both innocent and ulterior motives who will seek to captivate your vote upon the narrow, selfish grounds of fear and prejudice. But I ask you to remember, above all, that you are, first, an American. You will constantly hear the chant of those who want to become the Pied Piper of Afro-Americans, Hebrew-Americans, Italian-Americans, German-Americans and Spanish-Americans, but I tell you this is the chant of selfish men and little minds.

Remember until your dying day that there are no hyphenated Americans.

It is going to be necessary for you, by your every word and deed, to create respect for law and order—to teach your children that personal integrity and morality are not old-fashioned nor corny. Only by a concerted dedication of all Americans can the rampant rise of crime be stemmed. It will be your duty to serve upon the juries of our land. This you must do with dedication and impartiality, unswayed by the vocation you pursue or the land from which you came. I cannot but here allude to the words of the late Judge (Joe) Sheehy, who late occupied this bench, and who I have so often heard say in his charge to the jury:

"Service as a juror is the greatest single service that a citizen can perform for his country, save alone when bearing arms in time of War."

I want to urge you to cherish and protect both the office and the person of the President of the United States. You have lately seen the commander-in-chief of this country wrongfully beseiged by detractors—abused—maligned—condemned and subjected to almost every form of civil calumny known to man. But, be he Republican or Democrat, tall or short, fat or thin—remember, above all, that he is the President of all the people, and entitled to the respect and honor of that office. I charge you, as American citizens, to see that this office is accorded the respect and dignity to which it is entitled.

In another hour of grim challenge, a full century ago, Abraham Lincoln, urged the American people with these words:

"Let us have faith that right makes might, and in that faith let us, to the end, dare to do our duty as we understand it."

We are living in an age of uncertainty—an age of awesome national peril—an age when freedom and totalitarian enslavement is drawing to a climax. We need faith as never before in this nation's history. We must revive within us the faith of those who founded and made this country—the faith that enabled them to meet and overcome adversity.

When I enter the building that houses this court, my heart never fails to beat faster at the sight of our flag rippling in the breeze. Let those of us who stand under it join hearts in one faith—join hands in one purpose—for the safety and sanctity of this republic—for the rights of man and the majesty of the law—for the moral trusteeship of private property and public office.

I am one of those old-fashioned Americans who is not ashamed of his country—who still gets a lump in his throat when he hears "The Star Spangled Banner"—who has to choke back tears when Old Glory reaches the top of the flag pole and one who is willing to stand up and be counted as one who does not regard capitalism, private initiative and free enterprise as dirty words or as synonyms for greed but as the foundation upon which a great culture has been built and as the economic system which has made our Nation the greatest in all the world.

Before closing, I want to abjure you to uphold the courts of this country and the rule of law. I want to impel you to strike down those who would make it a rule of men. I want you to rise up in righteous indignation when you see and when you hear of the shameful spectacle of those who would flagrantly disobey the edicts of our Courts.

We need citizens with a capacity for moral indignation, citizens with faith, citizens with convictions, citizens with God-given strength and determination to uphold the cause of democracy.

I can now think of no more appropriate words with which to close than a recent peroration of J. Edgar Hoover:

"History teaches us that we must carefully tend the fires of freedom here at home—for the light of free men will penetrate the darkness of tyranny wherever it exists in the world, bringing hope and trust in our noble cause. We must dedicate ourselves to the principle that freedom under God is man's destiny. We must not only live our lives according to this principle, but we must also defend it unto death with the courage of free men.

"Let us live our lives so that we may proclaim to the whole world: Individual Freedom is our creed—national freedom is our heritage—world freedom is our goal."

NEW CHALLENGES

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, I would like to share with my colleagues the timely remarks of my friend, Willard Deason, Commissioner of the Interstate Commerce Commission, when he addressed the annual spring conference of Work-Factor Associates of the East Coast recently at the Waldorf Astoria Hotel in New York. His talk was on "New Challenges."

The remarks follow:

NEW CHALLENGES

(Remarks of Willard Deason, Commissioner, Interstate Commerce Commission)

Whatever the mind of man visualizes, the genius of modern science turns into fact. Ahead for America, the 70's hold an amazing new age of miracles.

During the 70's our gross national product will have reached 1.2 trillion.

Our people will be in the midst of a credit card economy and we'll be approaching a cashless, checkless society in which computers will handle everything.

Our cars will have clocks that work—our ladies will have bathing caps that don't leak—and our appliances won't need servicing the day after the warranty expires.

Today, our population is 200 million—and the curve of the future is up.

Sometime during the 70's our population will reach 250 million.

Our farm population will be half what it is today.

70% of our people will live on 1% of our land.

In the 70's the world will be our neighborhood. Let us hope that by then we will have learned to become *good* neighbors.

In the 70's, as today, most of our children will be learning in buildings that are a generation old.

But we will see:

High school graduates increase by 25%.

Teachers increase by one-half million.

A 70% increase in those seeking bachelor's degrees.

And a 100% increase in those seeking master's and doctoral degrees.

Our schools will be designed around television, electronic printers, and microfilm libraries.

The 70's will be distinguished by mental rather than p[redacted]r.

Educated professionals will enjoy a seller's market.

However, we must take care that these accomplishments are not in vain. We must take care that the children of the 70's do not retreat into a world of psychedelic dream—loving in and dropping out.

We must plan now if our youth are to become a part of the American mainstream that flows into adult maturity.

By the end of the 70's over half of our families will be earning more than $10,000 a year.

Our affluent society will be even more affluent.

We will have more goods and more services than ever before, and we will spend more for recreation and labor-saving devices.

Projecting current trends, the average work week will have been reduced to 35½ hours.

But, projecting other current trends—

The number of divorces may reach an all-time high.

The number of children born out of wedlock may exceed 300,000 per year.

Our courts may hear over 1 million juvenile delinquency cases each year.

And suicide may continue to be the second leading cause of teen-age deaths.

These trends disturb me. They must be reversed if we are all to really enjoy the prosperity of the 70's. There cannot be a better life *for any* unless there is a better life *for all.*

During the 70's, there will be an explosion in the number of young adults. Over half of our people will be under 25 years old.

Prosperity has been the general rule throughout the lives of these young people. Debt will hold no horror for them. They will have become accustomed to satisfying wants now—and paying later.

The effect these young people have on business will be dramatic. Their style of living will set the pattern for society, and their beliefs will be a strong force in politics.

The 70's will bring change in the important 35–54 year-old group—a fact which could have serious consequences for a number of industries.

It is this group that can afford a second or a third or a fourth car.

It is this group that buys higher quality merchandise.

It is this group which manages virtually all of the nation's business.

And it is this group which supplies its executives.

Competition for the goods and services of these people is bound to be severe in the 70's. The competition for executive talent is likely *to be even* more severe.

In the 70's over 20 million Americans will have reached the legendary retirement age—65. No longer will these people be content to merely survive. They will want the good things in life. These people will have money to spend.

They will represent a distinct and profitable market with special needs in services, medical care, recreation, food and travel. Politically, they will be a potent force.

The consumers' market of the 70's will be more vast than today's—and it will be different from today's.

The American consumer will be subjected, through various media, to over 2,000 advertisements per day, and selectivity will be high.

Today's industries must expect and they must be prepared for a more sophisticated customer in the 70's.

One of the greatest problems we will face in the next decade is the conservation of our natural resources.

Today, our daily water consumption is 360 billion gallons.

That is two-thirds of our nation's natural water supply.

By the end of the 70's, our water needs will be over 500 billion gallons a day—considerably more than our natural water supply.

This means that in 10 years desalinated water will be used if we are to satisfy our daily needs.

Closely related to this problem are such potential difficulties as waste disposal, highway litter, air pollution, and the contamination of our rivers and streams.

Our efforts to obtain clean air and water will have a hard time keeping pace with threats from new sources of pollution. The next decade may find us buried in our own garbage.

During the 70's, an enlightened business community will be obliged to take the lead in the effort to conserve natural resources and those *who lead* will be obliged to prod those *who lag*.

No less important in the 70's will be the conservation of human resources:

In the next 10 years the transplanting of hearts and other vital organs will be common.

Communicable diseases will be virtually eliminated.

Medical data will be captured, stored, and analyzed by computers.

A cure for the common cold may be found.

And some cancers will be arrested.

But the physical and emotional health of our people may still be far from perfect.

It is still a shocking fact that in saving the lives of babies, America ranks 15th among the nations of the world.

That crippling diseases still go undetected.

That life expectancy for non-whites has come up only to the 1940 level for whites.

That alcoholism accounts for an economic loss of $2 billion per year.

That half of our hospital beds are occupied by the mentally ill.

Yes, we have a way to go if our aspirations for a healthier America are to be fulfilled in the 70's. And unless those aspirations are fulfilled, our material accomplishments, however great, will be of little consequence to many.

Research and development is starting to pay off, and by the 70's its dividends could be handsome.

The atomic age will have begun to deliver its promised world of wonders—enriching the lives of people everywhere. In the next decade:

One-third of our electrical power could come from nuclear energy.

The atom could be used to eradicate agricultural pests.

Atomic power could be used to desalt sea water and allow it to be used to irrigate the world's deserts and increase the world's tillable land.

Atomic energy could allow us to produce better products from sheet steel to automobile tires.

Yes, the 70's hold all this and more for the man who brings the atom under control for peaceful purposes.

In just the past few years we have seen the communications industry grow dramatically.

Americans have spent $20 billion for 120 million TV sets.

The component hi-fi industry has been increasing at the rate of 20% a year.

The transistor radio ranks with the printing press in widening mens horizons.

Manufacturers have predicted that the home electronics industry will grow to rival, and perhaps surpass, even the automobile industry.

A Roper survey tells us that more people look to television as a primary source of news than to newspapers.

The social and political influence of broadcasting is enormous. And we need look no further than the censorship in communist nations to appreciate that fact.

Within the next decade it may be possible to broadcast television from satellites directly into the home—bypassing the TV station.

General Sarnoff predicts a global TV audience of 1 billion by the end of the 1970's.

The responsibilities of the broadcasting industry to the public in the 70's will be awesome. That industry, I am gratified to say, has already accepted the challenge.

I am even more gratified that the public has responded so favorably to good programming.

The National Geographic Society has consistently received high ratings for its series, and it has been flooded with letters.

Humble Oil received thousands of letters of appreciation for its presentation of the "Age of Kings"—and many included requests for credit cards.

During the 70's the sales potential of good programming will be realized. More firms will sponsor programs that broaden artistic and intellectual horizons.

Educational television will come into its own.

The communications industry of the 70's will have rid itself of the "vast wasteland" tag.

As the 70's bring more and more people into urban areas, transportation will play a vital part in our scheme of living.

Today, the word "transportation" means many things to many people.

In a recent talk Secretary of Transportation Alan Boyd expounded a lengthy, but provocative, definition not found in the dictionary. He said:

"To the carrier and shipper, transportation is a knot of government red tape that can be untied only by lawyers, tax consultants and lobbyists.

"To the poor commuter, it is a road to hell paved with good intentions.

"To the cities which need better transit systems, it is a desire named streetcar.

"To the air traveler, transportation is the friendly skies full of fast planes, slow ticket counters, and hundreds of suitcases that look exactly like his."

While there may be some disagreement on the definition of transportation, there may be no disagreement that tomorrow's needs will not be satisfied by today's transportation system.

The nation's transport capacity must double by the end of the 70's if demands on the system continue at present rates.

This development should bring a new spirit of cooperation among the various modes. But I doubt that we will have fully integrated transportation companies operating trains, trucks, buses, and planes in the 70's.

Motor vehicle travel on our city's streets may be slower than the horses and wagons of the 1900's.

Parking will be acute and much of our time, as today, may be spent in bumper-to-bumper traffic.

In the 1970's our interstate highway program will be complete, but another will be needed to handle the additional 26 million cars.

The reshaping of our railroads will continue into the 70's.

In just the past few days, the Santa Fe and the Penn-Central Railroads have proprosed a transcontinental "Land-Bridge" freight service between Los Angeles and New York City.

Their proposal is aimed at cargo moving between Europe and Asia and it could cut up to 2 weeks from the present all-sea movement through the Panama Canal.

I look for other railroads to follow that lead and, in the 70's, to see transcontinental freight service firmly established.

I expect the high-speed passenger service in the Northeast Corridor will prove a success and that the same type of operation will probably be e[redacted]other congested areas.

Further technological changes will continue and railroads will probably receive a better return on investment.

Of all modes of transport, the airline industry will probably be the greatest beneficiary of the 70's.

But totally new concepts in airports will be required over the next decade.

Walking distances in air terminals will be reduced.

Automated ticketing system will issue tickets and confirm reservations.

All-weather landing will be possible at most airports.

High-speed mass ground transportation connecting airport to city center will be built to relieve airport access congestion.

Computers will be used by all airlines to monitor the health of engines.

The supersonic transport will enter airline service and, even with passengers, it will carry more than 3 times as much freight in its cargo compartment as today's passenger jets carry in theirs.

But I'm not here today *just* to forecast future material improvements. We've all read about them. We've all talked about them. We all expect them. And we'll all get them.

There is another matter—often overlooked—but no less important than material accomplishments. The mood of the American people in the 70's.

Will the values of the American institution keep pace with our material growth?

Will the fabric and fibre of our democratic process be able to stand the strain?

Will our ethics and moral attitudes be in a state of decay?

Will a tradition of reverence be lost?

Will the mood of America allow us to fully enjoy the material accomplishments of the 70's?

In 1776, a small group of colonists proclaimed to the world an "American Dream." A model for all mankind. They fought for it, starved for it, and many died for it. But they won, and in the end, the American Dream became a reality.

Somewhere along the line, the mood of many of our people seems to have sagged.

The vitality of the American Dream has become tarnished.

The thought of patriotism often evokes feelings of embarrassment.

Some apologetically speak of the Declaration of Independence.

How often do we sing the Star Spangled Banner or recite the Pledge of Allegiance?

A few years ago, speaking before the American Bar Association, Chief Justice Warren said that if the Bill of Rights were to be voted on today, he doubted that it would pass.

These attitudes alarm me. The *mood* of America must be the *touchstone* of the 70's—and not the *millstone*.

The 70's will truly be an age of miracles but, in conclusion, I would caution you that the progress of no nation can be measured solely by the yardstick of material growth.

We must take care not to allow ourselves to become so overwhelmed with our physical accomplishments that we lose sight of the basic things that have made America great.

We must stop the drift from the American Dream today.

By accepting the burdens of a free world.

By returning to the barn-raising spirit of mutual endeavor.

By ending the "Age of the Shrug" and by preparing now for the 70's.

To paraphrase Vice President Humphrey—Let's not sell our country short.

It is a young nation—yet it is a mature nation.

If we can't succeed with all our wealth, our power, our resources, and heritage of freedom, who in the world can?

We are as young as our hope. As old as our doubts.

The challenge of the 70's is great. But we can meet that challenge if we will it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRIEDEL (at the request of Mr. ALBERT), for today, on account of death in the family.

Mr. CHAMBERLAIN (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. CORMAN on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PUCINSKI, today, for 60 minutes.

Mr. HALPERN (at the request of Mr. KUYKENDALL), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. KUYKENDALL, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

All Members to revise and extend their remarks on the subject of Mr. PUCINSKI's special order.

Mr. TEAGUE of Texas to follow the remarks of Mr. FULTON of Pennsylvania during debate on H.R. 15856.

Mr. CABELL to follow the remarks of Mr. TEAGUE of Texas during debate on H.R. 15856.

Mr. TEAGUE of Texas to revise and extend all his remarks made today in the Committee of the Whole.

Mr. FULTON of Pennsylvania to revise and extend all his remarks made today in the Committee of the Whole.

Mr. RYAN to revise and extend his remarks and include extraneous matter in connection with his remarks on the rule on the NASA authorization bill.

Mr. RYAN to revise and extend his remarks and include extraneous matter on the Roudebush amendment to the NASA authorization bill.

Mr. MADDEN.

Mr. DON H. CLAUSEN and to include extraneous matter.

Mrs. GREEN of Oregon to extend her remarks following passage of H.R. 15856.

(The following Members at the request of Mr. KUYKENDALL and to include extraneous matter:)

Mr. REINECKE.
Mr. WYATT.
Mr. HOSMER in two instances.
Mr. STEIGER of Arizona in one instance.
Mr. BROOMFIELD in three instances.
Mr. WYDLER in two instances.
Mr. CONTE.
Mr. CURTIS.
Mr. HARRISON in two instances.
Mr. SCHERLE in two instances.
Mr. TAFT.
Mr. DUNCAN.
Mr. DERWINSKI in four instances.
Mr. LANGEN.
Mr. MESKILL.
Mr. BUTTON.
Mr. BROYHILL of Virginia in two instances.
Mr. UTT.
Mr. RUPPE.
Mr. HUTCHINSON.
Mr. GUDE.
Mr. ESCH.
Mr. QUILLEN.
Mr. CAHILL.
Mr. MINSHALL.
Mr. BOB WILSON in three instances.
Mr. THOMPSON of Georgia.

(The following Members (at the request of Mr. BRINKLEY) and to include extraneous matter:)

Mr. ALBERT.
Mr. PUCINSKI in 10 instances.
Mr. ROSENTHAL in three instances.
Mr. RESNICK in two instances.
Mr. OTTINGER in four instances.
Mr. PODELL in three instances.
Mr. GARMATZ.
Mr. HATHAWAY.
Mr. VANIK.
Mr. ANNUNZIO.
Mr. DINGELL.
Mr. OLSEN in two instances.
Mr. EILBERG in two instances.
Mr. RARICK in six instances.
Mr. PATTEN.
Mr. BINGHAM.
Mr. REES.
Mr. BRINKLEY.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2745. An act to provide for the observance of the centennial of the signing of the 1868 treaty of peace between the Navajo Indian Tribe and the United States.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on May 1, 1968, present to the President, for his approval, a bill of the House of the following title:

H.R. 2434. An act for the relief of Nora Austin Hendrickson.

ADJOURNMENT

Mr. BRINKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until Monday, May 5, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1804. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 11, 1967, submitting a report together with accompanying papers and illustrations, on an interim report on Red River below Denison Dam, Texas, Okla., and Tex., navigation and bank stabilization, requested by resolutions of the Committee on Public Works, U.S. Senate and House of Representatives, adopted September 12, 1958, and February 24, 1960 (H. Doc. No. 304); to the Committee on Public Works and ordered to be printed with illustrations.

1805. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 815 of title 10, United States Code, to authorize the Secretaries of the military departments to extend increased nonjudicial punishment powers to certain officers; to the Committee on Armed Services.

1806. A letter from the Secretary of Labor, transmitting the sixth annual report on the administration of the Welfare and Pension Plans Disclosure Act, for 1967, pursuant to the provisions of section 14(b) of the act; to the Committee on Education and Labor.

1807. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide additional protection for the rights of participants in private pension plans, to establish minimum standards for vesting and funding of private pension plans, to provide an insurance program guaranteeing plan termination protection, and for other purposes; to the Committee on Education and Labor.

1808. A letter from the Secretary, Export-Import Bank of the United States, transmitting a list of Export-Import Bank insurance and guarantees issued in February and March 1968 in connection with U.S. exports to certain countries, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1968 and the Presidential Determination of February 4, 1964; to the Committee on Foreign Affairs.

1809. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning a certain claim against the United States, pursuant to the provisions of 31 U.S.C. 236; to the Committee on the Judiciary.

1810. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens who have been found admissible, pursuant to

the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1811. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of list and orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

1812. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation together with a list of persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1813. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copy of an order suspending deportation in a certain case, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. PERKINS: Committee on Education and Labor. H.R. 16819. A bill to amend the Vocational Rehabilitation Act to extend the authorization of grants to States for rehabilitation services, to broaden the scope of goods and services available under that act for the handicapped, and for other purposes; with amendment (Rept. No. 1346). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee of conference. H.R. 14940. An act to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations (Rept. No. 1347). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. EVERETT:

H.R. 16975. A bill to amend section 123(c) of title 28, United States Code, so as to transfer Haywood County from the western to the eastern division of the western district of Tennessee; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 16976. A bill to designate the lands of the Sixth Congressional District of Oklahoma as wilderness; to the Committee on Interior and Insular Affairs.

By Mrs. KELLY:

H.R. 16977. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 16978. A bill to provide for the issuance of a commemorative stamp honoring Mme. Marie Sklodowska-Curie, the discoverer of radium; to the Committee on Post Office and Civil Service.

By Mr. PRICE of Texas:

H.R. 16979. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 16980. A bill to authorize the Secretary of Transportation to establish safety standards, rules, and regulations for railroad equipment, trackage, facilities, and operations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GURNEY (for himself, Mr. CRAMER, Mr. MCEWEN, Mr. EDWARDS of Alabama, Mr. BROYHILL of Virginia, Mr. WYMAN, and Mr. SCHERLE):

H.R. 16981. A bill limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, and for other purposes; to the Committee on Public Works.

By Mr. BINGHAM:

H.R. 16982. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain educational expenses; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 16983. A bill to establish a "National Conference on Law and Order—Now"; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 16984. A bill to amend title 38, United States Code, to provide employment and relocation assistance for veterans; to the Committee on Veterans' Affairs.

By Mr. DOLE:

H.R. 16985. A bill to amend section 3146 of title 18, United States Code, to provide that a court may impose conditions on the release of a person who poses a danger to any other person or to the community; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 16986. A bill to amend title II of the Social Security Act to increase the maximum amount of the lump-sum death payment; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 16987. A bill to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; to the Committee on Interstate and Foreign Commerce.

By Mr. KYROS:

H.R. 16988. A bill to enable baby chick, started pullet, laying hen, and table egg producers to consistently provide an adequate supply of these commodities to meet the needs of consumers, to stabilize, maintain, and develop orderly marketing conditions at prices reasonable to the consumers and producers, and to promote and expand the use and consumption of such commodities and products thereof; to the Committee on Agriculture.

By Mr. MATHIAS of Maryland:

H.R. 16989. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANNUNZIO:

H.R. 16990. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ASPINALL (for himself, Mr. HALEY, Mr. MORRIS, Mr. RHODES of Arizona, and Mr. KYL):

H.R. 16991. A bill to amend the laws relating to the administration of Indian affairs; to the Committee on Interior and Insular Affairs.

By Mr. BURKE of Florida:

H.R. 16992. A bill to provide for orderly trade in fresh fruits and vegetables, and for other purposes; to the Committee on Ways and Means.

By Mr. DELLENBACK (for himself, Mr. WYATT, Mrs. GREEN of Oregon, and Mr. ULLMAN):

H.R. 16993. A bill to provide for holding terms of the U.S. District Court for the District of Oregon at Coquille; to the Committee on the Judiciary.

By Mr. FALLON (for himself and Mr. KLUCZYNSKI):

H.R. 16994. A bill to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes; to the Committee on Public Works.

By Mr. FASCELL:

H.R. 16995. A bill to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEITH (for himself, Mr. MCCORMACK, Mr. PHILBIN, Mr. DONOHUE, Mr. BATES, Mr. BOLAND, Mr. O'NEILL of Massachusetts, Mr. MACDONALD of Massachusetts, Mr. BURKE of Massachusetts, Mr. CONTE, Mr. MORSE, and Mrs. HECKLER of Massachusetts):

H.R. 16996. A bill to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. RAILSBACK (for himself, Mr. DELLENBACK, Mr. LIPSCOMB, and Mr. MICHEL):

H.R. 16997. A bill to amend the U.S. fair housing law; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 16998. A bill to enable baby chick, started pullet, laying hen, and table egg producers to consistently provide an adequate supply of these commodities to meet the needs of consumers, to stabilize, maintain, and develop orderly marketing conditions at prices reasonable to the consumers and producers, and to promote and expand the use and consumption of such commodities and products thereof; to the Committee on Agriculture.

H.R. 16999. A bill to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. TALCOTT:

H.R. 17000. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. WOLFF:

H.R. 17001. A bill to establish a "National Conference on Law and Order—Now"; to the Committee on the Judiciary.

By Mr. ABBITT:

H.R. 17002. A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. BARRETT (for himself, Mr. WIDNALL, Mrs. SULLIVAN, Mr. ASHLEY, Mr. MOORHEAD, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. REUSS, Mr. FINO, and Mr. BROWN of Michigan):

H.R. 17003. A bill to amend the National Housing Act to provide for a national program to improve the availability of necessary insurance protection for residential and business properties against fire, crime, and other perils, through the cooperative efforts of the Federal and State Governments and the private property insurance industry, to provide rehabilitation assistance for low-income property owners whose properties do not meet reasonable underwriting standards, to authorize Federal reinsurance with appropriate loss sharing by the States against insurance losses resulting from riots and other civil commotion, and for other purposes; to the Committee on Banking and Currency.

By Mr. FOUNTAIN:

H.R. 17004. A bill to prohibit camping upon certain lands within the District of Columbia under the jurisdiction of the Secretary of Interior; to the Committee on Interior and Insular Affairs.

By Mr. HATHAWAY:

H.R. 17005. A bill to set forth a congressional statement on a national educational

policy and to direct the Secretary of Health, Education, and Welfare to initiate a comprehensive study on the formulation of a plan to implement such policy; to the Committee on Education and Labor.

H.R. 17006. A bill to establish an independent agency to be known as the U.S. Office of Utility Consumers' Counsel to represent the interests of the Federal Government and the consumers of the Nation before Federal and State regulatory agencies with respect to matters pertaining to certain electric, gas, telephone, and telegraph utilities, to amend section 201 of the Federal Property and Administrative Services Act pertaining to proceedings before Federal and State regulatory agencies, to provide grants and other Federal assistance to State and local governments for the establishment and operation of utility consumers' counsels, to provide Federal grants to universities and other nonprofit organizations for the study and collection of information relating to utility consumer matters, to improve methods for obtaining and disseminating information with respect to the operations of utility companies of interest to the Federal Government and other consumers and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. MAY:

H.R. 17007. A bill to make certain reclamation project expenses nonreimbursable; to the Committee on Interior and Insular Affairs.

By Mr. MOORE:

H.R. 17008. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 17009. A bill to amend title II of the Social Security Act to provide a minimum primary benefit of $100 a month (with corresponding increases in the benefits payable to certain uninsured or insufficiently insured individuals); to the Committee on Ways and Means.

By Mr. RANDALL:

H.R. 17010. A bill to amend title 39, United States Code, to provide for door delivery mail service for certain city delivery service areas without door delivery service inhabited by senior citizens, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RUPPE (for himself, Mr. McDONALD of Michigan, Mr. ESCH, and VANDER JAGT):

H.R. 17011. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. DANIELS:

H.J. Res. 1258. Joint resolution authorizing the President to proclaim the third Sunday in May of each year as Grandmother and Grandfather's Day; to the Committee on the Judiciary.

By Mr. RESNICK:

H.J. Res. 1259. Joint resolution to authorize the temporary funding of the emergency credit revolving fund; to the Committee on Agriculture.

By Mr. EVERETT (for himself and Mr. KUYKENDALL):

H. Res. 1154. Resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

By Mr. PODELL:

H. Res. 1155. Resolution to establish a select committee of the House of Representatives to study the unmet needs of the people of the United States for food, clothing, and other necessities of life, and to recommend appropriate programs to insure every resident of the United States adequate food, clothing, and other basic necessities of life; to the Committee on Rules.

By Mr. RESNICK:

H. Res. 1156. Resolution expressing the sense of Congress that medical doctors serving in rural areas should be provided with an appropriate exemption from military service; to the Committee on Armed Services.

By Mr. ROSENTHAL:

H. Res. 1157. Resolution commemorating the 20th anniversary of the State of Israel; to the Committee on Foreign Affairs.

By Mr. WATSON:

H. Res. 1158. Resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DIGGS:

H.R. 17012. A bill for the relief of Engracia Dulce de Bejuco; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 17013. A bill for the relief of Byung Ai Cho; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 17014. A bill for the relief of Rev. Dr. Christopher Stephen Mann; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 17015. A bill for the relief of Dr. Arthur Gosselin; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 17016. A bill for the relief of Mr. Panagiotis Leontaritis; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 17017. A bill for the relief of Hong Jin Chun (also known as David Chun) and his wife, Bok Lae Sue Chun; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 17018. A bill for the relief of Dr. Ok Soon Kim; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 17019. A bill for the relief of Salvatore Calafiore, his wife, Aida Calafiore, and their sons, Giuseppe Calafiore and Salvatore Calafiore; to the Committee on the Judiciary.

H.R. 17020. A bill for the releif of Maria Teresa Vega; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 17021. A bill for the relief of Eduardo Bolivar Batista-Good, his wife, Luisa Lopez de Batista, and their children, Emily Hernandez Batista and Lorenzo A. Hernandez Batista; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 17022. A bill for the relief of Pvt. Willy R. Michalik, [redacted]; to the Committee on the Judiciary.

PETITIONS, ETC.

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

303. By Mr. COLLIER: Petition of James M. Berry, Doylestown, Pa., and others, relative to aid and comfort to our enemies; to the Committee on Foreign Affairs.

304. By the SPEAKER: Petition of James Williams, Minneapolis, Minn., and others, relative to the impeachment of the President; to the Committee on the Judiciary.

305. Also, petition of James Williams, Minneapolis, Minn., and others, relative to the impeachment of the Vice President; to the Committee on the Judiciary.

SENATE—*Thursday, May 2, 1968*

The Senate met at 12 o'clock noon, and was called to order by Hon. SPESSARD L. HOLLAND, a Senator from the State of Florida.

Rabbi Morris A. Landes, Congregation Adath Jeshurun, Pittsburgh, Pa., offered the following prayer:

Our God and God of our fathers, we are thankful for the dream which is these United States of America, one Nation unified in spirit and in purpose, conceived in liberty and dedicated to the proposition that all men are created equal and are endowed with God-given rights of life, liberty, and the pursuit of happiness without regard to race, color, creed, or place of national origin. Grant us the wisdom and the understanding to make that dream a reality for all the inhabitants of our oceanbound borders. May concord and harmony exist within our Nation, and may we exert our tremendous spiritual and material assets for the well-being of all our citizens and for the improvement of the lot of all mankind.

On this day, the 20th anniversary of the State of Israel, we are thankful as well for an ancient prophecy come true, whereby the people of the Bible have returned to the land of the Bible there to found once again a nation promised by Biblical Writ.

We are grateful that the dream and the prophecy have joined together in the sympathetic support manifested by our great Nation to the concept of a reborn State of Israel during the decades when that State was aborning, and in the brotherly friendship that has prevailed in the two decades of Israel's existence between our own glorious and established democracy and the young democratic bastion in the Near East which is the State of Israel.

O, Thou whose name is "Peace," spread Thy canopy of peace over a troubled and groping humanity. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 2, 1968.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. SPESSARD L. HOLLAND, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. HOLLAND thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, May 1, 1968, be dispensed with.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2745) to provide for the observance of the centennial of the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States.

The message also announced that the House had passed a bill (H.R. 16913) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution (H. Con. Res. 615) extending the congratulations of the Congress to the College of William and Mary on its 275th anniversary, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 10477. An act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes;

H.R. 11527. An act 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; and

H.R. 13176. An act 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.

HOUSE BILL REFERRED

The bill (H.R. 16913) making appropriation for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 615) extending the congratulations of the Congress to the College of William and Mary on its 275th anniversary, was referred to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

THE 20TH ANNIVERSARY OF THE ESTABLISHMENT OF ISRAEL

Mr. DIRKSEN. Mr. President, I send to the desk a resolution, for myself and the distinguished majority leader, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be read.

The legislative clerk read the resolution (S. Res. 284), as follows:

Whereas the people of the United States, speaking through the President and the Congress, favored restoration of an independent Jewish nation in Palestine; and

Whereas resolutions expressing support for that objective were adopted by the Sixty-seventh, Sixty-ninth, Seventy-ninth, Eighty-first, and Eighty-fifth Congresses; and

Whereas the State of Israel was established on the fifth of Iyar, 5708, twenty years ago today, according to the Hebrew calendar; and

Whereas during these twenty years Israel has defended her right to exist, developed her economy, given sanctuary to more than one million two hundred and fifty thousand refugees and immigrants, cultivated the arts and sciences, and established and strengthened democratic institutions, serving the cause of freedom and human advancement; and

Whereas, regrettably, a peace settlement between Israel and her Arab neighbors has not yet been achieved: Now, therefore, be it

Resolved, That the Senate of the United States extends its congratulations to the people of Israel on this anniversary and best wishes for continued progress and expresses the hope that the nations of the Near East may soon meet, as neighbors, in negotiations which will lead to peace, economic and cultural cooperation, and which will bring stability and progress to the Near East to the benefit of all the peoples of the region.

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

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

Mr. DIRKSEN. Mr. President, over the years, I have personally seen the transformation of what looked like a piece of desert in the Middle East into a thing of green and beauty, where happy people today reside in their homeland.

This is the 20th anniversary of the beginning of the Republic of Israel, and I ask for the adoption of the resolution.

Mr. President, I ask unanimous consent that the names of the Senator from California [Mr. KUCHEL], the Senator from New York [Mr. JAVITS], and the Senator from Michigan [Mr. GRIFFIN] be added as cosponsors.

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

Mr. DIRKSEN. Mr. President, although it is a departure from my usual rule, I ask unanimous consent that the resolution lie at the desk until the conclusion of today's session, for additional cosponsors.

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

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

Mr. DIRKSEN. I yield the floor.

Mr. PASTORE. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the resolution.

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

Mr. PASTORE. Mr. President, observance of the 20th anniversary of the founding of the State of Israel kindles warm personal and official memories of 1948. As the then Governor of the State of Rhode Island, I shared the enthusiasm not only of my Jewish neighbors but also of all the people of Rhode Island over the birth of free Israel.

Christian Rhode Island points with pride to the patriotism and good citizenship of Rhode Island Jewry proved over 200 years. A bright page of our history is Newport's Touro Synagogue—two centuries old—now a national shrine, and the loveliest monument to early American Jewry.

This is but an incident of Rhode Island history accented by hospitals and civic centers as well as synagogues, temples, and an entire catalog of community accomplishments revered by all Rhode Island as the Jewish recognition and expression of charity [redacted]—individual obligation and personal piety translated generously into universal well-being.

No wonder Rhode Island rejoices in 1968 at the 20th anniversary of an event they celebrated in 1948.

Twenty years ago we were witnesses of history in the making. It was the dream of the promised land of centuries—the hope of the returning, the will toward rebirth of a people—all worked against the pattern of a world that then and even today seems bent on self-destruction.

It was the promised land of broken promises—a returning with the detours of internment hells—a rebirth fashioned out of the death of millions and millions for no crime other than that of their race.

We saw the mass movements, and the secret movements, and the stealthy movements of a hunted people across the fact of a continent, and into the hearts of the world.

We saw a land grow from 85,000 people at the beginning of World War I to 600,000 at the close of World War II.

We saw dead cities come to life and dead soil spring to fruitfulness with the tears and blood and sweat of Jewish pioneers. We saw fears give way to hope as faith became fact, and dispersion gave way to destiny.

The State of Israel took its place among the nations. We have never doubted its courage. We have never doubted its convictions. We can never doubt its common cause with the ideals of Western freedom.

The history of these 20 years has justified every confidence in the character, courage, and capability of a dedicated people to restore the ancient Jewish commonwealth that had existed from time immemorial.

The spirit of Israel has made the

desert to bloom and to the material beauty they have added a spiritual dignity with a sense of destiny to assure mankind that a nation that wills to be free cannot be denied or defeated.

Mr. RIBICOFF. Mr. President, the 20th anniversary of Israel's independence is a time for great joy. During my recent trip to Israel, I marveled once again at this noble experiment in statehood which already has so many remarkable achievements to its credit. For with blooming deserts—with barriers now removed and the Mandelbaum Gate border crossing no more than an unpleasant memory—there is undaunted spirit and a future of hope and promise.

Yet, this 20th anniversary is also a time of sad thoughtfulness. For the remarkable Israelis fought a victorious war to bring peace. And still there is no permanent peace. Instead, hostilities break the unsteady calm of a ceasefire. It is our solemn hope that finally a just settlement and a lasting peace will come to the Middle East.

Mr. President, the State of Israel teaches us of human courage, strength of will, vitality and self-sacrifice. This commitment to meaningful values promise centuries of anniversaries ahead.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 284) was agreed to.

The preamble was agreed to.

Mr. JAVITS. Mr. President, I address myself to the resolution, so eloquently worded, to commemorate the 20th anniversary of the establishment of the State of Israel, as introduced for himself by the minority leader, for the majority leader, for the Senator from Rhode Island [Mr. PASTORE], and to which he has added my name.

Mr. President, it is a tremendous achievement to have achieved security in 20 years even though so heavily beleaguered as Israel has been. It is a realization of the messianic dream of 20 centuries that the State of Israel has come about at all. It is a conflict of joy, gratification, and deep anguish that this refuge could not have been created sooner, to have saved at least some of the 6 million Jews who perished in the Nazi holocaust.

Indeed, mankind can hardly encompass the awfulness of that tragedy—of man's inhumanity to man.

But, Mr. President, this state and its security, the eloquence which has been shown by its valor in defending itself and in carving out a successful and effective state literally out of the barren soil, must all be tempered by the dangers which peace for the world and for Israel faces today.

As the resolution before us states, if the reception of 1.25 million immigrants was historic, let us remember that there are still more than 3 million who are being prejudiced and discriminated against right now, because they are Jews, in the Soviet Union and in Poland. Jews are also in daily peril in the Arab States of the Middle East and other places throughout the world as are other minorities. But at least they have had the valor and will to carve out a secure place of refuge in Israel.

I speak with the greatest appreciation of the great feeling of sympathy and approval which exists in our country for Israel today and of the feeling that we have in terms of security that Israel is the most reliable ally the United States has in that part of the world. That is all very true—the eastern Mediterranean would be insecure, indeed, and so would the 6th Fleet in the Mediterranean, if little Israel was not there—as we learned when our troops were in Lebanon. Only the fact that Israel was on the flank of Lebanon made it possible for us to get our troops out of there when we wanted to. The reputation of Israel in the State Department and the Pentagon has justifiably grown.

But the danger is very grave. The United Nations' efforts to seek peace in the Near East have not been implemented, that there are serious dislocations that could involve the very life and survival of Israel, backed by guerrilla raids across its borders intended to destroy its national existence and greater threats.

But to this very moment the Arab States still will not sit down and talk peace. The tragic Arab refugees still remain flotsam and jetsam, because their own Arab brothers have not seen fit to seek a final and conclusive settlement of their status.

When all this is compounded by the fact that the naked confrontation between the United States and the Soviet Union is the most keen, dramatic, and vivid in the Mediterranean—where the Russian fleet is now five times the size it has ever been before and would like to confront the 6th Fleet and, indeed, is actually garrisoned in Egyptian ports as an element in the conflict which still exists there between the Arab States and Israel, we must realize that American policy will have a great deal to do with whether the promise of this resolution before us to all nations in the Near East—to wit, that they shall meet as neighbors—will actually be redeemed and that Israel cannot be allowed to be disadvantaged in terms of its own security in the sophisticated weaponry which the Soviet Union is pouring into the Arab States. Even valor cannot stand against the kind of ultramodern missiles which, in one instant, sank an Israeli destroyer miles away.

Thus, Mr. President, the commemoration of Israel's 20th anniversary, thankful as it is, must be taken within the context of the continuing relation of a small state which must still struggle in blood and treasure to survive. And perhaps continue to struggle for a very long time.

The absolutely indispensable friendship for this small state which is represented by the United States in its own interests, as well as in an idealistic interest, is exemplified by the fact that we were the first to recognize that state in 1948 under President Harry Truman—exactly 20 years ago.

It is with these thoughts that I hope my colleagues will greet this resolution with deep satisfaction, just as I have greeted it.

Mr. YARBOROUGH. Mr. President, I desire to speak to the resolution which was offered by the leaders of the Senate on the 20th anniversary of the independence of Israel.

It was my privilege to go on a mission to Israel in 1961. As I looked at those bare Judean hills, with little green trees, 2 or 3 feet high, standing out there, with rocks sticking out, I wondered how the trees could live. It looked like a waste of money. Yet Israel was collecting money in this country, and men were planting trees there. This was on hills which, in Biblical times, were clothed with forests, and where animals roamed. They had been bare for hundreds of years.

I was back in Israel in 1966, en route to Teheran for an interparliamentary conference. I traveled the same route from Tel Aviv to Jerusalem. The hills that looked so bare in 1961 had turned green, and the trees were 10 to 12 feet high, and the hills that had been barren for hundreds of years were becoming forested.

Israel and Israelis are showing the whole Middle East and the Arab countries what can be done to the mountains and hills there by reforestation. If the other countries would copy the Israeli example of soil and water conservation it would be of inestimable value to the hundreds of [redacted] of people who live in those dry, arid countries. The Israelis are literally making the desert blossom as a rose by the practice of reforestation, which helps hold back the water. They will have springs and they will have brooks that ran in Biblical times, and that have been dried up for hundreds of years. They will flow again. This transformation from barren land to forest took place in 5 years.

Coming from a State which has a true desert, and then an area of aridity, but not a desert, and then an area with a plentiful and abundant supply of rainfall, up to 60 inches, seeing trees in that whole belt of dry Texas country struggle for existence, and having lived for 8 years in El Paso with 8 inches of rainfall, and having seen trees struggle for existence, I marveled at the growth of those trees in Israel in 5 years.

I think Israel is setting an example for all her neighbors that they could copy with tremendous benefits to themselves—far more benefits than they would have gotten out of any of the wars, if they had won them. I believe this example is one which could be followed with great benefit by any emerging country. I congratulate the people of Israel.

When I was in Israel I visited some of the collective farms. There, I learned that they had found out, after the collective farms had run a while, that the immigrants would abandon them as soon as they would be able to leave and go to a city, and that they had great problems getting people to stay on these state collective farms. So finally Israel began to grant those farmers the right to have a little patch of their own. The farms were owned and operated entirely by the state; but lately they have given the individual workers on those farms, tracts of their own, to cultivate and raise a gar-

den, and now, Mr. President, the people are staying on the collective farms.

So the people of Israel have begun to learn what the free enterprise system is. When they give the immigrants a little piece of land to grow some of their own crops, some of their own fruit, and provide a part of their own living, they are not having the problem with those immigrants that they had when they denied the inherent nature of a man to want to have something he can call his own. That denial succeeded only in driving them off the collective farms. So Israel, through evolution, has learned the value of private ownership.

I might add that the last time I was there, I learned that they were exporting more oranges than any other country in the world. I do not mean to say they were the world's best oranges; they could not touch the quality of the oranges from Florida, the State represented by the distinguished occupant of the chair [Mr. HOLLAND]. But they are exporting oranges to Europe. Their efficient use of land and water, to a person who comes from a great agricultural State, was most impressive. I believe that through her wise use of her natural resources, and the diligence and hard work of her people, Israel is setting an example by which many nations could profit.

Mr. President, when I went to Africa I visited the Israel Embassies, and was told that, due to the fact that they had recently gained their independence, they had great influence in Africa, and the newly emerging nations of Africa were listening to Israel's views on independence.

Because Israel, like those countries, had had its independence only a short period of time, and the people of Israel are doing heroic and gigantic things to build, on that small tract of poor, denuded, exploited land, a great country. Through wise and careful use of the resources of that land, they are bringing it back to great productivity and fertility. I take my hat off to them for what they have accomplished in that little, dry strip of territory along the Mediterranean. They are making of it a showplace for all the world to see.

Mr. President, I yield the floor.

Mr. SCOTT. Mr. President, today we observe the 20th anniversary of the establishment of the State of Israel.

This is an observance of great moment, not alone to Israel but to the friends of that gallant nation throughout the world who believe, as I do, that Israel has an importance that transcends both time and geography.

The land itself is the birthplace of civilization as we know it today and it has special meaning to all three of the world's great religions.

But for the Jewish people, it is the "homeland."

Since 73 A.D., when the last Jewish defenders died after a valiant stand at Masada, the Jewish people dreamed of a return to their traditional homeland. In the 19th century a band of determined people known as Zionists decided that this dream could be brought to reality and began the settlement of Palestine.

But throughout the 20th century, as Jews got closer and closer to establishing a homeland, their goal always seemed to elude them. It was during the 1940's that I first began helping that objective as a Member of the U.S. House of Representatives.

Through resolutions in the 1940's, conferences with the then Secretary of State, and a variety of other activities, I learned more about the goals of the establishment of a homeland. I grew increasingly convinced that such an objective was in the interests of free representative government, stability in the Middle East, and therefore in the best interests of the United States.

There were even times when I was intermediary in the purchases of certain supplies vital to the effort.

Therefore, following the establishment of the State of Israel in 1948 I felt a satisfying sense of participation in an act of creation.

Today, Israel stands proud and vigorous as a leading nation of the free world. It has accepted immigrants from throughout the world and built a nation literally from the ground up.

Israel has proved not only that it has the will and the capacity to defend its rights and sovereignty through the force of arms, but that it has the will and capacity also to grow and hold its own as a defender of the principles of government to which we in the United States fully subscribe.

For both reasons, Israel has been the center of controversy. Its neighbors resent the establishment of a Jewish homeland and regularly move to eliminate the state. The Soviet Union, partly to enlist the support of the Arab states and partly out of fear of strong free institutions, has moved vast military forces into the area.

It must be our task to see that neither inflamed jealousies nor international communism weaken or destroy the only real friend the United States has in that area of the world.

We in the United States move by word and deed to uphold free institutions throughout the world, sometimes—as in Vietnam—at the cost of many American lives and billions of American dollars. In the Middle East, the Israelis are doing that job for us and for all the free world with a minimum of demands upon the United States.

But we must meet those demands. We dare not let down the gallant Israelis. We must reinforce in their minds the fact that we have as deep a commitment to their freedom as we do to free people everywhere. And we must help with military hardware Israel's need for deterrent strength.

And we must also work for peace.

The only real solution to the problems that beset the Middle East is an end to the bitterness and a permanent peace through direct negotiations.

The Middle East has a vast potential for good. The desert can bloom like a garden not only in Israel but throughout the area if its people will come together with reason and in harmony.

That has been the end to which I have worked for a quarter of a century. That should be the objective of all of us on this day when we observe the 20th anniversary of the State of Israel and when we congratulate a people for a job well done that still needs more work, more patience and continued dedication to the good of all mankind.

Mr. PROUTY. Mr. President, I join Senators in commemorating the 20th anniversary of Israel independence day.

This is a memorable day for any nation, but for the valiant country of Israel it has so much more significance because of the history of struggle for its people.

The theme of the song from "The Man From La Mancha" is the hope of the impossible dream. The Nation of Israel is testimony to the value of dreaming an impossible dream. Some 32 centuries ago the ancestors of today's Jews migrated into Palestine and made portions of it their home. Following the Roman conquest of Jerusalem in 63 B.C., the Jews gradually dispersed to the four corners of the world. Though forced to live in exile for almost 2,000 years they remained bound together by a common body of beliefs, knowledge of customs, and by a shared concept of their own history and destiny—the deliverance from exile and return to the homeland.

From the Balfour Declaration of 1917 to the withdrawal of British troops in December of 1947, the impossible dream of a great people came closer and closer to the hour.

From the Israeli Declaration of Independence on May 14, 1948, to this very minute the Israelis have demonstrated their determination and valiant efforts to defend and build their homeland into a viable nation.

I personally extend to the new Israeli Ambassador, Gen. Yitzhak Rabin, my congratulations on his country's 20th anniversary and I wholeheartedly support the resolution introduced by my distinguished colleagues.

Mr. MUSKIE. Mr. President, I am pleased to join my colleagues in tribute to Israel on the occasion of her 20th birthday today.

Twenty years is but a moment in history for those people who waited thousands of years for a land to call home.

But in these two decades, the people of Israel have telescoped centuries of progress. Arid lands have been cultivated into fertile fields. Cities and towns, universities, museums, and a representative and stable government have been built.

An industrious people have established a modern and progressive society which is both a marvel and an inspiration to thoughtful men around the world.

I wish this brave nation continued progress in the years ahead.

Mr. WILLIAMS of New Jersey. Mr. President, this week marks the 20th anniversary of the rebirth of the Jewish State of Israel.

After almost 2,000 years of wandering throughout the world, Jews again have a nation that is their homeland.

Israel's rebirth was marred by an immediate outbreak of hostilities with her Arab neighbors. The 1948 war was followed by further war in 1956 and 1967. In all these conflicts, Israel emerged victorious. But her security is by no means certain today. The Arab nations have threatened genocide for 20 years and

refuse to discuss peace. Soviet arms and advisers have been poured into Egypt and Syria.

In the past 20 years, Israel has reclaimed the arid desert and made it bloom. Medical technology in Israel is the most advanced of any Mideastern nation. Her citizens enjoy the highest standard of living in that region of the globe and exercise their full rights under a truly democratic form of government.

It is a privilege for me to salute the gallant young State of Israel on this anniversary, and it is my fervent hope that the year to come will bring lasting peace to that troubled region.

Gov. Richard Hughes of New Jersey has declared Friday, May 3, to be "New Jersey Salute to Israel Day." I join with my fellow citizens of New Jersey in this most deserved honor.

Mr. GRIFFIN. Mr. President, I am pleased to join today in cosponsoring a resolution honoring the people and State of Israel.

Twenty years ago Israel emerged as a new member of the family of nations. Undaunted by overwhelming political, military, and economic obstacles which threatened their survival, the people of this proud land struggled successfully to create a new existence.

From humble beginnings, the State of Israel has created a strong and buoyant economy with scant, natural resources. The concept of democracy took root and has flourished. All nations can learn much from the Israel experience. For the past two decades, the world has observed Israel surmount every imaginable adversity to become, through hard work and perseverance, a model of successful nation building.

And so I join my colleagues in extending best wishes and congratulations to Israel on the 20th anniversary of her existence as a state. We honor her people and share her ideals as a nation. And we hope that the time will come when the trying political troubles of the Middle East can be resolved in the spirit of peace and mutual trust.

Mr. CLARK. Mr. President, today's turbulent world offers us fewer and fewer occasions for celebration and hope and assurance of the future. One of these rare events, most certainly, is the 20th anniversary of the Republic of Israel's independence, which we honor in the Senate today.

The free world and free men and women everywhere have heartfelt reason to rejoice in the miracle of Israel's survival and success. Survival has required the waging of three successful wars against enormous odds to preserve the young nation's independence and promise.

More than any other new nation born in this century, Israel has proved the indomitable strength of democracy. The miracle of Israel lies not alone in the flourishing democracy it has created in the Holy Land but in its unique success in spreading the idea and practice of democracy, along with economic and technical progress, to other lands, to emerging nations in Africa and Asia.

The abiding admiration, affection, and rapport that the people of the United States feel for Israel is also rooted deeply in the common elements of our national origins. Israel and the United States were both born of a great and dramatic "ingathering" of the dispossessed from many corners of the world, and ingathering, as Emma Lazarus wrote of the poor, the huddled masses yearning to breathe free, the homeless and the tempest-tossed.

These were our country's founders, and they were Israel's. These were the refugees from persecution and oppression who shaped our common freedoms, molded our precious liberties, and created our factories and farms.

Our countries are linked together by our mutual dedication to the democratic dream, to our profoundly shared belief in the dignity of man and the preciousness of human life. The men and women of Israel and the people of the United States are today, and must always be, brothers and sisters in a common cause, the common ideal of human brotherhood.

But while we rejoice in two decades of Israel's independence and progress, we do not permit ourselves to forget that this new nation and its courageous pioneering people are not yet secure. They are, regretably, as embattled today as 20 years ago when the blue-and-white flag with the Star of David was first raised over Jerusalem and Haifa and collective farms from Dan to Beersheba.

Because Israel's enemies proclaim today, as they have in years past, their fanatical obsession with destroying the nation and driving its people into the sea, Israel today and tomorrow must know that America stands stanchly by its side.

Israel more than ever before is an oasis of democracy and humanity in the Middle East; therefore it deserves and must have every kind of support—economic, political and military—that the United States and other free nations can possibly extend.

I pledge to Ambassador Rabin and to Israel's heroic men and women that it shall have that support in full measure. I am determined that Israel shall live and that "Shalom" will become not only a greeting and a hope, but a reality of encompassing peace for all time to come.

Mr. HARTKE. Mr. President, today is the birthday of a modern miracle in the land that spawned Western civilization and the world's greatest religions.

Israel is a miracle in many ways. It is a miracle that such a state was created 20 years ago. It is a miracle that it survived what its citizens know as the war of independence when its armed services surmounted those of surrounding countries who outnumbered them nearly 20 to 1.

Israel is a miracle in the way her determined young men and women have made the desert bloom with oranges now sold around the world. She has made King Solomon's mines produce copper. She has turned sea water into sweet. She has unlocked the secrets of atomic energy. She has planted a million trees on the slopes near Jerusalem. She has begun to fulfill a 2,000-year-old dream.

Today Jerusalem has been reopened as the Holy City of three faiths and all have free access to their respective shrines.

Today Israel is exporting know-how in science, technology, and agriculture to newer nations in Africa and Asia. She even teaches modern methods to Europe.

Faced with danger from attack, guerrilla raids from neighbors, and a land which still suffers from the neglect of centuries, Israel is prospering nevertheless. She is a Western-oriented democracy that is an oasis in a desert of despotism and feudalism. She is America's unshakable ally.

When the history of the last half of this century is read by our descendants, it will be marked by the gallant people who fled tyranny and oppression and who began again to make this Biblical land flow with milk and honey. From the ghettos of North Africa and the concentration camps of Europe, from all corners of the globe, the dregs of humanity returned to the land of their dreams and their prayers.

Free men who believe that freedom will inevitably triumph join today in saluting the 20th anniversary of the miracle that is Israel.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that my name be added to the list of Senators extending congratulations to the people of Israel on this, the 20th anniversary of the establishment of an independent Jewish state.

Mr. YARBOROUGH. Mr. President, I ask unanim[redacted]t that my name be added to that list also.

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

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

The ACTING PRESIDENT pro tempore. The absence of a quorum having been noted, 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.

DAVID DELLINGER—COMMUNIST AGITATOR—ACTIVE IN PLANNING POOR PEOPLE'S MARCH

Mr. RANDOLPH. Mr. President, there are elements of anti-America, as well as rightful concern for the betterment of the unemployed and the oppressed, as the initial stages of the poor people's march are carried forward.

There are strong evidences of Communist planning and participation in the forthcoming demonstrations in our Nation's Capital. One of these anti-United States poor people's march proponents is David Dellinger.

Mr. President, on October 23 of last year I said in remarks in the Senate that David Dellinger was "a key organizer and perhaps chief proponent of the march on the Pentagon."

I further stated that this anti-America propagandist has publicly announced that he is a Communist. He spent several weeks in Washington, D.C., planning and coordinating the so-called peace march with its disruptive and damaging demonstrations which took place with, finally, violence as marchers attempted to storm and literally to take over the Pentagon.

Mr. Dellinger at that time described himself as a "non-Soviet Communist." I ask the questions: Where is this Mr. Del-

linger now? What is Mr. Dellinger doing now? Our answer is set forth in the Washington Post of Tuesday morning, April 30. I read from the article which was published on that date as follows:

One of those who accompanied Mr. Abernathy was David Dellinger, a chief organizer of the peace demonstration at the Pentagon last October.

Surely, Mr. President, the Reverend Ralph Abernathy knows—and I repeat, knows—the record of David Dellinger.

Why, I ask, and I ask it calmly, but I ask it earnestly, does Reverend Abernathy permit or encourage this anti-American perpertrator of violence and hate to stand by his side in conferences with members of the Cabinet of the United States?

Mr. Abernathy very properly preaches nonviolence.

The ACTING PRESIDENT pro tempore. The 3 minutes of the Senator have expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the senior Senator from West Virginia may proceed for an additional 7 minutes.

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

Mr. RANDOLPH. Mr. President, I repeat that Mr. Abernathy very properly preaches nonviolence, but he is apparently associated with David Dellinger, who would seek to destroy—not by appeal, not by presentation, not by discussion—our very Government and the institutions on which our Republic is founded.

Mr. President, I am not by nature an alarmist. I do not pose as a latter day Paul Revere who rides to warn of approaching foes and inpending doom. I am, however, a realist, and the immediate realism of the pressing problem, the soon to be massive march on Washington, demands—and when we are speaking of demands this is the type demand I wish to underline and underscore—that Members of Congress and all those persons with official and constitutional authority in this country be on guard to protect the property of the people—yes, the people themselves—in these coming weeks, and, in fact, in the coming months, and in truth, in the coming years. Our Government, in the last analysis, is the people themselves.

The right of American citizens to petition the officials of their Government is a precious right. It certainly extends to those men and women who now come to Washington for what they believe to be a redress of wrongs. But that right of petition becomes a mockery if they seek to disrupt their Government and break our laws because our laws are for not a particular segment of our society; our laws are meant to be obeyed by all Americans.

Mr. President, I do not cite my credentials this afternoon of more than 23 years of membership in the House of Representatives and in the Senate of the congressional responsibility which I have undertaken. That record, however, for those who wish to search it out, is proof positive of my advocacy in helping people who are in need to help themselves.

We have done much, but we need to do more. We have made significant progress in meeting the needs of those who need help in this country. I repeat: We have not yet done enough.

Mr. President, I commend to Senators the editorial published in the St. Louis Globe-Democrat, as printed in the RECORD at the request of the distinguished Senator from Missouri [Mr. SYMINGTON]. The editorial is entitled "In Praise of the United States."

Mr. President, I ask unanimous consent to have this editorial printed in the RECORD again, even though it has already appeared there.

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

IN PRAISE OF THE UNITED STATES

Who will say a good word for the United States of America?

We will—and we are sure that nearly all Americans will if they can get the microphone away from the professional hate mongers, the political opportunists and the "Let's All Kick America" crowd.

If one arrived in America from a foreign country and had to judge the worth of our nation by the outpourings of most of our national magazines, a good share of the television programs and the sensation-seeking segment of the press, he might conclude that we are headed straight for hell in a bucket.

As we see it, it is a matter of perspective. Too many newscasters and writers have lost theirs. They seem to get their "kicks" by puffing up the nation's faults to the exclusion of nearly everything else.

They give unlimited time and space in their columns and on the air ways to the hairy creeps and the hate peddlers until they are nauseatingly out of balance. They are sick, and they seem to want to get sicker.

What is all this about? There appears to be an undeclared national contest to see who can kick the United States the hardest.

If this is not so, why have certain television networks and publications given the Stokely Carmichaels, the Dr. Spocks and other far-out radicals such an inordinate amount of coverage?

It seems that every time Carmichael feels an urge for sedition or mayhem, someone shoves a microphone in his face or starts taking notes.

Have those gentlemen with a nose for garbage not been largely responsible for making these rap-America radicals national figures?

The venom against the United States fairly oozes from certain TV and newspaper personalities. These armchair generals nightly asked loaded questions of selected "experts" on the Vietnam war to support their demand that we get out even though they haven't the faintest idea how we could do so with honor or what might follow a precipitous pullout.

Most of such self-appointed experts on military and foreign affairs would be horrified if anyone in Washington had the bad judgment to follow their advice.

Small wonder the American people are confused about the war.

We also have political candidates who would sell out not only their own grandmother but the United States as well for a few votes.

They are so "hooked" on using our government as a punching bag, that they grin like idiots every time they are getting their "enjoys."

We realize the country is undergoing a national orgy of violence and crime, that its popularity abroad has reached an all-time low, and that it faces an awesome challenge in meeting the problems that seem to confront it on all sides.

But what good does it do to make the worst of it?

This is a time for cool heads to take over from the hotheads. It is an occasion for loyal Americans to stand against this sickening outpouring of venom, to make a special effort to point out some of the good things about America.

This is a time to take off our coats and go to work to solve our problems, rather than moan incessantly about them.

Instead of complaining helplessly about riots in the ghettos, find out what you can do to help the great majority of non-rioting, responsible Negroes, who must live in these rotten conditions, achieve a better life.

Try giving the President your support in his all-out search for peace in Vietnam—a peace with honor, not a cover for retreat.

We happen to be citizens of the nation that has done more than any other in the world for the cause of freedom and democracy.

Americans have an unmatched record for sacrifice on the battlefield, for generosity in giving their money and other resources to help other nations withstand aggression, to remain free.

Why worry when Boris Bolshevik from Outer Monrovia or Vulgarslavia screams anti-Americanism?

He knows and you know that were it not for the United States, President Charles de Gaulle of France might today be making his anti-American speeches in a Nazi prison and the Communist flag might well be flying over Greece and who knows where else in Europe?

Filipinos today might be speaking Japanese and Australians might be eating with chopsticks had not American men fought for freedom in World [redacted] they fought in World War I, in Korea, and as they fight today in South Vietnam.

No wonder we feel patriotic and couldn't care less if some rum-dum should mumble something inane about "super patriotism."

To the United States of America we say, "long may you live." To the sour-mouthed calamity howlers, we say, "Nuts to you!"

Mr. RANDOLPH. Mr. President, sometimes I think it has become outmoded to speak of obligations, that it is out of date to think in terms of disciplines in our beloved country, as we continue to make improvements within the lawful processes of our Government in serving the needs of all the people.

I read and reread the editorial and I wish that every Member of the Senate would read and reread it. We should plan to distribute it to every college and university, to every high school and junior high school in America.

Mr. President, I do not stand at the wailing wall; I do not press the panic button. My observations are made earnestly today so that all of us will be cautioned to be on the alert—and, more importantly, to rededicate ourselves to "the unfinished task" that lies before us as responsible legislators who represent responsible people.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF VIOLATION OF ADMINISTRATIVE CONTROL OF APPROPRIATIONS REGULATIONS (DD–67–11)

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report of violation of administrative control of appropriations regulations (with an accompanying report); to the Committee on Appropriations.

APPROVAL OF LOAN TO WESTERN ILLINOIS POWER COOPERATIVE, INC.

A letter from the Administrator, Rural Electrification Administration, U.S. Department of Agriculture, transmitting, pursuant to law, information relating to a $3,078,000 loan to the Western Illinois Power Cooperative, Inc., Jacksonville, Ill., for the financing of certain transmission facilities and miscellaneous improvements to existing generation facilities (with an accompanying paper); to the Committee on Appropriations.

FEDERAL RAILROAD SAFETY ACT OF 1968

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to establish safety standards, rules, and regulations for railroad equipment, trackage, facilities, and operations, and for other purposes (with an accompanying paper); to the Committee on Commerce.

PROPOSED AMENDMENT OF FOREIGN SERVICE BUILDINGS ACT

A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations (with an accompanying paper); to the Committee on Foreign Relations.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL POLICIES

A letter from the Chairman, National Advisory Council on International Monetary and Financial Policies, transmitting, pursuant to law, a special report on the proposed amendment of the articles of agreement of the International Monetary Fund establishing a facility based on special drawing rights in the Fund and modifications in the rules and practices of the Fund (with an accompanying report); to the Committee on Foreign Relations.

PROPOSED SPECIAL DRAWING RIGHTS ACT

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on administration by civil agencies of allowances authorized for Federal employees upon permanent change of official duty station, dated April 30, 1968 (with an accompanying report); to the Committee on Government Operations.

REPORT ON HENRY E. DOOLEY CLAIM

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim of Henry E. Dooley (with an accompanying report); to the Committee on the Judiciary.

REPORT OF NATIONAL SAFETY COUNCIL

A letter from the President, National Safety Council, transmitting, pursuant to law, a report of the audit of the financial transactions of the Council for the year 1967 (with an accompanying report); to the Committee on the Judiciary.

WAGE PROTECTION

A letter from the Secretary, Department of Labor, transmitting a draft of proposed legislation to apply prevailing wage protection in accordance with the Davis-Bacon Act to the construction or reconstruction of buildings to be leased for public purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to a Joint Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Nishihara Village, Okinawa, Assembly praying for the immediate removal of B–52 bombers from Okinawa; to the Committee on Armed Services.

A resolution adopted by the Assembly of Naha City, Okinawa, praying for the reversion of Okinawa to the fatherland; to the Committee on Foreign Relations.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, with amendments:

S. 2688. A bill to extend and otherwise amend certain expiring provisions of the Public Health Service Act for migrant health services (Rept. No. 1101); and

S.J. Res. 117. Joint resolution to call a White House Conference on Aging in 1970 (Rept. No. 1102).

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, as an executive session, I report favorably sundry nominations in the Coast Guard which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, ask unanimous consent that they may lie on the Secretary's desk for the information of any Senator.

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

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

Roger L. Kennedy, and sundry other officers, for promotion in the Coast Guard;

James M. Mullen, and sundry other officers, to be permanent commissioned officers of the Coast Guard;

Robert L. DeMichiell, and David A. Sandell, to be members of the permanent teaching staff of the Coast Guard Academy; and

Kenneth Barry Allen, and sundry other persons, to be permanent commissioned officers in the Coast Guard.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. YARBOROUGH:

S. 3421. A bill to provide additional protection for the rights of participants in private pension plans, to establish minimum standards for vesting and funding of private pension plans, to provide an insurance program guaranteeing plan termination protection, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. BREWSTER:

S. 3422. A bill for the relief of Liu Kam; to the Committee on the Judiciary.

By Mr. FULBRIGHT (by request):

S. 3423. A bill to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes; to the Committee on Foreign Relations.

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

By Mr. RANDOLPH:

S. 3424. A bill to include air traffic controllers within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of certain Government employees; to the Committee on Post Office and Civil Service.

By Mr. BROOKE (for himself and Mr. KENNEDY of Massachusetts):

S. 3425. A bill to designate certain lands in the Mono[redacted]nal Wildlife Refuge, Barnstable County, Mass., as wilderness; to the Committee on Interior and Insular Affairs.

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

By Mr. MAGNUSON (for himself, Mr. HARTKE and Mr. MCGEE) (by request):

S. 3426. A bill to authorize the Secretary of Transportation to establish safety standards, rules, and regulations for railroad equipment, trackage, facilities, and operations, and for other purposes; to the Committee on Commerce.

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

By Mr. WILLIAMS of New Jersey (for himself, Mr. MORSE, Mr. CASE, and Mr. HARTKE):

S. 3427. A bill to prohibit and make unlawful the hiring of professional strikebreakers in interstate labor disputes; to the Committee on Labor and Public Welfare.

By Mr. MUNDT (for himself, Mr. SPARKMAN, Mr. CARLSON, Mr. TOWER, Mr. BOGGS, Mr. HRUSKA, and Mr. FANNIN):

S.J. Res. 165. Joint resolution authorizing the President to proclaim August 11, 1968, as "Family Reunion Day"; to the Committee on the Judiciary.

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

By Mr. ALLOTT:

S.J. Res. 166. Joint resolution to authorize the President to designate the period beginning June 23, 1968, and ending June 28, 1968, as "National Environmental Health Week"; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S.J. Res. 167. Joint resolution to establish an advisory commission to study and report on the need for port facilities in the United States for commercial nuclear ships; to the Committee on Government Operations.

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

S. 3421—INTRODUCTION OF BILL TO PROVIDE ADDITIONAL PROTECTION FOR RIGHTS OF PARTICIPANTS IN PRIVATE PENSION PLANS

Mr. YARBOROUGH. Mr. President, last year I introduced S. 1024, the Welfare and Pension Plan Protection Act of 1967, to require fiduciary responsibility in the administration of pension plans. As I said at that time, "other problems in connection with such funds have not yet been solved." The present bill will go a long way in helping to solve these other problems.

First, the legislation I am introducing today will impose minimum standards for all pension plans in order to provide vested retirement benefits to all participants who have worked for the same employer for 10 or more years after reaching the age of 25.

Employees may now work a lifetime for the same employer and yet be entitled to nothing on leaving, even though a sound pension plan exists. More than 12 million employees are now covered by pension plans under which benefits do not vest after 10 years' service. Some 3 million of these persons will, in the absence of this bill, never receive any benefits from these plans. It is not just or equitable that a man, when he changes jobs, should lose rights acquired over so long a period even though the necessity of private circumstances may compel him to seek employment elsewhere.

Second, some 500 pension plans, covering more than 25,000 workers, terminate each year, with all the losses that this entails. The bill will require minimum standards of funding to assure that sufficient assets are accumulated to carry out promises to employees and their dependents. Too often, the protection offered by private pension plans is illusory, and a worker, at the age of 60, suddenly discovers that he will not get the promised monthly income so important to his future plans.

Third, to assure that such promises are kept, the bill provides insurance against losses to pension funds caused by involuntary termination of a plan before it is fully funded, as in cases of bankruptcy or plant closure.

The bill will avoid a severe immediate impact upon current pension plans by permitting various arrangements by which such plans can make careful transitions in order to permit easy adjustment. In addition, the Secretary of Labor is authorized to approve alternative methods of meeting standards in special cases.

Finally, the bill provides for continuing studies of all aspects of pension plans, including the possibility of portability of pension credits.

The private pension system has done an effective job in building supplemental retirement security for a major section of the Nation's work force. Nevertheless, there are certain glaring deficiencies in the system.

Today, private pension plans cover more than 25 million American workers and involve assets of over $100 billion.

They are a major part of the financial security of millions of working men and their families. The present bill will require that this security be real and not an illusion. It is true that the majority of pension plans are secure, but without the protection of this bill, the individual employee has no way of knowing whether his plan is one of that majority.

In the 10 years since the Committee on Labor and Public Welfare last studied pension plans, these plans have grown enormously. It is time for us to again look at how pension plans are operating.

Mr. President, I ask unanimous consent that the text of this bill and an explanatory statement of its provisions be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and the statement will be printed in the RECORD.

The bill (S. 3421) to provide additional protection for the rights of participants in private pension plans, to establish minimum standards for vesting and funding of private pension plans, to provide an insurance program guaranteeing plan termination protection, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Pension Benefit Security Act".

FINDINGS AND POLICY

SEC. 2. (a) The Congress finds that private pension plans are a major and increasing factor with respect to the continued well-being and security of millions of employees and their dependents; that because of the present and anticipated size and importance of these plans they have a significant bearing on industrial relations, on employment, and on the national economy; that owing to their interstate character they have become an important factor in commerce; that a large volume of the activities carried on by such plans are effected by means of the mails and instrumentalities of interstate commerce; that they substantially affect the revenues of the United States because they are afforded preferential Federal tax treatment; that despite the enormous growth in such plans many employees with long years of employment are losing anticipated retirement benefits owing to the lack of vesting provisions in such plans; that owing to the inadequacy of current minimum standards, the soundness and stability of plans with respect to adequate funds to pay promised benefits may be endangered; that owing to the involuntary termination of plans before requisite funds have been accumulated, employees and their dependents have been deprived of anticipated benefits; and that it is therefore desirable in the interests of employees and their beneficiaries, for the protection of the revenue of the United States, and to provide for the free flow of commerce, that minimum standards be provided assuring the equitable character of such plans, their financial soundness, and protection of benefits in the event of involuntary plan termination.

(b) It is hereby declared to be the policy of this Act to protect interstate commerce, the Federal taxing power, and the interests of participants in private pension plans and their beneficiaries by improving the equitable character and the soundness of such plans by requiring them to vest the accrued benefits of employees with significant periods of service, to meet minimum standards of funding, and to protect the vested rights of participants against losses due to involuntary plan termination.

DEFINITIONS

SEC. 3. When used in this Act—

(a) The term "Secretary" means the Secretary of Labor.

(b) The term "pension plan" means any plan, fund or program which is communicated or its benefits described in writing to the employees as a group and which was heretofore or is hereafter established or maintained by an employer or by an employer together with an employee organization, for the purpose of providing for its participants or their beneficiaries, by the purchase of insurance or annuity contracts or otherwise, retirement benefits, including any profit-sharing plan which provides benefits at or after retirement; providing that nothing herein shall be construed to include any plan, fund, or program to which only employees contribute.

(c) The term "employee organization" means any labor union or any organization of any kind, or any agency or employee representation committee, association, group, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning an employee pension plan, or other matters incidental to employment relationships.

(d) The term "employee" means any individual employed by an employer.

(e) The term "participant" means any employee or former employee of an employer or any member of an employee organization who is or may become eligible to receive a benefit of any type from a pension plan, or whose beneficiaries may be eligible to receive any such benefit.

(f) The term "beneficiary" means a person designated by a participant or by the terms of a pension plan who is or may become entitled to a benefit thereunder.

(g) The term "employer" means any person acting directly as an employer or indirectly in the interest of an employer in relation to a pension plan, and includes a group or association of employers acting for an employer in such capacity.

(h) The term "person" means an individual, partnership, corporation, mutual company, joint stock company, trust, unincorporated organization, association, or employee organization.

(i) The term "State" means any State of the United States, the District of Columbia, the Canal Zone, the Commonwealth of Puerto Rico, any territory or possession of the United States, or the Outer Continental Shelf Lands as defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343).

(j) The term "administrator" whenever used in this Act means—in the case of a pension plan established or maintained by a single employer, the employer; in the case of a plan established or maintained by two or more employers or jointly by one or more employers and one or more employee organizations, the association, committee, joint board of trustees or other similar group of representatives of the parties who established or maintained the plan.

(k) The term "regular retirement benefit" means only that benefit payable under the plan in the event of retirement at the regular retirement age.

(l) The term "accrued portion of the regular retirement benefit" means—

(1) Under a plan which provides for payment of a fixed benefit, that portion of such benefit which would have been payable at regular retirement age, computed as of the day of termination of employment, as the number of years of credited service under the

plan bears to the total possible years of credited service had employment continued to the regular retirement age.

(2) Under a plan which provides for benefits based solely upon the amount contributed to the employee's account, the amount credited to such account towards regular retirement benefits at the time of termination of employment.

(m) The term "regular retirement age" means not later than age 65.

(n) The term "vested liabilities" means the present value of the immediate or deferred benefits for participants and their beneficiaries which are nonforfeitable and for which all conditions of eligibility have been fulfilled under the provisions of the plan prior to its termination.

COVERAGE

SEC. 4. (a) Except as provided in subsections (b) and (c), this Act shall apply to any pension plan—

(1) if it is established or maintained by any employer engaged in commerce or in any industry or activity affecting commerce or by such employer together with any employee organization representing employees engaged in commerce or in any industry or activity affecting commerce; or

(2) if such plan is established or maintained by any employer or by any employer together with any employee organization and if, in the course of its activities, such plan, directly or indirectly, uses any means or instruments of transportation or communication in interstate commerce or the mails.

(b) This Act shall not apply to any pension plan if—

(1) such plan is administered by the Federal Government or by the government of a State or by a political subdivision of a State, or by an agency or instrumentality of any of the foregoing;

(2) such plan is established and maintained outside the United States primarily for the benefit of persons who are not citizens of the United States;

(3) such plan provides contributions or benefits for a sole proprietor or in the case of a partnership, a partner who owns more than 10 percent of either the capital interest or the profits interest in such partnership.

(c) In addition, titles II, III and IV, shall not apply to any pension plan if—

(1) the plan has a fixed contribution rate and does not provide an amount expected to be paid as a fixed benefit;

(2) the plan is a profit-sharing plan which provides benefits at or after retirement;

(3) The plan is one in which benefits are paid solely from the general assets of the employer.

(d) For purposes of this section—

(1) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(2) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

EFFECTIVE DATE

SEC. 5. The provisions of titles I, II, and III of this Act shall become effective two years after enactment of this Act. The provisions of titles IV and V of this Act shall become effective upon the date of enactment of this Act.

TITLE I—VESTING

ELIGIBILITY REQUIREMENTS

SEC. 101. No pension plan subject to this title which was adopted after the date of enactment of this Act shall, after the effective date of this title, provide as a condition for eligibility to participate in such plan a period of service longer than three years or an age higher than age twenty-five. Any pension plan subject to this title which was in effect on or before the date of enactment of this Act may retain its eligibility requirements until such plan is amended to provide increased benefits to participants or beneficiaries or ten years after the date of enactment of this Act, whichever occurs first. Thereafter, such pension plan shall comply with the eligibility requirements applicable to pension plans adopted after the date of enactment of this Act.

NONFORFEITABLE BENEFITS

SEC. 102. Every pension plan subject to this title shall provide for nonforfeitable rights to regular retirement benefits when the plan has been in effect for five years or more, as follows:

(a) PRESENT PLANS.—Every pension plan created before the date of enactment of this Act shall, in accordance with one of the following alternatives, provide that the rights of employees to receive benefits are nonforfeitable—

(1) After a specified period of service not exceeding ten years, as to that part of the accrued portion of the regular retirement benefit (including benefits provided under amendment) which is attributable to periods after the effective date of this title, or

(2) After a specified period of service not exceeding ten years, as to not less than 10 per centum of the entire accrued portion of the regular retirement benefit (including benefits provided under amendment) which percentage shall increase at a rate equivalent to at least 10 percentage points for each year the plan has been in effect after the effective date of this title, so that the percentage will reach 100 per centum no more than 9 years after the effective date of this title; or

(3) After a specified period of service not to exceed 20 years, as to the entire accrued portion of the regular retirement benefit (including benefits provided under amendment) which period shall be reduced at a rate equivalent to at least 1 year for each year the plan has been in effect after the effective date of this title, so that 10 years after the effective date of this title the required period of service does not exceed 10 years; or

(4) In accordance with such other provisions making nonforfeitable, after a specified period of service, the entire accrued portion of the regular retirement benefit, which are approved by the Secretary, after notice and opportunity to be heard, as substantially consistent with the purposes of this section as expressed in subsection (a) paragraphs 2 and 3.

(b) NEW PLANS—Every pension plan created on or after the date of enactment of this Act shall provide that the rights of the employees to receive benefits shall be nonforfeitable—

(1) After a specified period of service not to exceed fifteen years, as to the entire accrued portion of the regular retirement benefit as of the sixth year of the plan's operation, which period shall be reduced at a rate equivalent to at least one year for each year after the sixth year of the plan's operation, so that in the eleventh year of the plan's operation, the required period of service does not exceed ten years; or

(2) After a specified period of service not to exceed ten years, as to 50 per centum of the entire accrued portion of the regular retirement benefit as of the sixth year of the plan's operation, which percentage shall increase at a rate equivalent to at least 10 percentage points for each year the plan has been in effect after the sixth year of the plan's operation, so that in the eleventh year of the plan's operation, the entire accrued portion of the regular retirement benefit shall be nonforfeitable after a period of service not to exceed ten years.

(c) COLLECTIVE BARGAINING AGREEMENTS.—With respect to a pension plan created or operated under a collective bargaining agreement in existence as of the date of enactment of this Act but due to expire after the effective date of this title, the provisions of this title shall apply after the expiration date of such collective bargaining agreement but in no event later than one year after the effective date of this title.

(d) PERIOD OF SERVICE.—In computing the period of service under the plan, an employee's entire service with the employer contributing to or maintaining the plan shall be considered, except the following may be disregarded—

(1) service prior to age twenty-five;

(2) service during which the employee declined to contribute to a plan requiring employee contributions;

(3) service with a predecessor of the employer contributing to or maintaining the plan (except where the plan of the predecessor has been continued in effect by the successor employer); and

(4) service broken by periods of suspension of employment, provided that the rules governing such breaks in service are not unreasonable or arbitrary as determined under regulation of the Secretary.

(e) PROVISIONS DEALING WITH FORFEITURE OF BENEFITS—Nothing contained in this Title shall be construed to disallow any plan provision—

(1) making benefits forfeitable for misconduct such as, theft, dishonesty or divulging the employer's secrets to competitors, provided that such provisions are not unreasonable or arbitrary as determined under regulation of the Secretary; or

(2) adopted pursuant to regulations of the Secretary of the Treasury or his delegate to preclude discrimination in the event of early termination of a plan.

(f) CONTRIBUTORY PLANS—No pension plan subject to this Title to which employees contribute shall provide for forfeiture of benefits which accrued during participation in the plan by the employee and which were attributable to employer contributions, solely because of withdrawal by such employee of amounts attributable to his own contributions.

DISTRIBUTION OF NONFORFEITABLE BENEFITS TO TERMINATING PARTICIPANTS

SEC. 103. (a) Nonforfeitable benefits accrued by terminating participants may be distributed in the manner set forth in the plan, provided that distribution of such benefits shall commence no later than the regular retirement age and that such benefits are paid in the same form as retirement benefits are paid.

(b) The administrator shall, upon termination of a vested participant's employment prior to regular retirement age, report to the Secretary of Health, Education and Welfare such information as the Secretary of Health, Education and Welfare may prescribe by regulation to facilitate notification of vested rights to such participants or their beneficiaries. The Secretary of Labor shall reimburse the Secretary of Health, Education and Welfare for use by the latter of personnel and facilities in the performance of his functions under this subsection.

ENFORCEMENT OF VESTING STANDARDS

SEC. 104. Whenever the Secretary finds it necessary or appropriate for the enforcement of the provisions of this title or any rule or regulation thereunder, he may require a certificate of approval with respect to the vesting provisions of any pension plan. Denial of any such certificate shall be by order of the Secretary, and only after reasonable opportunity for hearing. A certificate of approval shall be issued by the Secretary when he determines that the vesting provisions in question do not violate the requirements of this title. Whenever a cer-

tificate of approval is required for any pension plan, it shall be unlawful for the administrator of any such plan to maintain or operate such plan unless a certificate has been obtained.

TITLE II—FUNDING

FUNDING SCHEDULE

SEC. 201. (a) GENERAL RULE—Every pension plan subject to this title shall:

(1) Provide for contributions to the plan in amounts necessary to meet an amount equal to the normal cost since inception of the plan plus interest on any unfunded past service costs,

(2) Maintain a minimum ratio of assets to vested liabilities according to the following schedule:

If the plan has been in effect (in years).	The ratio of assets to vested liabilities shall be at least (in per centum).
5	20
6	24
7	28
8	32
9	36
10	40
11	44
12	48
13	52
14	56
15	60
16	64
17	68
18	72
19	76
20	80
21	84
22	88
23	92
24	96
25	100

(b) SPECIAL PROVISION FOR PLANS FIVE OR MORE YEARS OLD—In the case of a plan which on the effective date of this title has been in effect for five or more years, the administrator, when he files the first funding status report required by section 202 of this Act, may choose as the required funding ratio—

(1) the ratio specified by the schedule in subsection (a)(2), or

(2) the actual funding ratio of the plan. Beginning with the ratio thus chosen, the required ratio shall increase by 3 percentage points each year for the next five years and 4 percentage points each year thereafter until the ratio becomes 100 percent.

(c) SPECIAL PROVISION FOR PLANS LESS THAN FIVE YEARS OLD—A plan which on the effective date of this title has been in effect for less than five years shall become subject to (a)(2) above as soon as the plan has been in effect for five years. The options provided in subsection (b) shall be available to a plan in this category except that the time allowed for increasing the required ratio by 3 percentage points each year shall be limited to a period equal to the number of years the plan has been in effect prior to the effective date of this title.

(d) SPECIAL PROVISION FOR PLAN AMENDMENTS—If, after the effective date of this title, a plan which has been in existence for five or more years is amended with a resulting increase in vested liabilities, the administrator may adjust the required funding schedule according to one of the following methods:

(1) The plan's funding ratio may be decreased in proportion to the ratio which the additional vested liabilities bear to the total vested liabilities after the amendment. The resulting ratio will be increased each year by percentage point increments according to the applicable funding rate specified in subsection (a)(2) or (b).

(2) If the amendment results in a 25 per centum or greater increase in vested liabilities, the portion of vested liabilities created by the amendment may be regarded as a new plan subject to the funding schedule imposed by subsection (a)(2). In this case, the administrator shall keep separate records for ascertaining the funding status of the vested liabilities created by the amendment.

FUNDING STATUS REPORTS

SEC. 202. (a) Within one hundred and fifty days after the end of the plan's first fiscal year during which it is subject to section 201(a)(2), and within one hundred and fifty days after the end of each third fiscal year thereafter, or within one hundred and fifty days after the end of any fiscal year in which the plan is amended so as to increase vested liabilities, the administrator of the plan shall file with the Secretary, a statement containing the following information:

(1) the amount of normal cost since inception of the plan plus interest on any unfunded past service costs;

(2) the total amount of the plan's vested liabilities at the close of its preceding fiscal year;

(3) the assets held by the plan as of the close of its preceding fiscal year valued at market value or by any other method approved by the Secretary pursuant to regulation;

(4) the number of years the plan has been in effect;

(5) a statement of the amount, if any, by which the assets held by the plan either exceed or fall below the amount of assets required in order for the plan to meet the funding ratio required under section 201(a)(2);

(6) such other information determined by the Secretary by regulation to be necessary for adequate disclosure of a plan's funding status.

(b) At such times as the administrator of a plan subject to this title is required to file a report with the Secretary pursuant to (a) above, the administrator shall make available to each person having a vested benefit such report, by posting such report in a prominent location at the employer's place or places of business or through such other means that will insure that persons with vested benefits have adequate access to such information.

ENFORCEMENT OF FUNDING STANDARDS

SEC. 203. (a) When the contributions to a pension plan fall below amounts necessary to meet the requirements of section 201(a)(1), the Secretary shall require by order, after notice and opportunity for hearing, that the administrator take such steps as the Secretary shall find necessary to guarantee that the rights of each participant to benefits accrued to the date of such failure to make appropriate contributions, to the extent then funded, or the rights of each participant to the amounts credited to his account as such time, are nonforfeitable in the event of the participant's termination, except that nonforfeitable benefits resulting other than through operation of this subsection shall take priority over nonforfeitable benefits resulting exclusively from operation of this subsection with respect to any allocation of plan assets or distribution to participants.

(b) When a pension plan's ratio of assets to vested liabilities falls below the funding ratio required by section 201(a)(2) as determined by the Secretary—

(1) the plan's vested liabilities shall not be increased by an amendment until the plan's actual funding ratio is equal to or greater than the required funding ratio; and

(2) the administrator shall inform, in writing, each person having a vested benefit as to (A) the amount of his vested benefit, (B) the portion of his vested benefit protected by assets and insurance, and (C) the portion of his vested benefit not protected by assets and insurance. Such reports shall be made annually until the plan's actual funding ratio is equal to or greater than the required funding ratio;

(3) the administrator shall make such additional reports to the Secretary as the Secretary may by rule or regulation prescribe to aid in the enforcement of this title.

(c) When a pension plan's ratio of assets to vested liabilities falls below the funding ratio required by section 201(a)(2) for five consecutive years the Secretary shall require by order, after notice and opportunity for hearing, that the administrator take such steps as the Secretary shall find necessary to suspend further accumulation of vested liabilities until such time as the funding deficiency has been removed: *Provided, however,* That the Secretary may, after notice and opportunity for hearing, order the action specified herein to be taken at any time after a funding deficiency has occurred but prior to expiration of the five-year period whenever, in his discretion, such action is necessary to protect the interests of participants. The Secretary may by order revoke or modify any order previously made under this subsection, if, after notice and opportunity for hearing, he finds that the circumstances upon which the order was predicated do not exist.

(d) During any time that a pension plan is in suspended status pursuant to action taken under subsection (c), the Secretary, whenever he finds it necessary to protect the interests of participants, may, after notice and opportunity for hearing, require by order that the pla[redacted] and wind up its affairs in accordance with the provisions of title III and procedures established by the Pension Benefit Insurance Corporation.

TITLE III—VESTED LIABILITY INSURANCE

INSURANCE COVERAGE

SEC. 301. (a) Every pension plan required to meet a specified funding ratio in accordance with section 201(a)(2) of this Act shall obtain insurance covering unfunded vested liabilities to protect participants and beneficiaries against possible loss of vested benefits arising from an essentially involuntary termination of the plan. The amount of insurance shall be the plan's vested liabilities less the greater of—

(1) 90 percent of the assets needed to meet the funding ratio required under section 201(a)(2), or

(2) 90 percent of the plan's actual assets.

(b) The Pension Benefit Insurance Corporation shall issue a certificate of insurance coverage to each plan administrator after receipt by the Corporation from the Secretary of a copy of the statement required by section 202(a). A plan's insurance coverage shall be continuous from the date of issuance of the certificate until cancelled.

(c) The Pension Benefit Insurance Corporation shall not insure—

(1) any unfunded vested liabilities created by a plan amendment which took effect within three years immediately preceding termination of the plan; or

(2) any unfunded vested liabilities resulting from the participation in the plan by a participant owning 10 percent or more of the voting stock of the employer contributing to the plan or by any participant owning a 10 percent or more interest in a partnership contributing to the plan.

PREMIUMS

SEC. 302. (a) Each plan shall pay a premium for insurance under this title at such uniform rates prescribed by the Pension Benefit Insurance Corporation, based upon the amount of unfunded vested liability which is to be insured and upon such other factors as the Corporation determines to be appropriate. The premium for the initial three-year period shall be not more than 0.6 percent of the amount insured.

(b) Should any administrator of a plan

subject to this title fail to pay any premiums required to be paid under subsection (a), the Pension Benefit Insurance Corporation shall give the administrator of the plan not less than thirty days notice of intention to cancel insurance unless the premium is paid by the end of such period. If the unpaid premium is not paid by the end of such period, the Corporation shall cancel the plan's certificate of insurance and the plan shall give notice of such cancellation to each person entitled to a vested benefit under the plan.

CLAIMS PROCEDURE

SEC. 303. (a) The administrator of a plan insured under the provisions of this title shall file a claim with the Pension Benefit Insurance Corporation in the event the plan is terminated for reasons of financial difficulty or bankruptcy, plant closing, by order of the Secretary, or such other reasons as the Corporation by regulation shall specify as reflecting an essentially involuntary plan termination. The Corporation shall be authorized to honor such claim up to the limits prescribed by section 304 if it finds that the assets of the plan may not be sufficient to pay vested liabilities.

(b) Claims shall be made as specified in the rules and regulations of the Pension Benefit Insurance Corporation. The Corporation shall also require the administrator who files a claim to submit proof of all facts necessary to establish a claim, but in any event, the Corporation may in its discretion independently make such investigation as may be necessary for it to determine the validity of any claim. The Corporation shall require the payment of any contributions owing to the plan and required to meet the funding ratio specified in section 201(a)(2) of this Act, and may sue to recover such contributions on behalf of the plan in connection with settling any claim.

(c) The Pension Benefit Insurance Corporation shall give written notice to the administrator of its decision on any claim. Upon notice that a claim will be honored the administrator shall wind up the affairs of the plan by arranging for the purchase of single premium annuities from a qualified life insurance company for each person entitled to vested benefits, or by making such other arrangements for the distribution of vested benefits as the Corporation may by regulation approve as providing adequate protection to persons with vested benefits. The administrator shall be allowed a reasonable period in which to liquidate the assets of the plan. Upon completing the process of liquidation he shall thereafter submit to the Corporation, within such period specified by regulation of the Corporation, a plan termination report. Such report shall fully disclose the amount of the vested benefit payable to each person under the terms of the plan as of the date the plan was terminated, the amount realized from liquidating assets, the aggregate amount of funds needed to purchase single premium annuities to provide the vested benefit to which each person is entitled under the terms of the plan, and such additional information as may be prescribed by rules of the Corporation. Upon receipt of the plan termination report, the Corporation shall direct the purchase of annuities or authorize the implementation of such other approved arrangement for distributing vested benefits, and pay the claim for insurance in the amount authorized under this Title.

PAYMENT OF CLAIMS

SEC. 304. The amount of insurance payable under a valid claim shall be the difference between the realized value of the assets of the plan and the amount of vested liabilities, limited to the amount of insurance determined under section 301 at the time the plan was terminated; provided that,

(a) in any case where a plan would be entitled to relief under section 502 of this Act with respect to meeting the funding ratio specified in section 201(a)(2) if it were not terminating, such relief may be accorded to the plan upon termination and the amount of insurance to be paid shall be adjusted to take into account the relief so provided; except that no relief in this connection shall be accorded where the only basis presented for such relief is a decline in the value of the assets of the plan;

(b) in any case where Pension Benefit Insurance Corporation is unable to recover any contributions or portions thereof owing to a terminating pension plan to meet the funding ratio specified in section 201(a)(2), the amount of insurance to be paid shall be adjusted to take into account such unpaid contributions.

(c) in any case where a plan is terminated as the result of the closing of a plant of an employer contributing to such plan and the vested liabilities of such terminated plan are less than 20 percent of the vested liabilities of all the pension plans maintained by such employer, such employer shall be liable to reimburse the Pension Benefit Insurance Corporation for any insurance paid by the Corporation in satisfaction of a claim presented by such terminated plan, and the Corporation is authorized to sue such employer to recover the amount of any unpaid liability lawfully payable under this provision.

UNINSURED PLANS

SEC. 305. It shall be unlawful for any administrator of a plan subject to this Title to maintain or operate such a plan without the certificate of insurance required by this Title.

TITLE IV—PENSION BENEFIT INSURANCE CORPORATION

CREATION OF PENSION BENEFIT INSURANCE CORPORATION

SEC. 401. There is hereby created a Pension Benefit Insurance Corporation (hereinafter referred to as the "Corporation") which shall insure the vested liabilities of pension plans subject to Title III. Such corporation shall be an agency and instrumentality of the United States, within the Department of Labor, subject to the general supervision and direction of the Secretary of Labor. The principal office of the Corporation shall be in the District of Columbia but there may be established agencies or branch offices elsewhere in the United States under rules and regulations prescribed by the Corporation.

GENERAL POWERS OF CORPORATION

SEC. 402. The Corporation—

(a) Shall have succession in its corporate name.

(b) May adopt, alter and use a corporate seal, which shall be judicially noticed.

(c) May enter into and carry out such contracts or agreements as are necessary in the conduct of its business.

(d) May sue and be sued, in any district court of the United States or its territories or possessions or the Commonwealth of Puerto Rico, which courts shall have exclusive original jurisdiction, without regard to the amount in controversy, of all suits brought by or against the Corporation.

(e) May adopt, amend and repeal bylaws, rules and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised.

(f) Shall be entitled to the use of the United States mails in the same manner and upon the same conditions as the executive departments of the Federal Government.

(g) Shall have power when necessary to carry out the provisions of Title III, to make investigations and in connection therewith to enter such places and inspect such records and accounts and question such persons as the Corporation may deem necessary to determine the facts relative thereto. For the purpose of any investigation provided for herein, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50) are hereby made applicable to the jurisdiction, powers, and duties of the Corporation or any officers designated by the Corporation.

(h) Shall determine the character of and the necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed and paid, subject to provisions of law specifically applicable to wholly owned government corporations.

(i) Shall have such powers as may be necessary or appropriate for the exercise of the powers specifically vested in the Corporation and all such incidental powers as are customary in corporations generally.

SPECIFIC POWERS OF CORPORATION

SEC. 403. In the fulfillment of its purposes and in carrying out its annual budget programs submitted to and approved by the Congress pursuant to the Government Corporation Control Act, the Corporation is authorized to use its general powers in accordance with the provisions of Title III of this Act to—

(a) Establish adequate premium rates to cover the insurance of vested liabilities of private pension plans and the administrative expenses of the Corporation. In determining such premium rates, the Corporation shall consult with the Technical Advisory Committee on Pension Benefit Insurance established by section 405.

(b) Establish procedures for the application, renewal and cancellation of insurance, including the prescribing of such forms and reports as may be necessary or appropriate to implement such procedures.

(c) Collect premiums and manage and invest the funds of the Corporation.

(d) Adjust and pay claims for insurance under rules prescribed by the Corporation.

(e) Conduct research, surveys and investigations relating to pension plan insurance and assemble data for the purpose of establishing sound bases for insurance.

(f) Bring an action in the proper district court of the United States or United States court of any place subject to the jurisdiction of the United States, to enjoin any acts or practices that constitute or will constitute a violation of Title III or IV or of any regulation or order issued thereunder, or obtain any other appropriate relief, and the United States district courts and the United States courts of any place subject to the jurisdiction of the United States shall have jurisdiction for cause shown, to restrain violations of Title III or Title IV and provide for any other appropriate relief.

(g) Carry out such other functions as are required by this Act and as Congress may specifically authorize or provide for.

PENSION BENEFIT INSURANCE FUND

SEC. 404. (a) There is hereby created within the Treasury a separate fund for pension benefit insurance (hereafter in this section called "the fund") which shall be available to the Corporation without fiscal year limitation for the purposes of this Title.

(b) There is hereby authorized to be appropriated such sums as are necessary to provide capital for the fund. All amounts received as premiums and any other moneys, property, or assets derived from operations in connection with this Title shall be deposited in the fund.

(c) All claims, expenses and payments pursuant to operation of the Corporation under this Title shall be paid from the fund. From time to time, and at least at the close of each fiscal year, the Corporation shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations provided as capital to the fund, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined

by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding marketable Treasury obligations. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest.

BOARD OF DIRECTORS: TECHNICAL ADVISORY COMMITTEE

SEC. 405. (a) The management of the Corporation shall be vested in a Board of Directors (hereinafter referred to as the "Board"). The Board shall consist of the Secretaries of Labor and Commerce ex officio and three other Directors appointed by the President by and with the advice and consent of the Senate. The President shall designate a Chairman of the Board from among the three Directors he appoints. Of the first three Directors, one shall be appointed to serve for a term of 2 years; one shall be appointed to serve for a term of 4 years; one shall be appointed to serve for a term of 6 years. Thereafter, upon the expiration of the term of office, each succeeding Director shall be appointed to serve for a term of 6 years. Not more than three of the members of such Board of Directors shall be members of the same political party. Each appointed Director shall receive compensation at the rate of $150 per diem when engaged in the actual performance of duties of the Board, and may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703 for persons in the government employed intermittently, except that any such Director who holds another office or position under the Federal Government shall serve without additional compensation. A majority of the directors shall constitute a quorum of the Board and action shall be taken only by a majority vote of those present.

(b) In addition to the Board of Directors there shall be a Technical Advisory Committee on Pension Benefit Insurance which shall consist of five members to be appointed by the Secretary after consultation with the Secretary of Commerce, to advise and consult with the Corporation with respect to carrying out the purposes of this Title. The Secretary shall select for appointment to the Committee individuals who are, by reason of training or experience or both, familiar with and competent to deal with, problems involving employees' pension plans and problems relating to the insurance of such plans. Members of the Committee shall be appointed for a term of two years. Members shall be compensated at the rate of $100 per day for each day they are engaged in the duties of the Committee and, while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703 for persons in the government employed intermittently. The Committee shall meet at Washington, District of Columbia, upon call of the Chairman of the Board of Directors who shall serve as Chairman of the Committee. Meetings shall be called by such Chairman not less often than twice a year.

PERSONNEL OF CORPORATION

SEC. 406. The Corporation shall appoint and fix the compensation of such officers, attorneys and employees as may be necessary for the conduct of its business in accordance with the provisions of title 5, United States Code, governing appointment in the competitive service, and chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates for individuals not to exceed the per diem equivalent for GS–18.

COOPERATION WITH OTHER GOVERNMENTAL AGENCIES

SEC. 407. The provisions of section 509 shall be applicable to the Corporation.

INVESTMENT OF FUNDS

SEC. 408. All money of the Corporation, except appropriated funds, may be invested in obligations of the United States or in obligations guaranteed as to principal and interest by the United States.

TAX EXEMPTION

SEC. 409. The Corporation, including its franchise, its capital, reserves, and surplus, and its income and property shall be exempt from all taxation imposed by any State, county, municipality or subdivision thereof, except nothing herein exempts from taxation any real property acquired and held by the Corporation.

RECORDS; ANNUAL REPORT

SEC. 410. The Corporation shall at all times maintain complete and accurate books of account and shall file annually with the Secretary of Labor a complete report as to the business of the Corporation, a copy of which shall be forwarded by the Secretary of Labor to the President for transmission to the Congress.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 411. The provisions of the Government Corporation Control Act (59 Stat. 597, 31 U.S.C. 841), as applicable to wholly owned government corporations, shall be applicable to the Corporation.

TITLE V—ADMINISTRATION, CIVIL PROCEEDINGS, AND MISCELLANEOUS PROVISIONS

RULES AND REGULATIONS

SEC. 501. The Secretary shall prescribe such rules and regulations as he finds necessary or appropriate to carry out the provisions of titles I, II, and V. Among other things, such rules and regulations may define accounting, technical and trade terms used in such provisions; and may prescribe the form and detail of all reports required to be made under such provisions; and may provide for the keeping of books and records, and for the inspection of such books and records.

VARIATIONS; APPEALS BOARD

SEC. 502. (a) PROCEDURE FOR VARIATIONS.—The Secretary on his own motion or after having received the petition of an administrator may, after giving interested persons an opportunity to be heard, and in accordance with the provisions of subsections (b) or (c) below, prescribe an alternative method for satisfying the requirements of titles I or II, or both, with respect to any pension plan or any type of pension plan subject to this Act.

(b) GENERAL RULE FOR GRANTING VARIATIONS.—The Secretary may prescribe an alternative method for satisfying the requirements of titles I or II, or both, for such limited periods of time as is necessary or appropriate to carry out the purposes of this Act and which will provide adequate protection to the participants and beneficiaries in the plan, whenever he finds that the application of titles I or II, or both, would (1) increase the costs of the parties to the plan to such an extent that there would result a substantial risk to the voluntary continuation of the plan or a substantial curtailment of pension benefit levels or the levels of employees' compensation, or (2) impose unreasonable administrative burdens with respect to the operation of the plan, having due regard to the particular characteristics of the plan or the type of plan involved. Nothing herein shall be construed to authorize the Secretary to grant a permanent variation from the requirements of titles I or II, or both, except as indicated in subsection (c) below.

(c) SPECIAL RULE FOR MULTIEMPLOYER PLANS.—On the basis of the factors described in (b) above, the Secretary may grant a variation from the provisions of title I on a permanent basis to any plan jointly entered into by five or more employers within a single industry (other than employers under common ownership or control) in which (1) employees in the plan represent a substantial proportion of employees in the industry, either nationally or in a particular region or labor market area, (2) the plan provides for complete transferability of pension benefit credits within the group of employers who are parties to the plan, and (3) a substantial proportion of job changes involving a shift of employers by plan participants takes place within the scope of the plan. No permanent variation shall be authorized which has the effect of permitting the adoption of a period of service longer than fifteen years for vesting accrued portions of regular retirement benefits.

(d) VARIATION APPEALS BOARD.—There is hereby established a Variation Appeals Board which shall hear and determine appeals from decisions denying grants of variations in accordance with procedures promulgated by the Secretary pursuant to regulation. Such Board shall include the Secretary of Labor or his designee, the Secretary of Commerce or his designee, and a person jointly selected by the Secretaries of Labor and Commerce from outside the Federal Government who is, by reason of training or experience or both, familiar with and competent to deal with, problems involving employees' pension plans. The Secretary of Labor or [redacted]ate shall serve as presiding officer on such Board. Such non-Federal Government member of the board shall be compensated at the rate of $100 per day for each day he is engaged in the work of the Board, and, while serving away from his home or regular place of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703 for persons in the Government employed intermittently.

INVESTIGATIONS

SEC. 503. (a) The Secretary, in his discretion, may investigate any facts, conditions, practices, or matters which he may deem necessary or appropriate to determine whether any person has violated or is about to violate any provisions of titles I, II, and V or any rule, regulation, variation or order thereunder, or to aid in the enforcement of the provisions of titles I, II, and V, in the prescribing of rules, regulations, variations or orders thereunder, or in obtaining information with respect to studies undertaken pursuant to section 506. The Secretary, in his discretion, may publish or make available to any interested person or official, information concerning any matter which may be the subject of investigation.

(b) For the purpose of any investigation provided for in (a), the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commision Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers and duties of the Secretary or any officers designated by him.

CIVIL ENFORCEMENT

SEC. 504. (a) Whenever it shall appear to the Secretary that any person is engaged or about to engage in any acts or practices that constitute or will constitute a violation of any provision of titles I, II, or V or of any regulation, variation or order issued thereunder, he may in his discretion, bring an action in the proper district court of the United States or United States court of any place subject to the jurisdiction of the United States, to enjoin such acts or practices, and upon a proper showing a perma-

nent or temporary injunction or restraining order shall be granted.

(b) The United States district courts and the United States courts of any place subject to the jurisdiction of the United States shall have exclusive jurisdiction with respect to violations of titles I, II or V or regulations, variations or orders issued thereunder, and of all suits in equity and actions at law brought to enforce any liability or duty created by, or to enjoin any violation of, titles I, II or V or regulations, variations or orders thereunder, and to provide such other relief as may be appropriate.

COURT REVIEW OF ORDERS

SEC. 505. The administrator of any pension plan who has been denied a certificate of approval under title I, or whose plan has been suspended or ordered terminated under title II or who has been aggrieved by any final decision with respect to any claim for payment of insurance under title III or with respect to denial of a request for a variation under this title, may obtain a review of the order denying such application for a certificate of approval, such order suspending or terminating the plan, such final decision with respect to an insurance claim or denial of a request for a variation, or any other order or final decision made under this Act, in the United States District Court for the district where the principal office of the plan is located. Such court shall have jurisdiction to affirm, modify or set aside such order or decision, in whole or in part. The administrative findings as to the facts, if supported by the evidence, shall be conclusive.

STUDIES

SEC. 506. The Secretary is authorized and directed to undertake research studies relating to pension plans, including but not limited to (1) the effects of this Act upon the provisions and costs of pension plans, (2) the role of private pensions in meeting the economic security needs of the Nation, and (3) the operation of private pension plans including types and levels of benefits, degree of reciprocity or portability, and financial characteristics and practices.

ANNUAL REPORTS

SEC. 507. The Secretary shall submit annually a report to the Congress covering his administration of this Act for the preceding year and including such information, data, research findings, and recommendations for further legislation in connection with the matters covered by this Act as he may find advisable.

ADMINISTRATIVE PROCEDURE ACT

SEC. 508. The provisions of the Administrative Procedure Act shall be applicable to this Act.

OTHER AGENCIES AND DEPARTMENTS

SEC. 509. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize, on a reimbursable basis, the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representatives shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

SEPARABILITY PROVISIONS

SEC. 510. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

PENALTIES

SEC. 511. Any person who willfully—

(a) violates any provision of this Act or any rule, regulation, variation or order issued thereunder,

(b) makes, passes, utters or publishes any statement in any application, report, document, account or record filed or kept or required to be filed or kept under the provisions of this Act or any rule, regulation, variation or order thereunder, knowing such statement or entry to be false or misleading in any material respect,

(c) forges or counterfeits any instrument, paper or document, or utters, publishes or passes as true any instrument, paper or document, knowing it to have been forged or counterfeited, for the purpose of influencing in any way the action of the Secretary or the Pension Benefit Insurance Corporation,

(d) destroys (except after such time as may be prescribed under any rules or regulations under this Act), mutilates, alters, or by any means or device falsifies any account, correspondence, memorandum, book, paper, or other record kept or required to be kept under this Act or any rule, regulation, variation or order thereunder,

(e) influences or induces or attempts to influence or induce the Secretary or the Pension Benefit Insurance Corporation with respect to any action of the Secretary or the Corporation, by fraud, deceit, misrepresentation or by any manipulative or deceptive device or contrivance, shall upon conviction be fined not more than $10,000 or imprisoned not more than 5 years, or both, except that in the case of such violation by a person not an individual, the fine imposed upon such person shall be a fine not exceeding $200,000.

ADMINISTRATIVE ASSESSMENTS AND APPROPRIATIONS

SEC. 512. (a) Consistent with the policy of title V of the Independent Offices Appropriation Act of 1952 (31 U.S.C. 483a, 65 Stat. 290), the Secretary shall, pursuant to regulation, assess each plan which is subject to this Act such fees or charges as the Secretary deems appropriate to cover administrative costs incurred by the Secretary.

(b) There is hereby authorized to be appropriated such sums without fiscal limitation as may be necessary to enable the Secretary to carry out his functions and duties under this Act.

The statement presented by Mr. YARBOROUGH is as follows:

EXPLANATORY STATEMENT—A BILL FOR "PENSION BENEFIT SECURITY ACT OF 1968"

This draft bill, together with the Department of Labor's existing proposal in the area of fiduciary responsibility, S. 1024 (Yarborough), represents a comprehensive plan for improving the basic soundness and equitable character of the Nation's private pension system. This bill implements the major recommendations made by the January 1965 report of the President's Committee on Corporate Pension Funds and Other Private Retirement and Welfare Programs.

The proposed legislation would:

1. Establish a minimum standard of vesting of retirement benefits after ten years' service after age twenty-five;

2. Establish minimum funding standards to assure accumulation of assets in line with obligations;

3. Establish a system of plan termination protection to assure payment of benefits in the event of involuntary termination of the plan before it is fully funded;

4. Provide specially designed transitional arrangements for existing plans to provide adequate opportunity to adjust to the new standards;

5. Authorize the Secretary to approve alternative methods of meeting the vesting or funding standards where he finds that these standards result in unreasonable cost or impose unreasonable administrative burdens on a plan or certain types of plans;

6. Provide that the vesting and funding requirements are to be administered by the Secretary of Labor;

7. Establish a Pension Benefit Insurance Corporation, a wholly-owned government corporation within the Department of Labor, to administer the termination insurance program;

8. Provide rule-making and enforcement powers with provision for judicial review of administrative decisions;

9. Authorize the Secretary of Labor to conduct studies of pension plans, including, among other things, studies related to portability of pension credits.

Section 1—Title: "Pension Benefit Security Act".

Section 2—Findings and Policy: Congress finds that pension plans are a major factor in the security of millions of persons; that they are an i[redacted]ctor in commerce, and substantially affect the revenues because of preferred tax treatment; that many do not contain vesting provisions, are not properly funded to pay promised benefits, and do not afford adequate protection in the event of involuntary plan termination; and that minimum standards for vesting and funding and protection of benefits in the event of involuntary termination are therefore needed.

Section 3—Definitions.

Section 4—Coverage: The Act will apply to any pension plan in interstate commerce or which uses any means or instruments of transportation or communication in interstate commerce or the mails, if the plan is established or maintained by an employer or employers alone or with an employee organization. The Act will not apply to plans administered by a government unit or agency, or to a plan established outside of the United States for non-citizens, or to certain plans established for the benefit of a proprietor or a partner.

In addition, the funding and insurance requirements of the Act will not apply to unfunded plans, profit-sharing plans, or plans which have fixed contribution rates but no fixed benefits. The vesting provisions will apply to all such plans, however.

TITLE I—VESTING

Basic standard: Full vesting after ten years of employment after age 25.

Transition rules—Existing plans are permitted to: 1. Vest only benefits based on service after the effective date of the standard for any employee with 10 years service, or

2. Vest an increasing proportion of benefits for past and future service for any employee with 10 years service (first year—10 percent; tenth year—100 percent), or

3. Vest benefits for past and future service, beginning in the first year for employees with 20 or more years of service reducing gradually to employees with ten or more years of service after the tenth year.

Transition rules—New plans are permitted to: 1. Vest benefits for past and future service beginning in the sixth year of the plan's operation for employees with 15 or more years of service, reducing gradually to employees with ten or more years of service

after the tenth year of the plan's operation, or

2. Vest an increasing proportion of benefits for past and future service, with 50% of the benefits for 10 years of service (in the sixth year of the plan's operation) and reaching 100% of benefits after the tenth year of the plan's operation.

Limitation on vested benefits: Only regular retirement benefits are vested, not ancillary benefits such as death or "special" early retirement benefits.

Service conditions: Continuous service may be required in order for benefits to vest but safeguards are adopted to prevent artificial breaking of service.

Calculation of vested benefits: Proportionate credit rule will apply under which the vested employee is entitled to his prorated share of the benefit he would have attained had he remained under the plan until retirement.

Distribution of vested benefits: Not later than age 65—To facilitate notification of vested benefits, information on employees terminating with vested benefits will be furnished to the Secretary, HEW, for use at time individual applies for Social Security benefit.

Age and service requirements for plan eligibility: Maximum requirement permitted will be age 25 and three years of service; existing plans may retain current eligibility requirements until plan is amended but not beyond ten years after enactment of this Act.

Contributory plans: Employer-purchased benefits are vested even though the employee is permitted to withdraw his contributions.

Enforcement: The Secretary of Labor may require a certificate of approval for a plan's vesting provisions. Once such a certificate is required, it is unlawful to operate a plan without such a certificate.

TITLE II—FUNDING

Funding standards

Basic approach: To continue the present Internal Revenue Service minimum funding standard as a basis for prescribing a plan's minimum annual contribution but to introduce an additional funding standard as a more meaningful basis for plan termination protection

Termination funding standard: Built around a plan's funding ratio of plan assets to vested liabilities—a schedule is established under which a plan's funding ratio is expected to increase at a rate of 4 percentage points annually, reaching 100 percent (full funding of vested liabilities) after 25 years.

Transition rule for existing plans: Existing plans are accepted into the funding schedule at their current ratio, if this is lower than the funding target specified in the schedule; in addition, for the first five years after the standard is effective, the scheduled increase in the funding target is at the rate of 3 percentage points annually.

Transition rule for new plans: No funding target for first five years at which point the funding target is 20 percent.

Implementing the funding standards

Periodic testing: Each plan will submit basic information on funding status every three years and whenever plan is amended to increase vested liabilities.

Amendments: Funding target can be adjusted after amendments which add to vested liabilities; amendments which increase liabilities by more than 25% may be treated as new plans with new funding targets.

Enforcement: Plans failing to meet IRS minimum funding standard would be required to make accrued benefit rights nonforfeitable (essentially the same as current rule).

Plans failing to meet termination funding standard (1) could not liberalize benefits, (2) would have to inform each employee of effect of funding deficit on his vested benefit, and (3) make such additional reports to the Secretary as are necessary. If a plan fails to meet funding standard for five years, the Secretary can order the plan to suspend further accumulation of vested liabilities. He may do this earlier at his discretion. The Secretary may further require by order the termination of a suspended plan to protect the interests of participants.

TITLE III—VESTED LIABILITY INSURANCE

Basic concept: Full protection for employees' vested benefits against involuntary plan termination through a system providing insurance and enforceability of employer contributions to meet termination funding standard.

Method of providing protection: For plans meeting termination funding standard, vested benefits would be insured—plans not meeting termination funding standard would not be permitted insurance coverage for the amount by which their funding fell short of funding target but in event of plan termination, employing unit, if solvent, would be liable for this amount; otherwise such amount would be covered by insurance.

Insurance procedures: Insurance will be obtained on a three year basis predicated on the report of the plan's funding status.

Amount of insurance: Total vested liabilities less the greater of 90 percent of the actual assets or the assets needed to meet the funding ratio under title II. The 90 percent of assets requirement is intended to provide a uniform limited hedge against loss due to market depreciation of assets.

Premium: Plans would pay premium based on uniform percentage of unfunded vested liabilities—maximum premium rate for initial three-year period is 0.6 percent.

Payment of claims: Claims against insurance fund to be honored only upon essentially involuntary plan termination caused by financial difficulty or bankruptcy, plant closing affecting 20% or more of the vested liabilities of the firm's pension plans, or order of the Secretary—claims to be paid by the purchase of annuities or other approved arrangement.

Additional restrictions on insurance coverage: Benefits created by amendments will not be insured for three years—benefits accruing to participants owning 10 percent or more of the firm will not be insured.

Enforcement: Unlawful to operate a plan without required insurance.

TITLE IV—PENSION BENEFIT INSURANCE CORPORATION

Establishment of Corporation: A wholly-owned Government corporation under the supervision of the Secretary of Labor is established to administer the termination insurance provisions of title III. The management of the Corporation is vested in a five-man board of directors, two of whom shall be the Secretaries of Labor and Commerce serving ex officio. The other three directors, including the Chairman, are to be appointed by the President with the advice and consent of the Senate, and shall serve for a term of six years. No more than three members of the Board of Directors can be of the same political party.

A five-member Technical Advisory Committee on Pension Benefit Insurance is created to advise the Corporation, the members to be appointed by the Secretary after consultation with the Secretary of Commerce.

Powers of Corporation: The Corporation, in addition to possessing general corporate powers, is specifically authorized to: (1) establish adequate premium rates, (2) establish procedures for the application, renewal and cancellation of insurance, (3) collect premiums and manage and invest its funds, (4) adjust and pay claims, (5) conduct research relating to pension plan insurance, and (6) bring actions to enjoin insurance violations.

Financing and administration: To finance the Corporation a revolving fund is established to which premium payments shall be made and from which claims, payments, and expenses shall be paid. The Corporation may also receive appropriations for capital which shall be repayable with interest.

Personnel of the Corporation are to be appointed in accordance with the civil service laws. The Corporation must file annual reports. The Government Corporation Control Act is made applicable to the Corporation.

TITLE V—ADMINISTRATION, CIVIL PROCEEDINGS, AND MISCELLANEOUS PROVISIONS

Variations: Relief from the vesting and funding standards may be provided if such standards would impose unreasonale costs or unreasonable administrative burdens. In general, this relief would be provided only for temporary periods. However, with respect to the vesting standards, broadly based multi-employer plans could apply for permanent variation relief based on their experience in granting transfer rights to employees changing employers within the plan. A Variation Appeals Board is established to review decisions denying such relief.

Administration: The Secretary is authorized to promulgate rules and regulations; the Administrative Procedure Act is made applicable to the Act. The Secretary is authorized to assess and collect an appropriate user charge to cover costs in administering this Act.

The Secretary is authorized to conduct studies into all phases of pension plans, including such important areas as portability of vested credits and plan financial practices. In addition, the [redacted] is authorized to cooperate with all other agencies and to utilize their facilities (on a reimbursable basis) to assist him.

Enforcement: The Secretary is authorized to conduct investigations into violations of the vesting and funding requirements, or to assist him in prescribing rules or regulations or making studies. He may bring actions for injunctive or other appropriate relief in federal district courts with respect to violations of the vesting and funding provisions. Judicial review in the federal district courts is provided for all orders and administrative decisions made by the Secretary or the Corporation.

Criminal penalties are provided for willful violation of any provision of the Act, for making false statements or records, for forging or counterfeiting documents for purposes of influencing the Secretary or the Pension Benefit Insurance Corporation, for destroying or falsifying records or for practicing fraud or deceit on the Secretary or the Pension Benefit Insurance Corporation for the purpose of influencing any of their actions. The penalties provided are a fine of $10,000, or imprisonment for not more than five years or both, except that in the case of a corporation, the fine can be as high as $200,000.

Effective date

The vesting, funding, and insurance provisions become effective 2 years after enactment; all other provisions become effective upon enactment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. LONG of Louisiana. I commend the Senator for bringing this matter to the attention of the Senator. This problem has bothered the Senator from Louisiana for some time. May I ask if the Senator is directing the bill to the Labor and Public Welfare Committee or the Finance Committee?

Mr. YARBOROUGH. The Labor and Public Welfare Committee. The reason I am introducing it is that it is the administration bill. The bill has been worked on for a long time by the Department of

Labor. I have been in conference with the representatives of the Department about it. It is finally in such form that it can be offered. Had it been directed to the Finance Committee, I would have yielded the bill to the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. As the Senator knows, from time to time we are able to help with these problems by the tax route, due to the tax-deductible aspect of these plans. In any event, I think this proposal should certainly receive the consideration of Congress. I am happy that the Senator from Texas is introducing it.

Mr. YARBOROUGH. I am glad to hear the Senator say that. Actually, this is a big bill. It is going to take time. It is going to take a lot of study. It is not a bill that can be heard in a few days. It is not a bill that can be passed in a few weeks. It involves a monumental problem. It has been 10 years since Congress made a comprehensive study of private pension systems. As the Senator from Louisiana knows, the matter has been discussed for years and has been worked on for years. I believe now is the time to introduce the bill, to start a dialog on it, and to start pension improvements.

Mr. JAVITS. Mr. President, I am most gratified that the administration has, at long last, recognized the need for legislation establishing minimum standards for private pension plans.

I am very proud that over a year ago I introduced S. 1103, the first comprehensive bill to do precisely that. A cursory examination of the administration's bill indicates that a great many of the subjects covered in S. 1103 have at long last been dealt with by the administration.

I have asked for hearings on my bill, and I was very disappointed that I could not get them. There is now no longer any excuse for not holding hearings on this vitally needed legislation. I shall call on the chairman of the Subcommittee on Labor, the Senator from Texas [Mr. YARBOROUGH], who is the sponsor of the administration bill, to commence hearings as soon as possible, and I have no doubt that they will be held in the near future.

The bill submitted by the administration is similar in many respects to mine. Both would establish minimum standards for vesting and funding and furnish protection against the loss of pension benefits due to involuntary termination of a pension plan prior to its being fully funded. Minimum standards in these areas are essential to protect the retirement security of many millions of Americans who depend on their benefits from pension plans to enable them to live out their postretirement lives in dignity and honor.

As matters now stand, however, it is estimated that only one of every four of the millions of workers covered by pension plans actually will receive any benefits under them.

My bill and the administration bill represent an attempt to cut down this forfeiture ratio of 75 percent and to prevent tragedies such as occurred when Studebaker closed its plant in South Bend, Ind., before its plan was fully funded, with the result that hundreds of workers—some with more than 40 years of service—lost all or most of their pension benefits.

Indeed, if there is any wry pleasure in it and it is pretty tragic, it may be that the Studebaker tragedy awakened us to the need for pension reform; and that is true of me, also. I introduced my bill very soon after that occurred.

So, Mr. President, I conclude as I began: The administration is now in line; the logjam at last has been broken; the matter is ready for hearings. It is urgent. It affects millions upon millions of American workers. I shall cooperate, and I hope and trust and urge that the hearings start at once on the administration bill, on my bill, and on any other proposed legislation and amendments that may properly come before us.

S. 3423—INTRODUCTION OF A BILL TO PROVIDE FOR U.S. PARTICIPATION IN THE FACILITY BASED ON SPECIAL DRAWING RIGHTS IN THE INTERNATIONAL MONETARY FUND

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund and for other purposes.

The proposed bill has been requested by the Secretary of the Treasury and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter from the Secretary of the Treasury to the Vice President, dated April 30, 1968, in regard to it.

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

The bill (S. 3423) to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Special Drawing Rights Act."

SEC. 2. The President is hereby authorized (a) to accept the Amendment to the Articles of Agreement of the International Monetary Fund (hereinafter referred to as the "Fund"), attached to the April 1968 Report by the Executive Directors to the Board of Governors of the Fund, for the purpose of (i) establishing a Facility Based on Special Drawing Rights in the Fund and (ii) giving effect to certain modifications in the present rules and practices of the Fund, and (b) to participate in the Special Drawing Account established by the Amendment.

SEC. 3. (a) Special Drawing Rights allocated to the United States pursuant to Article XXIV of the Articles of Agreement of the Fund, and Special Drawing Rights otherwise acquired by the United States, shall be credited to the account of, and administered as part of, the Exchange Stabilization Fund established by Section 10 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 822a).

(b) The proceeds resulting from the use of Special Drawing Rights by the United States, and payments of interest to the United States pursuant to Article XXVI, Article XXX, and Article XXXI of the Articles of Agreement of the Fund, shall be deposited in the Exchange Stabilization Fund. Currency payments by the United States in return for Special Drawing Rights, and payments of charges or assessments pursuant to Article XXVI, Article XXX, and Article XXXI of the Articles of Agreement of the Fund, shall be made from the resources of the Exchange Stabilization Fund.

SEC. 4. (a) The Secretary of the Treasury is authorized to issue to the Federal Reserve Banks, and such Banks shall purchase, Special Drawing Right certificates in such form and in such denominations as he may determine, against any Special Drawing Rights held to the credit of the Exchange Stabilization Fund. Such certificates shall be issued and remain outstanding only for the purpose of financing the acquisition of Special Drawing Rights or [redacted] exchange stabilization operations. The amount of Special Drawing Right certificates issued and outstanding shall at no time exceed the value of the Special Drawing Rights held against the Special Drawing Right certificates. The proceeds resulting from the issuance of Special Drawing Right certificates shall be covered into the Exchange Stabilization Fund.

(b) Special Drawing Right certificates owned by the Federal Reserve Banks shall be redeemed from the resources of the Exchange Stabilization Fund at such times and in such amounts as the Secretary of the Treasury may determine.

SEC. 5. (a) The third sentence of the second paragraph of Section 16 of the Federal Reserve Act, as amended (12 U.S.C. 412), is amended by inserting "or Special Drawing Right certificates," after "gold certificates,".

(b) The first sentence of the fifth paragraph of Section 16 of the Federal Reserve Act, as amended (12 U.S.C. 415), is amended by inserting "Special Drawing Right certificates," after "gold certificates,".

(c) The seventh paragraph of Section 16 of the Federal Reserve Act, as amended (12 U.S.C. 417), is amended by (i) inserting ", Special Drawing Right certificates," after "gold certificates" in the first sentence; (ii) inserting "Special Drawing Right certificates," after "gold certificates," in the second sentence; and (iii) inserting "and Special Drawing Right certificates" after "gold certificates" in the third sentence.

(d) The fifteenth paragraph of Section 16 of the Federal Reserve Act, as amended (12 U.S.C. 467), is amended by inserting (i) "or of Special Drawing Right certificates" after "gold certificates" in the first sentence, and (ii) by striking the third sentence and inserting in lieu thereof "Deposits so made shall be held subject to the orders of the Board of Governors of the Federal Reserve System and deposits of gold or gold certificates shall be payable in gold certificates, and deposits of Special Drawing Right certificates shall be payable in Special Drawing Right certificates, on the order of the Board of Governors of the Federal Reserve System to any Federal Reserve bank or Federal Reserve agent at the Treasury or at the Subtreasury of the United States nearest the place of business of such Federal Reserve bank or such Federal Reserve agent."

SEC. 6. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States vote to allocate Special Drawing Rights under Article XXIV, Sections 2 and 3, of the Articles of Agreement of the Fund so that net cumulative allocations to the United States exceed an amount equal to the United States quota in the Fund as heretofore authorized under the Bretton Woods Agreements Act of 1945, as amended (31 U.S.C. 822a(c), 22 U.S.C. 286e, 286e–1(a), 286e–1(b).

SEC. 7. The provisions of Article XXVII(b) of the Articles of Agreement of the Fund shall have full force and effect in the United States and its territories and possessions when the United States becomes a participant in the Special Drawing Account.

The letter presented by Mr. FULBRIGHT is as follows:

THE SECRETARY OF THE TREASURY,
Washington, April 30, 1968.

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

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill "To provide for United States participation in the Facility Based on Special Drawing Rights in the International Monetary Fund and for other purposes".

This legislation implements the recommendations made by President Johnson in his Message transmitted to the Congress today on the Proposed Amendment to the Articles of Agreement of the International Monetary Fund for the purpose of (i) establishing a Facility based on Special Drawing Rights in the Fund and (ii) giving effect to certain modifications in the present rules and practices of the Fund.

A special report of the National Advisory Council on International Monetary and Financial Policies on the Proposed Amendment has been transmitted to you and to the Speaker of the House of Representatives.

It would be appreciated if you would lay the proposed bill before the Senate. An identical bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that the proposed legislation is in accordance with the President's program.

Sincerely yours,

HENRY H. FOWLER.

S. 3425—INTRODUCTION OF BILL RELATING TO DESIGNATION OF MONOMOY ISLAND AS A WILDERNESS AREA

Mr. BROOKE. Mr. President, no one will deny that certain natural areas of our environment must be preserved for ourselves and for posterity. One such area is to be found off the coast of Chatham, Mass.

Monomoy Island is a narrow sand barrier extending for 9 miles south of the elbow of Cape Cod. At its widest point it measures 1½ miles; at the narrowest, about a quarter of a mile. The island is inhabited by all kinds of wildlife—sea birds, reptiles, and small game. On June 1, 1944, the island became part of the Monomoy National Wildlife Refuge. No roads are maintained on the island; no bridges connect it with the mainland. It has no known resources other than the sand from which the island is made, and the beauty of its natural surroundings. It is a quiet, unspoiled preserve enjoyed solely by sportsmen, nature lovers, hikers, and campers.

Making the island into a wilderness area would not infringe upon the rights of any of those who presently enjoy its resources. No private holdings would be allowed there; but even now only 2 acres of the island's total land area of 2,600 acres are in private hands. The facilities would be maintained by the Department of the Interior, working in cooperation with the Department of the Army.

Today, I am pleased to introduce, with the senior Senator from Massachusetts [Mr. KENNEDY] a bill to designate Monomoy Island as a wilderness area. A companion bill is being introduced in the other body by Representative HASTINGS KEITH. I urge prompt consideration and passage of this legislation.

Mr. President, I ask unanimous consent that the statement of the senior Senator from Massachusetts in support of this legislation be printed at this point in the RECORD.

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

MONOMOY NATIONAL WILDLIFE REFUGE

(Statement by Senator KENNEDY of Massachusetts)

It is with special pleasure that I cosponsor with Senator Brooke a bill designating certain lands in the Monomoy National Wildlife Refuge as wilderness area. This roadless and unspoiled island is eminently qualified as land to be included in the National Wilderness Preservation System under the Department of Interior's supervision.

A 2,600 acre, barrier beach island stands as a boundary between Nantucket Sound and the Atlantic Ocean. For nature lovers, hikers, conservationists, sportsman and other outdoor enthusiasts, its rugged and undeveloped terrain exists as an ideal human retreat and nature area for those who are willing to make the journey. For major population centers of the Northeast, this island will provide needed wilderness preservation—the only one within a 200 mile area.

This island will be readily accessible to the greater Boston and Cape Cod areas. I can think of no more fitting complement to the Cape Cod National Seashore, a project I have long supported, than the preservation of Monomoy wilderness status.

Finally, as a wildlife refuge, Monomoy island will provide needed protection and refuge for resting, feeding and nesting waterfowl, as well as for birds requiring this fragile island type habitat. It seems that the wilderness designation lies in the best interest of all concerned for this generation and those to come.

Therefore, I stand with the elected officials of Barnstable County, the people of Chatham and other adjoining towns, the Cape Cod Planning and Economic Development Commission and other recreation-conservation interests in seeking the speedy enactment of this legislation.

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

The bill (S. 3425) to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness, introduced by Mr. BROOKE (for himself and Mr. KENNEDY of Massachusetts), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3426—INTRODUCTION OF RAIL SAFETY BILL

Mr. MAGNUSON. Mr. President, I introduce for myself and the Senator from Wyoming [Mr. MCGEE], at the request of the Secretary of Transportation for appropriate reference, a bill to authorize the Secretary of Transportation to establish safety standards, rules, and regulations for railroad equipment, trackage, facilities and operations, and for other purposes.

Over 2 years ago, on March 2, 1966, in introducing President Johnson's proposed legislation to establish a Department of Transportation, I called attention to that portion of the President's message which stated that no function of the new Department—no responsibility of its Secretary—will be more important than safety. By bringing together all transportation safety into a single agency, we could bring about the correlation of safety in all modes. At that time I pointed out that railroad accidents have been increasing, due, in part, to the fact that railroad equipment and facilities have not been inspected adequately.

In my testimony in support of the Department of Transportation legislation as leadoff witness before the Senate Government Operations Committee, I stressed that the [redacted] of the new Department would represent a significant step toward reducing the tragic waste in human lives and economic resources from the rising toll of transportation accidents.

In the last 2 years, the National Traffic and Motor Vehicle Safety Act and the Highway Safety Act have become the law of the land. The Senate has passed the gas pipeline safety bill which is now awaiting House action. This year the Secretary of Transportation submitted proposed legislation to provide for a coordinated national safety program to reduce boating accidents, and deaths and injuries resulting therefrom. This proposal received the strong endorsement of President Johnson in his consumer message. Until now no program has been advanced to promote railroad safety.

In three recently published reports the National Transportation Safety Board of the Department of Transportation has called attention to gaps in railroad safety.

On January 15, 1968, the Safety Board issued its report on a tragic rail-highway grade crossing accident in Sacramento, Calif., urging study of booby-trap rail crossings. On January 24, 1968, the Safety Board issued its report on a fatal head-on collision of two New York Central Railroad freight trains in New York City, calling upon the rail industry to reappraise and take corrective actions to improve safety. It also urged the Federal Railroad Administration to weigh the safety problems posed by this accident in their consideration of legislation before Congress which would give the Department more regulatory authority in the field of railroad safety. On March 7, 1968, the Safety Board issued its report on a rail-highway grade crossing accident in Everett, Mass. It recommended that the Department of Transportation seek legislation to authorize the Federal Railroad Administrator to prescribe reg-

ulations requiring first, emergency means of escape from railroad passenger cars, and second, emergency lighting for such cars.

On April 10, the Safety Board formally recommended to the Federal Railroad Administration that consideration be given to supporting or proposing Federal legislation which would provide additional safety regulatory authority for the Department of Transportation in the railroad safety field.

The Safety Board cited statistics which indicated that total train accidents in 1967 were up 71 percent from 1961. Train accidents per million train-miles increased nearly 60 percent from 1961 to 1966. Deaths in train accidents increased by 35.4 percent. Last year, according to Department of Transportation statistics, over 24,000 persons were injured, and nearly 2,500 killed in railroad accidents. Reported loss and damage to lading in train accidents, increased during the 1961 to 1966 period over 100 percent—from $9.3 million to $18.6 million. Track and equipment damage reported in train accidents during that same period increased from $50.4 million to $99 million—also nearly a 100-percent increase.

On the same day the Safety Board made its recommendation, I asked the Federal Railroad Administration of the Department of Transportation to make an immediate report to the Congress on the steps needed to halt the increasing frequency of railroad accidents. I indicated then that the Commerce Committee would plan to schedule early oversight hearings on railroad safety. Today's bill is their response, and the committee plans to hold early hearings on this proposal to decrease the number and seriousness of railroad accidents.

Most of the existing rail safety statutes were enacted from 50 to 75 years ago when technology was quite different. These outmoded statutes are limited to particular hazards, and they contain broad gaps. The Department of Transportation at present has no jurisdiction over the design, construction, inspection, or maintenance of track, roadway, and bridges. Its authority with respect to freight and passenger cars applies only to safety appliances and certain aspects of the brake systems. Car wheels and axles, which are major causative elements in many accidents, are not subject to Federal regulation.

The time has come to close these gaps by granting the Department overall authority to set standards dealing with the safety of railroad cars, track and related facilities, and train operations. As the Secretary points out, cost and competitive factors can frequently work to forestall improvements in the safety field. Frequently the cost of increased safety is a cost which will be borne reluctantly unless it falls evenly upon each member of the industry. Secretary Boyd correctly states that strong and uniform Federal regulation appears to be the only way this competitive deterrent to increased safety can be overcome.

The Secretary of Transportation, the Federal Railroad Administrator, and the National Transportation Safety Board are to be commended for recommending modernized rail safety legislation for the purpose of closing a major gap in the transportation safety statutes.

I ask unanimous consent that the text of the bill, the letter of transmittal from the Secretary of Transportation, the section-by-section analysis of the bill, and the National Transportation Safety Board letter of April 3, 1968, be printed in the RECORD at the conclusion of my remarks.

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

The bill (S. 3426) to authorize the Secretary of Transportation to establish safety standards, rules and regulations for railroad equipment, trackage, facilities, and operations, and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators), by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3426

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

DEFINITIONS

SEC. 2. As used in this Act, unless the context otherwise requires—

(1) "Board" means the National Transportation Safety Board.

(2) "Chairman" means the Chairman of the National Transportation Safety Board.

(3) "Department" means the Department of Transportation.

(4) "Person" means any individual, firm, co-partnership, corporation, company, association, joint-stock association, or body politic; and includes any trustee, receiver, assignee, or other similar representative thereof.

(5) "Railroad" means any contrivance now known or hereafter invented, used or designed for operating on, along or through a track, monorail, tube, or other guideway.

(6) "Rail commerce" means any operation by railroad in or affecting interstate or foreign commerce or the transportation of mail by railroad.

(7) "Rail carrier" means any person who engages in rail commerce.

(8) "Rail facilities and equipment" include, without limitation, trackage, roadbed and guideways, and any facility, building, property, locomotive, rolling stock, device, equipment, or appliance used or designed for use in rail commerce, and any part or appurtenance of any of the foregoing.

(9) "Secretary" means the Secretary of Transportation.

FEDERAL SAFETY REGULATION

SEC. 3. (a) The Secretary is empowered and it shall be his duty to promote safety in rail commerce by prescribing, and revising from time to time—

(1) Minimum standards governing the use, design, materials, workmanship, installation, construction, and performance of rail facilities and equipment;

(2) Rules, regulations, and minimum standards governing the use, inspection, testing, maintenance, servicing, repair, and overhaul of rail facilities and equipment, including frequency and manner thereof and the equipment and facilities required therefor; and

(3) Rules, regulations, or minimum standards, governing qualifications of employees, and practices, methods, and procedures of rail carriers as the Secretary may find necessary to provide adequately for safety in rail commerce.

(b) Within ninety days following the date of enactment of this Act, the Secretary shall prescribe as interim Federal rail safety regulations the specific safety requirements prescribed in or under the statutes repealed by section 13. The interim regulations shall remain in effect for two years or until modified, terminated, superseded, set aside or repealed by the Secretary, whichever is earlier. The provisions of the Administrative Procedure Act shall not apply to the establishment of interim regulations. In construing any interim regulation, all orders, determinations, delegations, rules, regulations, standards, requirements, permits, and privileges which (1) have been issued, made, granted, or allowed to become effective under the statute from which that standard is derived and (2) are in effect on the date of enactment of this Act, shall apply and continue to be applicable according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary in the exercise of authority vested in him by this Act, by any court of competent jurisdiction, or by operation of law.

(c) The Secretary may grant such exemptions from the requirements of any regulation prescribed under this Act as he considers to be in the public interest.

STATE REGULATION AND ENFORCEMENT

SEC. 4. A State may regulate safety in rail commerce, in [redacted] which does not conflict with any Federal regulation in the following areas and no others: (1) vertical and horizontal clearance requirements; (2) grade crossing protection (including grade separation) which relates to the location of new crossings, closing of existing crossings, the type of crossing protection required or permitted, and rules governing train blocking of crossings; (3) the speed and audible signals of trains while operating within urban and other densely populated areas; and (4) the installation or removal of industrial and spur tracks. In exercising the authority reserved by clause (4), nothing herein shall be interpreted to diminish any authority which the Interstate Commerce Commission may have to require its approval of such actions. Other State laws and regulations affecting safety in rail commerce will continue in full force and effect for a period of two years following the date of enactment of this Act, unless abrogated prior to that time by court order, State legislative or administrative action, or by regulations issued by the Secretary.

PROHIBITIONS

SEC. 5. (a) No person shall—

(1) fail to comply with any applicable standard, rule, or regulation established or continued in effect pursuant to this Act; or

(2) fail or refuse access to or copying of records, or fail to make reports or provide information, or fail or refuse to permit entry or inspection, as required under section 9.

(b) Compliance with any standard, rule, or regulation established under this Act does not exempt any person from any liability which would otherwise accrue, except to the extent that the action creating the liability was specifically compelled by any such standard, rule, or regulation.

PENALTIES

SEC. 6. (a) Any person who violates any provision of section 5 shall be subject to a civil penalty of not less than $250 nor more than $1,000 for each violation. If the violation is a continuing one, each day of such violation shall constitute a separate offense. Any person who knowingly and willfully violates any such provision shall be fined not more than $10,000 or imprisoned not more than one year, or both. Imposition

of any punishment under this section shall be in lieu of whatever civil penalty might otherwise apply.

(b) The civil penalties provided in this section may be compromised by the Secretary. The amount of any penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged.

(c) Whoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person engaged in the performance of inspection or investigatory duties under this Act, or on account of the performance of such duties, shall be fined not more than $5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon shall be fined not more than $10,000 or imprisoned not more than ten years, or both. Whoever kills any other person engaged in the performance of inspection or investigatory duties under this Act, or on account of the performance of such duties, shall be punished as provided under sections 1111 and 1112 of title 18, United States Code.

INJUNCTIVE RELIEF

SEC. 7. (a) The United States district courts shall have jurisdiction, subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act (including the restraint of operations in rail commerce) or to enforce standards, rules, or regulations established hereunder, upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to any person against whom an action for injunctive relief is contemplated and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him reasonable opportunity to achieve compliance. However, the failure to give such notice and afford such opportunity shall not preclude the granting of such relief.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

(c) Actions under this Act may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or transacts business or wherever the defendant may be found.

(d) In any action brought under this Act, subpenas for witnesses who are required to attend a United States district court may run into any other district.

DESIGNATION OF AGENT FOR SERVICE

SEC. 8. It shall be the duty of every rail carrier to designate in writing an agent upon whom service of all administrative and judicial processes, notices, orders, decisions and requirements may be made for and on behalf of said rail carrier and to file such designation with the Secretary, which designation may from time to time be changed by like writing, similarly filed. Service of all administrative and judicial processes, notices, orders, decisions, and requirements may be made upon said rail carrier by service upon such designated agent at his office or usual place of residence with like effect as if made personally upon said rail carrier, and in default of such designation of such agent, service of process, notice, order, decision, or requirement in any proceeding before the Secretary or in any judicial proceeding for enforcement of this Act or any rule, regulation, or standard prescribed pursuant to this Act may be made by posting such process, notice, order, decision, or requirement in the Office of the Secretary.

RECORDS AND REPORTS

SEC. 9. (a) Every rail carrier shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such carrier has acted or is acting in compliance with this Act and rules, regulations, and standards issued thereunder, and to otherwise carry out his responsibilities under this Act. Each such rail carrier shall, upon request of an officer, employee, or agent authorized by the Secretary, permit such officer, employee, or agent to inspect and copy books, papers, records, and documents relevant to determining whether such person has acted or is acting in compliance with this Act and orders, rules, and regulations issued thereunder.

(b) To carry out the Board's and the Secretary's responsibilities under this Act, officers, employees, or agents authorized by the Secretary or Chairman, upon display of proper credentials, are authorized at all times to enter upon, inspect and examine rail facilities and equipment.

(c) All information reported to or otherwise obtained by the Secretary or the Board or their representatives pursuant to subsection (a) containing or relating to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers, employees, or agents concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary, Chairman, or any officer or employee under their control, from the duly authorized committees of the Congress.

GENERAL POWERS

SEC. 10. (a) The Secretary is authorized to conduct, or contract with individuals, States, or non-profit institutions for the conduct of, research, development, testing, evaluation, and training as necessary to carry out the provisions of this Act.

(b) The Secretary may, subject to such regulations, supervision, and review as he may prescribe, delegate to any qualified private person, or to any employee or employees under the supervision of such person, any work, business, or function respecting the examination, inspection, and testing necessary to carry out his responsibilities under this Act.

(c) The Secretary is authorized to advise, assist, and cooperate with other Federal departments and agencies and State and other interested public and private agencies and persons, in the planning and development of (1) Federal rail safety standards, rules, and regulations, and (2) methods for inspecting and testing to determine compliance with Federal rail safety standards, rules, and regulations.

(d) The Secretary is empowered to perform such acts, to conduct such investigations, to issue such subpenas, to take such depositions, to issue and amend such orders, and to make and amend such special rules and regulations as he shall deem necessary to carry out the provisions of, and to exercise and perform his powers and duties under this Act.

ACCIDENT INVESTIGATION

SEC. 11. (a) The Secretary is authorized to conduct investigations of any accident occurring in rail commerce, and may invite participation by State agencies.

(b) The Board shall have the authority to determine the cause or probable cause and report the facts, conditions, and circumstances relating to accidents investigated under subsection (a) above, but may delegate such authority to any officer or official of the Board or to any officer or official of the Department, with the approval of the Secretary, as it may determine appropriate.

(c) No part of any report required of a rail carrier under this Act, or any report made to the Secretary by an employee of the Department, or any report of the Secretary or the Board, relating to any accident or the investigation thereof, shall be admitted as evidence or be used in any suit or action for damages growing out of any matter mentioned in such report or reports. Employees of the Board or Department who have engaged in the investigation of a railroad accident shall not give expert or opinion testimony concerning such accidents in any such suit or action. Factual testimony of Board or Department personnel on matters observed in accident investigation shall be required only where the Chairman or the Secretary initially, or the Court before which such suit or action is pending, determines that the evidence is not available by other means. Unless otherwise ordered by the Court, such factual testimony shall be taken only by deposition upon oral examination or written interrogatories, pursuant to regulations issued by the Secretary or the Board.

USE OF [redacted]CES

SEC. 12. The Secretary is authorized to enter into agreements with appropriate State agencies for the provision of inspection and surveillance services as necessary to effective enforcement of Federal rail safety regulations. State services may be procured on such terms and conditions as the Secretary may prescribe and may be reimbursed from any appropriations available for expenditure under this Act. The Secretary may delegate to an officer of such State, and authorize successive redelegation of, any authority under this Act necessary to the conduct of an effective enforcement program.

STATUTES REPEALED—SAVINGS PROVISION

SEC. 13. (a) The Safety Appliance Acts including the Power or Train Brakes Safety Appliance Act of 1958 (45 U.S.C. 1–16), the Ash Pan Act (45 U.S.C. 17–21), the Locomotive Inspection Act (45 U.S.C. 22–34), the Accident Reports Act (45 U.S.C. 38–43), and the Signal Inspection Act (49 U.S.C. 26) are repealed as of the effective date of the interim regulations required to be promulgated by section 3(b) of this Act.

(b) No suit, action, or other proceeding and no cause of action under the statutes repealed by this Act shall abate by reason of enactment of this Act.

APPROPRIATION AUTHORIZATION

SEC. 14. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEPARABILITY

SEC. 15. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

The letters and section-by-section analysis, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., April 29, 1968.

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

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill "To authorize the

Secretary of Transportation to establish safety standards, rules, and regulations for railroad equipment, trackage, facilities, and operations, and for other purposes", together with a section-by-section analysis.

This proposed legislation would replace the piecemeal statutory scheme for Federal rail safety regulation with a comprehensive statute authorizing the Secretary of Transportation to promulgate safety requirements relating to locomotives, rolling stock, trackage and roadbed, equipment, appliances, and facilities used in railroad operations in or affecting interstate or foreign commerce.

Most of the existing rail safety statutes, responsibility for which was transferred from the Interstate Commerce Commission to this Department at the time of its creation, were enacted from 50 to 75 years ago at a time prior to the emergence of the dramatic new transportation technology in which the railroads share. Only a few of the most obvious of safety problems are addressed and each statute is limited to particular hazards. In contrast, the more modern safety statutes establish desired safety results, leaving the exact manner of achievement to administrative regulation which can more easily accommodate technological progress.

In enacting more recent Federal transportation and other safety statutes—such as aviation, motor vehicle, and highway safety—Congress has followed the principle of vesting in the head of regulatory agencies and departments broad authority to prescribe safety standards, based upon continuing research programs and upon the changing technological needs of the regulated industry. The proposed bill is intended to move Federal railroad safety regulation in this direction. It will permit the Federal Government to bring modern analytical principles to bear on the identification and solution of rail safety hazards.

Not only do existing statutes prescribe, in many cases, rigid and unrealistic requirements, some important areas are now beyond the scope of Federal rules, regulations, and standards and, therefore, beyond the reach of a uniform, comprehensive safety program. For example, the Department has no jurisdiction over the design, construction, inspection, or maintenance of track, roadway, and bridges. Its authority with respect to freight and passenger cars is scant and applies only to a small part of the vehicle, namely, to safety appliances and certain aspects of the brake systems. Car wheels and axles, which are major causative elements in many accidents, are not subject to Federal regulation. Thus, overall authority for the safety performance of the railroad car as a unit does not exist as it does in Federal statutes regulating aircraft and motor vehicles. Moreover, there is almost no safety regulatory authority extending to the operation of the trains themselves.

The Department's concern is not limited to the desirability of modern administration of rail safety requirements. We are also concerned with the increasing number and severity of railroad accidents attributable to causes beyond the reach of existing safety statutes. Derailment, for example, which is the most frequent type of accident, can often be attributed to wheels, axles, or track condition over which there is no present Federal authority.

In the past seven years, the monthly average of train accidents has increased steadily from 341 in 1961 to an estimated 590 for 1967. One logical result of this increase in accidents has been an increase in casualty rates per million man-hours worked during the same period.

In proposing new legislation, the Department does not suggest that the railroad industry is insensitive to its responsibility for safe operations. As with other transportation modes, however, cost and competitive pressures can frequently work at cross purposes to safety. The cost of greater safety will be borne reluctantly unless it is a burden which falls evenly on each member of the industry. Uniform Federal regulation is the only way industry can be assured of this.

The bill which the Department proposes would give the Secretary of Transportation authority to prescribe standards for construction, use, design, and performance of trackage, locomotives, rolling stock, and facilities, and to prescribe the manner and frequency with which testing and inspection for compliance is to be performed. The Secretary would also have authority to regulate the qualifications of rail employees, and practices, methods, and procedures of rail carriers, as required in the interests of safety. This would include all safety aspects of crew employment, except as to hours of service.

While the bulk of existing Federal safety statutes would be repealed, the requirements now prescribed in or under these laws would remain in effect as interim standards for up to two years to allow the Secretary time to, by study and research, develop new and more comprehensive standards.

Because uniformity in the regulation of rail safety is generally necessary and desirable, the bill would preempt the area from State regulation with some specified exceptions. These areas include vertical and horizontal clearance requirements, certain aspects of grade crossing protection, and speed and audible signals of trains within urban or other densely populated areas. Even in the excepted areas, a State could not regulate in conflict with Federal regulations.

Federal preemption of rail safety regulation will not have a great effect in most States. While historically some States have contributed to safer rail operations through activity in selected areas, only a few States have substantial rail safety programs. The bill will enable those few States to concentrate their activities in the excepted areas.

The bill authorizes the Secretary to utilize the services of State agencies in conducting inspection and surveillance activities necessary to enforcement of Federal regulations. The Secretary may reimburse a State agency for the cost of providing such services from any funds available for administration of the rail safety program.

The Secretary would have authority to require reports of the carriers necessary to the discharge of his duties under the bill, including the authority to investigate rail accidents. However, the authority which the National Transportation Safety Board now has to determine and report the cause or probable cause of rail accidents, and to delegate its authority to perform various functions, would be preserved.

The bill would provide penalties for any failure to comply with applicable standards, rules, or regulations, or to cooperate in the various recordkeeping and inspections requirements which the Secretary would be authorized to impose. The Government should have available to it the full range of sanctions from which to choose in insuring compliance with the bill. For this reason the bill provides for injunctive relief, as well as civil and criminal penalties. The latter would be imposed only for knowing and willful violations.

In summary, the time has come to revise the outmoded legislative structure supporting rail safety. The enclosed bill would do this and place regulation of the Nation's railroads on substantially the same footing as aviation and highway safety regulations.

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

Sincerely,

ALAN S. BOYD.

SECTION-BY-SECTION ANALYSIS OF A BILL TO AUTHORIZE THE SECRETARY OF TRANSPORTATION TO ESTABLISH SAFETY STANDARDS, RULES, AND REGULATIONS FOR RAILROAD EQUIPMENT, TRACKAGE, FACILITIES, AND OPERATIONS, AND FOR OTHER PURPOSES

Section 1.—This section provides that the Act may be referred to as the "Federal Railroad Safety Act of 1968".

Section 2.—This section defines the operative words employed in the Act. The standards and regulations authorized by the Act would apply to persons engaged in rail commerce, defined as "any operation by railroad in or affecting interstate or foreign commerce or the transportation of mail by railroad".

Railroad, in turn, means "any contrivance now known or hereafter invented, used or designed for operating on, along or through a track, monorail, tube, or other guideway".

The rail facilities and equipment which would be subject to regulation include trackage, roadbed and guideways, and any facility, building, property, locomotive, rolling stock, device, equipment, or appliance used or designed for use in roil commerce.

Section 3.—This section authorizes and directs the Secretary of Transportation to promote safety in rail commerce by prescribing (1) minimum standards for use, design, materials, workmanship, installation, construction, and performance of rail facilities and equipment; (2) rules, regulations, and minimum standards for use, inspection, testing, and the like, for equipment and facilities to be used in such inspection and testing, and for the p[redacted] manner in which such testing and inspection are to be accomplished; and (3) rules, regulations, or other standards governing qualifications of employees and practices, methods, and procedures of rail carriers where required for safety in rail commerce.

While the standards and regulations described in subsection 3(a) are being developed, interim standards will be applicable. The Secretary must prescribe interim standards within ninety days of enactment of this Act, which standards are to be the requirements currently in force under existing rail safety statutes. Most of the existing safety statutes will be repealed, pursuant to section 13, concurrent with establishment of interim standards. Interim standards will remain in effect for two years, unless sooner changed or repealed by action of the Secretary.

This section also contains a provision permitting the Secretary to grant exemptions, if such actions would be in the public interest.

Section 4.—This section authorizes the States to regulate in certain specified areas, in a manner not in conflict with Federal regulation. Further, unless they are sooner superseded by the courts, State action, or regulations issued by the Secretary, other State laws relating to rail safety may remain in full force and effect for a period of two years after the date of enactment of this Act.

Section 5.—This section requires persons subject to the Act to comply with all applicable standards, rules, and regulations issued thereunder and, as specified in section 9, requires them to grant access to company records, furnish required reports and information, and allow entry upon and inspection of carrier facilities. Compliance with any standard, rule, or regulation established under the Act will not exempt any person from any liability which would otherwise accrue unless the action creating the liability was specifically compelled by the standard, rule, or regulation.

Section 6.—This section provides a civil penalty of not less than $250 or more than $1,000 per day for each violation of the Act or regulations issued under it. These may be compromised by the Secretary and deducted from any amounts owing to the carrier by the United States.

The section further provides criminal penalties of up to $10,000 fine and up to one year's imprisonment, or both, for every knowing and willing violation of such a provision, as well as criminal penalties for the assault or killing of any person who is engaged in the performance of official duties under the Act. These penalties are the same as those provided for the same offenses in title 18, United States Code. If a criminal penalty is imposed, a civil penalty cannot be pursued for the same violation.

Section 7. This section authorizes the Secretary to obtain injunctive relief to enforce standards, rules, and regulations issued under the Act. Wherever it is practicable, the Secretary is to give notice of his intention to seek an injunction in order to give the person who is in violation an opportunity to come into compliance.

In contempt proceedings for violation of an injunction or restraining order, where the act which constitutes the violation is also a violation of the act, the accused has the option of trial by the court or before a jury.

This section also provides for the venue of actions brought under the Act and provides that subpenas in such cases may run outside the districts in which they are issued.

Section 8.—This section requires that every rail carrier designate, by filing in writing with the Secretary, an agent upon whom all service in administrative and judicial proceedings may be made for and on behalf of the carrier. If any carrier fails to file such a designation, valid service may be made upon that carrier simply by posting in the Office of the Secretary a copy of the material to be served.

Section 9.—This section confers certain powers on the Secretary to facilitate his duties under the Act by (1) requiring carriers to maintain records, to make reports of accidents and other reports, and to provide the Secretary with information, (2) requiring carriers to permit the inspection of books, papers, records, and documents, and (3) permitting properly identified officers, employees, and agents to enter upon and inspect carrier premises. Any trade secrets which may come into the possession of the Secretary or his representatives through the exercise of these powers may not be disclosed except to persons concerned with carrying out the Act or when relevant in a proceeding under the Act.

Section 10.—This section grants to the Secretary a series of general powers which he must have to effectively discharge his duties under the Act. They are the powers to: (1) conduct or contract for research, development, testing, evaluation, and training; (2) delegate to qualified private persons activities relating to examination, inspection, and testing; (3) cooperate with various Federal and non-Federal agencies in developing safety standards, rules, and regulations, and methods for inspecting and testing to determine compliance; and (4) conduct investigations, issue subpenas, take depositions, and issue necessary orders and special rules and regulations.

Section 11.—This section authorizes the Secretary to investigate accidents occurring in rail commerce and to invite State participation. Since certain of the rail accident authority of the National Transportation Safety Board derives from statutes which are repealed by section 13, this section confirms that the NTSB will continue to have its sole authority to report facts, conditions, and circumstances of rail accidents, make findings of probable cause, and to delegate such of its authority as it may wish to its employees, to the Secretary, or to officials of the Department of Transportation. That is, the NTSB will continue to enjoy the powers, duties, and responsibilities with respect to rail accidents that it now has by virtue of section 5 of the Department of Transportation Act.

The section provides that no reports required to be made by carriers or made by the Secretary or the Board may be used in any lawsuit arising out of matters mentioned in such reports. It also provides that investigators may testify only as to facts, and may not give expert or opinion testimony.

Section 12.—This section authorizes the Secretary to contract with State agencies for the provision of inspection and surveillance services necessary to enforcement of Federal safety regulations. The reimbursement of State costs may be made from appropriations available for carrying out the rail safety program.

Section 13.—This section enumerates the existing Federal rail safety statutes which will be repealed. These laws are, for the most part, outdated and requirements written into statute will be replaced with comprehensive regulatory authority placed in the Secretary by this Act. The repeals would be effective simultaneously with establishment of interim standards under section 3(b) so that there would be no hiatus in Federal safety regulation. Any litigation now pending as a result of these statutes would not be terminated, however, simply because of their repeal.

Section 14.—This section authorizes the appropriation of such sums as may be necessary to carry out the provisions of the Act.

Section 15.—This section provides for separability.

APRIL 3, 1968.

Hon. A. SCHEFFER LANG,
Administrator, Federal Railroad Administration, Department of Transportation, Washington, D.C.

DEAR MR. LANG: The National Transportation Safety Board's review of data covering the last several years for train accidents shows progressively worsening trends in rates, occurrences, deaths, and damage. Furthermore, and especially disturbing, many train accidents in recent years have involved hazardous or poisonous materials, resulting in fires, or the escape of poisonous or hazardous materials followed by evacuation of populated areas. The latter collateral factors, coupled with a rising accident rate, increase the probability of catastrophic occurrences.

Total train accidents[1] increased from 4,149 in 1961 to 6,793 in 1966, up 63.7%, and according to preliminary figures increased to 7,089 in 1967, up 71% over 1961. Train accidents per million train-miles increased from 7.09 in 1961 to 11.29 in 1966, up 59.2%. Deaths in train accidents increased from 158 to 214, or by 35.4%. Reported loss and damage to lading in train accidents (which excludes rough handling) increased from $9.3 million to $18.6 million during the 1961–1966 period, or up 100%; such loss and damage was up from $15,800 to $30,900 per million train-miles, or up 95.6%. Track and equipment damage reported in train accidents increased from $50.4 million to $99.0 million, up almost 100%; such track and equipment damage was up from $86,200 to $164,500 per million train-miles, or up 90.9%.

Derailments, the single most important cause of train accidents, increased from 2,671 in 1961 to 4,447 in 1966, up 66.5%, and the rate of derailments per million train-miles increased from 4.57 in 1961 to 7.39 in 1966, up 61.7%. Derailments, as the largest single cause of the 6,793 train accidents in 1966, accounted for 4,447 or about 65% of all train accidents in 1966, and over 80% of the damage to track and equipment. Collisions, the next most frequent cause, accounted for 1,552 or 23% of 1966 train accidents.

The Interstate Commerce Commission's "Accident Bulletin", now under jurisdiction of the Federal Railroad Administration, reflects in detail the primary causes of derailments, comparing 1961 with 1966. (See Exhibit A.) Defects in or improper maintenence of way and structures accounted for 21.6% of all derailments in 1961 and this increased to 31.2% in 1966. Further, both in numbers and proportion of total derailments, those caused by defects in or improper maintenance of way and structures have become an increasingly significant factor in derailments, increasing by 140% and by 44.5%, respectively. Defects in or failure of equipment, on the other hand, though still the largest group of causes of derailments, had declined as a proportion of derailment causes from 47.5% in 1961 to 34.9% in 1966. Derailments charged to negligence of employees accounted for 12.3% of all derailments in 1961 and 12.4% in 1966, almost the same proportion, although the number of derailments caused by employee negligence increased by 68.1%.

Statistics as to derailments resulting from defects in or improper maintenance of way and structures, which resulted in train accidents, are set forth in detail in Exhibit B. It clearly shows how progressively deteriorating track conditions are causing derailments.

The railroad accident picture is extremely serious. Furthermore, higher speeds, longer and heavier trains, and the growing carriage of deadly and hazardous materials may well increase the already serious consequences of unsafe practices.

We are sure you are aware of the disquieting picture described in this letter, and concur in the view we hold that every reasonable step be taken to arrest and reverse the trend toward increasing incidence of train accidents. Recognizing that there are limits both to y[redacted]s and your authority, nonetheless we recommend that all available resources at your disposal be applied to reverse these accident trends. Increased attention to accident investigations and the issuance of more published accident investigation reports are several possibilities; others are increased inspections addressed to the worst areas of accident cause and to railroads where a disproportionate number of accidents occur.

Collaterally, we recommend that the Federal Railroad Administration initiate studies which would go beyond the data provided in current accident reports, with particular attention being given to derailments. Studies should include such factors as level of maintenance, types of inspection techniques used by railroads, influence of operating rules on accident causation, and employee responsibility for unsafe practices. Other areas deserving of attention or review include the use and value of railroad employee safety incentives, research and development to determine how management and employees, individually or jointly, can improve safety techniques and reduce accidents, and the possible borrowing and adaptation of successful safety practices from other transportation modes. The results of such studies should lead to initiation of new or augmented action programs by FRA to improve railroad safety.

We are aware that current regulatory authority does not encompass many areas related to the causes of many railroad accidents. Our concern about the state of railroad operations vis-a-vis safety was indicated in the recommendations accompanying our report on the railroad collision in New York City, where we stated that there is clear need for a reappraisal, a self-assessment and corrective action by the railroad industry.

We believe that the primary responsibility for improved railroad safety should rest upon railroad management and labor. However, we reiterate here that if it appears that they cannot or will not accept the challenge promptly to arrest the worsening railroad accident picture, consideration should be given to supporting or proposing Federal legislation which would provide additional safety regulatory authority for the Department of Transportation in the railroad safety field.

Sincerely,

JOSEPH J. O'CONNELL, Jr.,
Chairman.

[1] Excludes train-service and non-train accidents.

EXHIBIT A

	Number of derailments			Proportion of primary causes of derailments to total derailments (percent)			Derailments per million train-miles		
	1961	1966	Trend (percent)	1961	1966	Trend	1961	1966	Trend (percent)
Primary causes of derailments:									
Defects in or improper maintenance of way and structures	577	1,388	+140.0	21.6	31.2	+44.5	0.99	2.31	+133.0
Defects in or failure of equipment	1,268	1,550	+22.2	47.5	34.9	−26.5	2.17	2.58	+18.9
Negligence of employees	329	553	+68.1	12.3	12.4	+.8	.56	.92	+64.3
Other	497	956	+92.4	18.6	21.5	+15.6	.85	1.59	+87.1
Total derailments	2,671	4,447	+66.5				4.57	7.39	+61.7

EXHIBIT B

	1961		1966		Trends (percent)	
	Number of derailments	Proportion of total derailments (percent)	Number of derailments	Proportion of total derailments (percent)	Number of derailments	Proportion of total derailments
Defects in or failure of tie and/or tieplates	27	4.7	107	7.7	+296	+63.8
Improper track alinement	15	2.6	55	4.0	+266	+53.8
Defects in or failure of frogs and/or switches	93	16.1	267	19.3	+187	+19.9
Improper superelevation of track	24	4.2	60	4.3	+150	+2.4
Defects in or failure of rails and/or rail joints	326	56.5	661	47.6	+103	−15.8
Other	92	15.9	238	17.1	+159	+7.5
Total	577	100.0	1,388	100.0	+140	

SENATE JOINT RESOLUTION 165—INTRODUCTION OF FAMILY REUNION DAY JOINT RESOLUTION

Mr. MUNDT. Mr. President, on behalf of myself, the Senator from Alabama [Mr. SPARKMAN], the Senator from Kansas [Mr. CARLSON], the Senator from Texas [Mr. TOWER], the Senator from Delaware [Mr. BOGGS], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Arizona [Mr. FANNIN], I introduce for appropriate reference a joint resolution authorizing the President to proclaim August 11, 1968, as "Family Reunion Day."

Similar legislation has been introduced in the House of Representatives and I believe it only fitting and proper that we all get behind this effort to have the importance of family reunions publicized and honored.

The family is the basis of our society, the repository of that high morality and integrity without which a Nation cannot exist in these troubled times. In a society permeated by strife and civil disorder, the family remains the best hope of restoring respect and love of all mankind to the position it once held.

I sometimes think that the highly mobile nature of our Nation today, which tends to make family separation all too often a way of life, is working to destroy this basic unit in our society. No longer do we maintain family contact and experience the pride, the satisfaction, and the sense of security that comes with shared experiences and shared memories of family living. I would hope, therefore, that we would be able to set aside a day for family get-togethers, reunions, and similar activities designed to reemphasize the family, its history, and its shared plans for the future. Designation by the President for a Family Reunion Day would accomplish this objective.

Mr. President, it is with a certain amount of pride that I introduce this joint resolution on the Senate side on behalf of two organizations that have pushed this program on a volunteer basis among our populace. One is Kiwanis International, an organization in which I have been privileged to serve in the past as a district governor. I might add that the other cosponsors are also distinguished members of Kiwanis. The other is the Freedoms Foundation of Valley Forge, which we all know has played such an important role in developing and instilling in our people love and respect for America. I hope that all of my fellow Senators will lend their support to these two fine organizations and to this resolution.

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

The joint resolution (S.J. Res. 165) authorizing the President to proclaim August 11, 1968, as "Family Reunion Day," introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 167—PROPOSED ADVISORY COMMISSION ON NUCLEAR PORT DEVELOPMENT

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a joint resolution to establish an Advisory Commission to study and report on the need for port facilities in the United States for commercial nuclear ships.

I believe the ports of the United States have done a truly outstanding job in providing the appropriate facilities to coordinate and utilize the rapid technological changes taking place in the maritime field. The container revolution is not just a revolution involving oceangoing facilities, trucks, trains, and planes. It is also a revolution dependent upon change in port facilities and cargo handling methods for it is the port that serves as the vital link in the attempt to expedite intermodal carriage of cargo.

As effective as containers may be in promoting sound transportation in the oceangoing field, there are dramatic new technological changes on the horizon—hopefully quite near—which will present unique and intricate development problems and challenges for the ports. I am thinking specifically of the changes that will occur with the development of a nuclear-powered merchant fleet. As you may know, I have long advocated this course of action in the Congress of the United States and have introduced a maritime program which would provide for the building of a fleet of nuclear vessels. And, of course, other nations—Japan, Italy, West Germany, Russia, and Communist China—are devoting time and money to developing nuclear vessels. It seems clear, therefore, that one of the major developments in the transportation field is going to be the utilization of nuclear-powered vessels.

We must look ahead and be prepared to take advantage of full implementation of new technological change to enhance our transportation posture. It is time, I believe, for us to begin thinking of the specific challenges that will be presented through the utilization of nuclear propulsion. It seems clear that an immediate requirement of commercial operation of a fleet of nuclear vessels will be that of providing port facilities for servicing such vessels. This is a matter which should be studied carefully so that the necessary facilities will be available to enhance and encourage use of nuclear vessels. This Commission, which would draw from all relevant governmental departments and affected industries, would undertake a full and complete study and investigation to determine: first, the type of port facilities necessary for commercial nuclear-powered ships; second, determine the need for such facilities on the east, west, gulf and Great Lakes coasts of the United States and recommend appropriate locations upon each such coast for nuclear port facilities; and, third, recommend appropriate Federal, States, and local government coordination and action for planning, developing, financing, and establishing standards for nuclear port facilities.

The Commission report would be submitted to the President and the Congress within 1 year so that we may move as rapidly as possible to fully develop our port facilities, thus assuring utilization and appropriate servicing for what will surely be the ships of the future.

I shall do my best to have this joint resolution enacted into law for I believe it vital not only to the appropriate development of our shipping potential but of vast benefit and importance to the ports and to the proper utilization of our expertise in the fields of atomic energy.

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

The joint resolution (S.J. Res. 167) to establish an Advisory Commission to study and report on the need for port facilities in the United States for commercial nuclear ships, introduced by Mr. MAGNUSON, was received, read twice by

its title, and referred to the Committee on Government Operations.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTION

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senators from New York [Mr. JAVITS and Mr. KENNEDY] and the senior Senator from Massachusetts [Mr. KENNEDY] be added as cosponsors of the bill (S. 3349) to amend the cold war GI bill, to improve on the farm, flight training, and general educational opportunities, to equal those granted to veterans of Korean conflict.

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

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Hawaii [Mr. INOUYE] be added as a cosponsor of the bill (S. 1336) to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the resolution (S. Res. 281) to establish a Select Committee on Nutrition and Human Needs.

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

SENATE RESOLUTION 284—RESOLUTION TO COMMEMORATE THE 20TH ANNIVERSARY OF THE STATE OF ISRAEL

Mr. DIRKSEN (for himself, Mr. MANSFIELD, Mr. KUCHEL, Mr. GRIFFIN, Mr. PASTORE, Mr. JAVITS, Mr. COTTON, Mr. BYRD of West Virginia, Mr. YARBOROUGH, Mr. PERCY, Mr. PROUTY, Mr. CASE, Mr. RIBICOFF, Mr. SCOTT, Mr. INOUYE, Mr. SPONG, Mr. ALLOTT, Mr. BOGGS, Mr. MURPHY, Mr. CANNON, Mr. SYMINGTON, Mr. HRUSKA, Mr. CURTIS, Mr. BROOKE, and Mr. TOWER) submitted a resolution (S. Res. 284) to commemorate the 20th anniversary of the State of Israel, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

SENATE RESOLUTION 285—RESOLUTION TO PRINT AS A SENATE DOCUMENT THE ANNUAL REPORT OF THE NATIONAL FOREST RESERVATION COMMISSION

Mr. ELLENDER submitted the following resolution (S. Res. 285); which was referred to the Committee on Rules and Administration:

S. RES. 285

Resolved, That the Annual Report of the National Forest Reservation Commission for the fiscal year ended June 30, 1967, be printed with an illustration as a Senate document.

AMENDMENT OF LEGISLATION RELATING TO HIGHER EDUCATION—AMENDMENTS

AMENDMENT NO. 709

Mr. MORSE. Mr. President, I submit, for appropriate reference, amendments to S. 3098, the Higher Education Act of 1968, which have been proposed to the chairman of the Senate Committee on Labor and Public Welfare by the Department of Health, Education, and Welfare by Acting Secretary Cohen under date of March 21.

I ask unanimous consent that the text of the proposed amendment be printed in the RECORD at this point together with the text of the transmittal letter containing the administration's justification for the proposed changes.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed and appropriately referred; and, without objection, the amendment and the letter will be printed in the RECORD, as requested.

The amendment (No. 709) was referred to the Committee on Labor and Public Welfare, as follows:

On page 93, line 23, insert "(such as the Instructional Television Fixed Service)" immediately after the word "facilities".

On page 95, line 3, strike out the quotation marks.

On page 95, between lines 3 and 4, insert the following:

"'AUTHORITY FOR FREE OR REDUCED RATE COMMUNICATIONS INTERCONNECTION SERVICES

"'SEC. 803. Nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering, subject to such rules and regulations as the Federal Communications Commission may prescribe, free or reduced rate communications interconnection services for interconnection systems within the purview of this title, whether or not included in a project for which a grant is made under this title.'"

The letter presented by Mr. MORSE is as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
March 21, 1968.

Hon. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We are transmitting herewith proposed amendments to title IX of S. 3098, the Administration's "Higher Education Amendments of 1968".

Title IX of the bill would, as you know, insert in the Higher Education Act of 1965 a new title VIII headed "Networks for Knowledge". (The existing title VIII of the Act would be renumbered.) Among the projects that could be assisted under the bill are projects for the planning, development, or carrying out of cooperative arrangements between colleges and universities for the "establishment and joint operation of closed-circuit television or equivalent transmission facilities" (§ 801(b)(4)).

1. We suggest the insertion of the following new section on page 95, immediately below line 3 (and at the same time the deletion of the closing quotation marks on line 3):

"'AUTHORITY FOR FREE OR REDUCED RATE COMMUNICATIONS INTERCONNECTION SERVICES

"'SEC. 803. Nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering, subject to such rules and regulations as the Federal Communications Commission may prescribe, free or reduced rate communications interconnection services for interconnection systems within the purview of this title, whether or not included in a project for which a grant is made under this title.'"

This amendment is patterned after § 396(h) of the Communications Act of 1934, as added to that Act by the Public Broadcasting Act of 1967 (P.L. 90–129), and should be helpful in promoting the establishment and joint operation, by colleges and universities, of closed-circuit television or equivalent transmission facilities of the kinds that are within the purview of the proposed Networks for Knowledge provisions of the bill, whether or not included in a project aided with a Federal grant.

We understand that the amendment would not apply to the extent that the services are furnished by common carriers on a strictly intrastate basis, because such services are excluded from the rate jurisdiction of the Federal Communications Commission by § 2 of the Communications Act (47 U.S.C. 152(b)). However, even with respect to such cases, enactment of the amendment should help to dispose State rate-making authorities to permit carriers to render free or reduced rate interconnection service to colleges and universities in States where this is not already authorized.

2. As we interpret the term "equivalent transmission facilities" in clause (4) of the proposed § 801(b) [redacted] lines 22 and 23), it includes facilities such as the Instructional Television Fixed Service (ITFS); but in order to avoid any question on that score we suggest insertion of the following after "facilities" on page 93, line 23, of the bill: "(such as the Instructional Television Fixed Service)". ITFS is a point-to-point service operating on higher frequency (2500 to 2690 megacycles per second) than regular television broadcasting and cannot be received by the general public. Typically, in that service the classroom instructional programs carried are transmitted from a single point and are received by special antennas at the participating schools or institutions. There the signals are translated so that they can be viewed on conventional television sets in the classrooms. ITFS performs a very valuable service for in-school instruction and helps ease the problem of television broadcast channel shortages; acquisition of ITFS facilities is also one of the educational activities eligible for assistance under the Higher Education Act of 1965.

We are advised by the Bureau of the Budget that there is no objection to the presentation of the above-suggested amendments from the standpoint of the Administration's program.

Sincerely,

WILBUR J. COHEN,
Acting Secretary.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished Senator from Nebraska [Mr. CURTIS] be recognized for 10 minutes.

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

TAXATION OF INDUSTRIAL DEVELOPMENT BONDS

Mr. CURTIS. Mr. President, for over 30 years industrial development bonds have been issued by States and their subdivisions and the interest therefrom has been held to be tax free by the Treasury Department. About 2 or 3 months ago the Treasury Department, without any justi-

fication or legal authority, undertook to make the interest on those bonds taxable by Treasury ruling.

Industrial revenue bonds have brought factories and other job-producing activities to hundreds of communities in the United States. This method of financing has brought jobs to thousands of people. Many of those who have received jobs were by every definition disadvantaged people. I am reliably informed that in the South many colored people have gotten permanent jobs from business concerns that were induced to initiate an activity by reason of the availability of industrial bonds, the interest on which was not subject to the Federal income tax.

The unwarranted action of the Treasury Department to disrupt all of this activity not only does not have the support of legal authority, but the Treasury has also relied on alleged facts that cannot be substantiated. For instance, the Treasury Department in their role as lawmakers and as lobbyists make the contention that these industrial bonds increase the interest for all other State and municipal bonds. The dollar problems, the gold drain, the Federal deficits, and the mounting debt are the real factors that cause interest rates to be high. It is interesting to note the fact that the cost of municipal borrowings in general reached the highest level in about 40 years during the period of February and March of 1968, a period during which industrial aid financing had been stalled and stopped by virtue of a proposed cutoff date established by the Treasury.

Mr. President, a very helpful discussion of the problems we face is set forth in a letter dated April 29, 1968, addressed to the chairman of the committee for evaluating of industrial aid financing and signed by Mr. William H. Cannon of the law firm of Nixon, Mudge, Rose, Guthrie, Alexander & Mitchell. Very shortly I will read that letter in full into the RECORD.

Our Federal tax laws are complicated. While we should always strive for simplification, our tax code will never be very simple. We have a complex economic system. American business is ingenious. Our system calls for freedom of contract. Property laws vary somewhat in the 50 States. Consequently, unless the Federal tax law is somewhat complicated with details that meet every situation that ought to be met, justice cannot be done.

Mr. President, the point I am making in reference to the unavoidable complexity of tax law is for the purpose of suggesting that the tax-free status of the income of industrial bonds be not disturbed until an appropriate committee has held ample public hearings. The appropriate committee to do this is the Committee on Ways and Means of the House of Representatives. The States and their subdivisions which have relied upon this system for over 30 years should be heard. The Treasury should be heard. Qualified people in the tax field should be heard. Our constituents should be heard. Then, and only then, is Congress in the position to find a just answer which meets all the legal requirements of our Constitution.

This whole area of worthwhile activity was thrown into chaos by the unwarranted action of the Treasury Department. The Curtis amendment adopted by the Senate Committee on Finance and approved by a rollcall vote of the Senate preserved the status of these bonds that has existed over the years until Congress could act. In presenting that amendment on this floor, I said if action were to be taken that the great Committee on Ways and Means should hold exhaustive hearings.

Because of the inappropriate and unwarranted lobbying of the Treasury Department, the Senate later passed the Ribicoff amendment. I am sure that the distinguished Senator who introduced that amendment was well intentioned. His amendment is defective and creates a lot of problems, none of which could be ascertained and answered on the spur of the moment when the Congress attempts to write tax law on the floor of either body. The letter that I will read points out the problems inherent in the Ribicoff amendment.

In the spirit of compromise, consideration has been given by Members of both bodies to the acceptance of the Ribicoff amendment by having its provisions exempted from industrial bond issues of less than $10 or $15 million. Such an exemption would take care of a sizable portion of the issues which are so essential in the business of providing jobs. Such a compromise would serve for awhile until the legal problems in other phases of the Ribicoff amendment could have attention by the Congress.

I am now advised that the Treasury Department forces are pressing for a dollar limitation on the Ribicoff amendment so low that when we consider the rising costs of land, factory buildings, and equipment, the whole program would be scuttled.

Mr. President, I find no provision in the Constitution which gives the Treasury Department authority to join in the deliberations of a conference committee between the House and the Senate. I question their right to be there but they are there.

In view of the entire situation, I should like to take this means to urge the conference committee to approve the Curtis amendment, which does not legislate but rather prevents the Treasury from unlawfully legislating, and that the conference committee eliminate the Ribicoff amendment until exhaustive hearings can be held by the Committee on Ways and Means.

Mr. President, I ask unanimous consent that the letter to which I referred be printed at this point in the RECORD.

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

NIXON, MUDGE, ROSE, GUTHRIE, ALEXANDER, & MITCHELL (CALDWELL, TRIMBLE, & MITCHELL),
New York, NY., April 29, 1968.

Re Proposed Treasury and congressional action relating to industrial aid financing.

Mr. MARQUETTE DE BARY,
Chairman, Committee for the Evaluation of Industrial Aid Financing, Washington, D.C.

DEAR MARQ: I am writing to confirm our various conferences and telephone conversations relating to the Proposed Treasury Regulation dealing with industrial development bonds and the pending Congressional legislation known as the "Curtis Amendment" and the "Ribicoff Amendment."

I have, many times, stated to you our position that the Treasury does not have the power or authority to legislate in the area concerned, its power being limited to one of interpreting the Code. I have also spoken to you concerning the question of tax exemption for state, municipal and other public obligations and informed you that there is a school of thought which believes the power to regulate such tax exemption is vested in the Congress and another school of thought which believes that such tax exemption stems from the Constitution of the United States and may not be affected by Congressional legislation. Without getting into the merits of the latter two schools of thought, I believe that it can be positively stated that all agree on the first premise, namely, that the Treasury may not legislate in this area.

In respect to the proposed Treasury regulation, most well informed people dealing with or having knowledge of the problem, feel that the proposed regulation of the Treasury constitutes legislation and goes beyond the level of pure interpretation. You may ask how such conclusion is arrived at and in response to any such query, please let me advise you of the contents of a meeting which I attended in Washington on Friday, April 19, 1968.

That meeting was attended by Mr. Stanley Surrey, Assistant Secretary of the Treasury for Tax Policy and Mr. Fred R. Becker of his office. Numerous other people attended and represented various educational institutions as well as various public authorities which by virtue of legislation have the ability to assist both public and private institutions for higher education and, in certain states, non-profit hospitals. The meeting was also attended by the representatives of the American Council on Education. The purpose of the meeting was to register objection and explore alternatives to the proposed Treasury regulation which, while purportedly designed to deal only with industrial aid financing actually affects all financings by public bodies involving private or non-profit schools, hospitals, electric power and gas utilities, and other similar publicly oriented purposes when the lessee or mortgagee of the financed facility is obligated to pay to the issuer moneys which are adequate to service the debt of the issuer and to pay all other expenses of operation and maintenance of the facility. Quite clearly, the proposed regulation extends into many areas beyond the industrial aid sector.

At the conference, both Mr. Surrey and Mr. Becker clearly stated that such effect was specifically intended by the proposed regulation emphasizing that the proposed regulation was not to be limited solely to industrial aid problems. It was conceded that the language of the proposed regulation referring to industrial development bonds is a misnomer and that, in fact, the proper terminology should have been industrial development "type" bonds. I am enclosing herewith as a separate attachment, an additional summary of the meeting prepared by John Holt Meyers, Esq. who appeared at the meeting on behalf of the American Council on Education. His summary generally reflects the problems but perhaps goes a little bit too far in concluding that all states might require remedial legislation.

I would prefer to suggest that most but not all states would require remedial legislation. Before moving to the next comment, I should also like to point out that the Treasury views as expressed at the meeting include within the scope of industrial development bonds and the collateral prohibitions which stem therefrom not only revenue bonds but, additionally, so-called general obligation or full faith and credit bonds, it being the view of the Treasury that if there

is a combination of revenue and tax or full faith and credit pledge, that the pledge beyond the revenue pledge simply constitutes a guarantee by the public body designed to constitute a cover up of the Treasury's conclusion that any conduit type bond is in reality a bond of the lessee or mortgagee and not a bond of the issuer.

As you know, there has been much talk about the Congress enacting legislation dealing with the industrial aid problem whereby the Congress might include a dollar limitation on the size of any given industrial aid bond with a further provision that any such issue in excess of the dollar limitation would not be entitled to tax exemption. Such a proposal, if enacted into law might very well be arbitrary and unreasonable and therefore subject to litigation for the purpose of having the limitation declared unconstitutional. Other alternatives have been suggested and discussed but each alternative seems to have a weakness in one form or another, either financial, legal, or practical. We believe that we are faced with an extremely complex problem which before action and legislation should be given careful and complete study with the hope that we will avoid many resultant problems. It would be our hope that the "Curtis Amendment" would be enacted into law by the Joint Conference thereby forestalling the action of the Treasury which can only lead to enumerable problems not only in the industrial aid area but in many other areas of municipal, state and public finance. We fully recognize the value of the "Ribicoff Amendment" and the thoughts of those who sympathize with the imposition of a cut-off date for industrial aid financing. The "Ribicoff Amendment", which we understand was drafted by the Treasury, and has its support, includes many of the problems implicit in the proposed Treasury regulation in that while it purports and seems to be directed solely to industrial aid financing may readily be interpreted by the use of the term "commercial" as going far beyond the expressed purpose. Additionally, it includes various stated exceptions which may also be construed as being arbitrary and unreasonable with a consequent possibility of litigation to have the bill declared unconstitutional; in this regard, for example, many people fail to understand an exception made for the construction and financing of a stadium used by football or baseball teams.

Certainly, it is not our province to advise you concerning the ramifications of industrial aid financing in respect of its affect on general municipal financing and any cost which is shifted to a normal municipal undertaking by virtue of industrial aid financing. You have made a complete and thorough study in this regard and we are completely aware of your views as well as the views of those who differ with you; however, we do not feel that we could write this letter to you without directing your attention to the fact that the cost of municipal borrowings in general reached the highest level in about forty years during the period of February and March of 1968, a period during which industrial aid financing had been stalled and stopped by virtue of a proposed cut-off date then existing.

If we may be of further service to you and if you desire amplification on the views, please call upon us.

With kindest personal regards, I am

Very truly yours,

WILLIAM H. CANNON.

Mr. CURTIS. The letter refers to a meeting by the writer of the letter with Mr. Stanley Surrey, Assistant Secretary of the Treasury for Tax Policy, and Mr. Fred R. Becker of his office. I quote from the letter:

The purpose of the meeting was to register objection and explore alternatives to the proposed Treasury regulation which, while purportedly designed to deal only with industrial aid financing actually affects all financings by public bodies involving private or non-profit schools, hospitals, electric power and gas utilities, and other similar publicly oriented purposes when the lessee or mortgagee of the financed facility is obligated to pay to the issuer moneys which are adequate to service the debt of the issuer and to pay all other expenses of operation and maintenance of the facility. Quite clearly, the proposed regulation extends into many areas beyond the industrial aid sector. At the conference, both Mr. Surrey and Mr. Becker clearly stated that such effect was specifically intended by the proposed regulation emphasizing that the proposed regulation was not to be limited solely to industrial aid problems.

Then, Mr. President, the letter contains this statement:

I should also like to point out that the Treasury views as expressed at the meeting include within the scope of industrial development bonds and the collateral prohibitions which stem therefrom not only revenue bonds but, additionally, so-called general obligation or full faith and credit bonds, it being the view of the Treasury that if there is a combination of revenue and tax or full faith and credit pledge, that the pledge beyond the revenue pledge simply constitutes a guarantee by the public body designed to constitute a cover up of the Treasury's conclusion that any conduit type bond is in reality a bond of the lessee or mortgagee and not a bond of the issuer.

Then, Mr. President, the letter points out that the Ribicoff amendment contains all of the errors found in the regulation itself.

In light of what has transpired, I am thoroughly convinced that the only way to handle this matter is for the conference to retain the Curtis amendment, eliminate the Ribicoff amendment, and that hearings be held.

Mr. President, in addition to the letter to which I have referred, I ask unanimous consent to have printed at this point in the RECORD a letter from the firm of Williams, Myers & Quiggle, signed by Mr. Myers.

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

WILLIAMS, MYERS & QUIGGLE,
Washington, D.C., April 24, 1968.

Mr. LAURENCE N. WOODWORTH,
Chief of Staff, Joint Committee on Internal Revenue Taxation, Longworth House Office Building, Washington, D.C.

DEAR MR. WOODWORTH: In response to your request, there is enclosed herewith a memorandum setting forth briefly the experience with respect to tax exempt bonds issued by authorities created in various states for the purpose of supporting dormitories, academic facilities and the like at private as well as public colleges and universities and hospital facilities not only for such institutions but also for public and private nonprofit hospitals. In all instances of which we have knowledge, the bonds are directly tied to the particular institution's dormitory or facility, the lease payments and the structure being security for the bondholders. In one state consideration is being given to requiring an advance deposit of one year's lease rentals by the institutions. The fund thus created might be used as security for defaults by participating institutions but the bonds themselves would still be directly tied to the institution and facility with respect to which they were issued.

As I advised you, the Treasury takes the position that bonds issued under such circumstances are covered by the proposed regulations with respect to "industrial development bonds" and, hence, will become taxable. The Treasury does not believe that there is any way, by regulation, to recognize that the construction of such facilities at private nonprofit educational institutions is a "public" activity to be distinguished from the construction of a meat plant for a private concern even though in many cases the same project may be supported in part by a Federal grant or loan and/or a state grant or loan. The Treasury position is that, in such instance, the obligation is not the obligation of the state or political subdivision but of the university, college or hospital which could itself not issue tax exempt bonds.

In a conference held on Friday at the Treasury's request, the Treasury officials suggested that they might be able to take a different position if the bonds of various institutions were in fact pooled and the obligations not directly tied to a particular lease or project. From a practical point of view, it seems clear that an open-end pool of this sort would produce bonds which could not be marketed unless the state itself were to guarantee the bonds or somehow insure their payment with tax revenues. Such a guarantee would be impossible under the constitutions of a number of the states and in any event unlikely. It is conceivable that closed-end pools of bonds might be created but the practical difficulties of doing this are great. In addition, any such procedure would require modification of the statutes in all of the states. Even if this were feasible, it would not be possible in the immediate future because of the nature of the legislative sessions in the various jurisdictions.

The so-called Ribicoff amendment printed in the Congressional Record at 8147 has been suggested as an alternative. This amendment does not specifically include in the exceptions from bonds "used for industrial or commercial purposes" bonds issued to finance facilities for colleges, hospitals and similar noncommercial activities. However, the colloquy between Senators Ribicoff and Javits on 8156, the letter from Mr. Surrey introduced into the record by Mr. Javits on the same page thereof and the colloquy between Senators Scott and Ribicoff the following day would seem to establish clearly the intent of the Senate as to the continued exemption of such bonds from Federal income taxation. Whether the colleges, universities and state authorities created for their benefit have a right to rely on this I cannot say. If the Conference Committee does accept the Ribicoff measure, it would certainly help if the report made clear the exception in favor of bonds issued by state authorities created for the purpose of providing dormitories and other facilities at private colleges and universities and hospital facilities at public and private nonprofit institutions.

If the Treasury, despite Ribicoff, continues to adhere to the position expressed in the proposed regulations and apply them equally to steel plants and college dormitories, there will, of course, be an interim problem because of the effective date of the Ribicoff bill which, we understand, is not subject to change by the conferees under the conference rules. There is some doubt in my own mind as to the continued application of the proposed regulations even if the Ribicoff measure is accepted unless, of course, this is somehow clarified by the Conference Report.

With best personal regards,

Very truly yours,

JACK MYERS.

Enclosure.

P.S.—Because of the time involved, I have not had an opportunity to review the memorandum or this letter with those directly concerned. I will, however, do so immediately.

J. H. M.

P.P.S.—It is to be noted that Congress has always treated public and private colleges and universities as equal not only in virtually all of the Federal grant, aid and research programs but also in the Internal Revenue Code itself. Where discriminations of one sort or another have been called to its attention, Congress has quickly caused them to be corrected. For example, see IRC Section 403(b) ("public schools" added to give public institutions the benefit of the same annuity provisions available to private educational institutions); IRC Section 511(a)(2)(B) (unrelated business tax applied to state colleges and universities as well as private colleges and universities) and IRC Section 170 (b)(1)(A) (benefits of extra 10 percent deduction extended to public institutions where it previously applied only in cases of private colleges and universities). The reason for this was well expressed by Congress in extending the exemption from retailers and manufacturers excise taxes and the transportation and communications taxes to operating nonprofit educational institutions in the Excise Technical Changes Act of 1958. "It is believed that the exemption from excise taxes for purchases by public schools without similar exemption for nonprofit private schools represents discriminatory treatment." If the proposed regulations with respect to industrial development bonds are allowed to stand, there will be obvious discrimination in favor of public colleges and universities *vis a vis* similar private institutions.

J.H.M.

APRIL 24, 1968.

MEMORANDUM

(Re: Authorities created by states (or municipalities) for the purpose of providing dormitories and academic facilities at public and private institutions.)

A number of states, including New York, New Jersey, Ohio, Massachusetts, Rhode Island, Connecticut, Vermont, Alabama, Mississippi, Pennsylvania and Virginia, have passed or are about to pass statutes creating state or municipal authorities whose purpose is to provide dormitories, academic or other facilities at colleges and universities, public and private. In some states, the authorities may also provide facilities for public and private nonprofit hospitals. The details of the legislation in the various states differ although most are generally patterned after the New York statute, which has been in existence for several years.

1. *New York*—New York's basic statute provides for a dormitory authority which issues bonds for state and private institutions. The statute came into existence in 1961. Since that time, the authority has actually sold 10 issues for the benefit of the state university, having a face value of approximately $200,000,000. In addition, the authority has issued $86,000,000 of notes in connection with planned or authorized projects. The same authority has marketed approximately 65 issues for the benefit of private colleges and universities having a total value of $300,000,000 with $40,000,000 of notes issued under the same circumstances as set forth above. Needless to say, the issues have benefitted not only the major private institutions, such as New York University, Cornell, Columbia, Syracuse and Fordham, but also many smaller institutions, such as, Ithaca, Mills College of Education, Keuka, Cazenovia and Briarcliff College. One issue in the amount of approximately $5,000,000 was to have been sold for the benefit of Niagara University on Tuesday but the sale was canceled because the issue would not meet the transition rules with respect to the proposed Internal Revenue Service regulations on industrial development bonds.

2. *Connecticut*—Connecticut's authority is fairly new. Under it, bonds may be issued for the benefit of private and public nonprofit colleges and private and public nonprofit hospitals. One $4,000,000 bond issue has been sold for the University of Hartford and one $9,000,000 bond issue has been marketed for the benefit of Middlesex Hospital. A $3,400,000 issue for the Rockville General Hospital had to be canceled for reasons similar to those set forth above. In addition, as in New York, there are a number of hospitals and colleges which are in the process of completing or have completed the requirements with respect to the issuance by the authority of bonds for their benefit.

3. *Rhode Island*—The Rhode Island statute, very new, is about to be amended to include hospitals as well as colleges. It authorized the issuance of bonds for dormitories as well as academic and other facilities insofar as colleges are concerned. One in the amount of approximately $12,000,000 has just been sold for the benefit of Brown University. Other universities, including Brown, have other applications pending for approval.

4. *Pennsylvania*—Pennsylvania's authority primarily for the benefit of nonprofit private universities and colleges has just been activated. The University of Pennsylvania, Duquesne, Villanova and Pennsylvania Military College, among others, have made or are making application to the authority for assistance.

5. *New Jersey*—The New Jersey statute has just been passed.

6. *Vermont*—The Vermont statute has been in existence for two years. Its experience is not known although it is not believed that any private institutions have yet benefitted therefrom.

7. *Massachusetts*—The Massachusetts statute is about to pass the legislature after changes made as a result of a special decision by the highest court of Massachusetts as to the statute's constitutionality.

8. *Alabama*—The Alabama state law authorizes municipalities to create authorities for the benefit of private and public colleges and hospitals within 15 miles of the corporate limits of the municipality. There are apparently separate statutes for private and public authorities. At least three small colleges, which were ineligible for Federal grants because of their financial instability, have benefitted from authorities created by the municipalities in which they are located by reason of bond issues sold for their benefit.

9. *Mississippi and Virginia*—Mississippi and Virginia have passed or are about to pass statutes based upon the Alabama pattern.

10. *Ohio*—The Ohio statute, based apparently on the New York-Connecticut pattern has just passed this year and no bonds have as yet been issued.

The best judgment is that the average bond issue will exceed $5,000,000 even in the case of many small colleges and universities. Many planned issues, both for hospitals and colleges and universities, are in the range of $20,000,000 to $30,000,000. For example, the issue scheduled for the benefit of the University of Pennsylvania is in the neighborhood of $40,000,000 to $50,000,000. In the case of Pennsylvania, as in the case of many institutions, considerable expense has already been incurred in planning, purchase and negotiations with the dormitory bond authorities.

It should be noted in passing that there may be difficulty in some instances in determining whether a particular college is or is not a public instrumentality for the purposes of the proposed regulations. In Pennsylvania, for example, Penn State, which is already held to be a public instrumentality, has a completely private board of trustees. Pittsburgh and Temple have long been recognized as private institutions but now accept state aid and certain controls and are considered to be "state related." In a number of states, the major state institutions have such constitutional separation that they have been recognized by the Internal Revenue Service as exempt under IRC Section 501(c)(3) rather than as public instrumentalities, for example, the University of Michigan.

JACK MYERS.

LEST WE FORGET

Mr. CURTIS. Mr. President, it has been a long time since the North Koreans seized the U.S.S. *Pueblo*. The fact that many events have taken place both at home and abroad since that seizure does not lessen the importance or significance of this act committed against the United States.

Perhaps the *Pueblo* has been forgotten by some. I hope that official Washington has not forgotten the *Pueblo* or the officers and men that constituted her crew. It is gratifying to know that while there are many voices in the country raised in defense of the hostile acts of Communists whenever they take place anywhere in the world, there are still those who raise their voice in defense of America and American citizens. No nation in the history of the world has ever done anywhere near as much as the United States has done since World War II in protecting the helpless, defending liberty, feeding the starving, and resisting aggression. As [redacted] we have acted unselfishly.

Mr. President, I invite to the attention of all Senators, of all who constitute the Government of the United States, and of the public at large, how one newspaper has refused to forget the *Pueblo* and has refused to forget the American citizens who serve on her crew. On May 1, 1968, the Omaha, Nebr., World-Herald published a brief editorial, as follows:

HOW LONG?

This is the one hundredth day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

For 99 days prior to May 1, the World-Herald ran a similar editorial. I commend that newspaper for what it has done. I believe that the story of what it has done merits a place in the official RECORD of Congress. I hope that it will be noticed by all in Washington, lest we forget.

Mr. President, what has our Government done, and what is it now doing to obtain the release of the *Pueblo* and her crew?

RATIFICATION OF GENOCIDE CONVENTION FITTING TRIBUTE TO WARSAW GHETTO

Mr. PROXMIRE. Mr. President, last week Congress honored the 25th anniversary of the uprising in the Warsaw ghetto. Speeches in both Houses praised the bravery and daring of those great men and women who faced the full might of the Nazi war machine. A concurrent resolution commemorating this tragic event, passed both houses.

Such action is in the American tradition of honoring men who love and fight for freedom, no matter of what nation, race, or religion. Yet there is another, perhaps better, memorial we can offer in long-lasting tribute to those gallant people of the Warsaw ghetto. We can ratify

the Convention on the Prevention and Punishment of the Crime of Genocide.

It is indeed terribly sad that 25 years after the systematic and wholesale slaughter of millions of human beings, the United States has not taken this small step toward protecting the right of people everywhere to live without fear of national, religious, or racial extermination.

Mr. President, I urge the Senate to correct this situation now and ratify the Convention on Genocide.

NATIONAL COLLECTION OF FINE ARTS TO OPEN MAY 3, 1968

Mr. PELL. Mr. President, a major cultural event will take place in our city tomorrow evening, for at 9 o'clock the National Collection of Fine Arts will have its opening ceremonies.

One could go into many superlatives on the longstanding need for a National Collection of Fine Arts. One could trace the development of the concept and culminate it with a discussion of the excellent collection which has been hung and will be permanently on view. Suffice it to say that at last indigenous American art, works by our own citizens, now have a home—an institution devoted to exhibiting what is best in our heritage.

In the old Patent Office Building, our citizens—for truly this is a collection which through its many services will be viewed throughout the country—will be able to trace the growth and recognize the richness of America's visual artistic heritage. That oft quoted cliche about the last 20 years finally making the Nation an artistic center will be laid to rest, for it will be seen that there was an artistic richness almost from the time of our Nation's founding. Great representational art will be juxtaposed with avant garde works, all American.

An interesting facet of the collection relates to those works of art which came out of the WPA artists' program. Perhaps our country's first experiment in support of esthetic endeavors, the WPA program has never been given the recognition it so truly deserves. Through it, many artists whose names are well known today were able to continue working at their craft in days when there were little funds for anything other than food. However, the New Deal recognized the value of art, and today our Nation is richer for that foresight. Fortunately, we now have a National Endowment for the Arts, which has an ongoing program of support for the arts; and hopefully our children will likewise benefit.

I should like to congratulate Dr. S. Dillon Ripley, Secretary of the Smithsonian Institution, of which this new museum is a constituent part; David W. Scott, Director of the National Collection of Fine Arts; Adelyn Dohme Breeskin, Acting Curator for Contemporary Painting; Jacob Kainen, Curator of Prints and Drawings; and Richard P. Wunder, Curator of 19th Century Painting and Sculpture. Also, a special word to Charles Olin and his staff of art conservators, who have helped make the exhibit a technically excellent one. My wish is for a great opening and continued success.

Mr. President, I ask unanimous consent to have printed in the RECORD two articles, one published in the Washington Post of April 28, 1968, the other in Newsweek magazine of May 6, 1968, concerning this great event.

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

[From the Washington Post, Apr. 28, 1968]

A MAJOR NEW ART MUSEUM TO OPEN

(By Paul Richard)

This city, already rich in museums, is about to become considerably richer. Next weekend, with suitable ceremonies and fanfare, the Government will open a major new museum here devoted exclusively to American art.

History will haunt the opening. Ghosts of long dead planners will celebrate with the tuxeodoed guests. For the new gallery fulfills a vision that was conceived long before any of us were born.

The sculpture in the fountained courtyard are steel and new. Contemporary, too, are many of the brightly colored prints and paintings hanging in the vaulted halls. But the collection that contains these things is more than a century old and the building that houses them is older still.

The museum was conceived in 1846 when Congress, establishing the Smithsonian Institution, provided, somewhat vaguely, for the inclusion in the Institution of a national "gallery of art."

The gallery's new home is the Old Patent Office Building, an enormous Greek Revival monument at 8th and G Streets nw. It was built in the 1830s on a grassy hilltop that Maj. Pierre L'Enfant had designated as a suitable site for the new Republic's national cathedral.

In the decades that followed, the fortunes of both the old building and its newest tenant waxed and waned. Both were repeatedly threatened with destruction. Both were stalked by misfortune and neglect.

The Smithsonian's art collection—now known as the National Collection of Fine Arts—was destroyed, apparently forever, shortly after it was born.

On a freezing night in January, 1865, workmen preparing for an exhibition installed a portable stove amid the plaster casts and Indian paintings exhibited in the second floor art gallery of the Smithsonian's "Castle on the Mall." The chimney into which they plugged their stovepipe was not a chimney but a ventilation shaft. Almost the entire collection was destroyed in the resulting fire. Plans for the development of a national gallery came to a complete stop.

In the years that followed, the Old Patent Office Building had its troubles, too. During the Civil War it served as barracks, hospital and morgue. Fire gutted it in 1877. The building began to slip into decay.

Then the gallery's fortunes began to grow. The Government, realizing that the Republic, despite its riches, had no national art museum of any sort, officially revived the Smithsonian's long-forgotten gallery of art.

Collections and funds began to trickle in. "Temporary" exhibition space was set aside in the Museum of Natural History on the Mall. The future seemed bright. But whenever the gallery seemed about to blossom, new arrivals appeared in Washington and shoved it back into the dark.

First, Charles Lang Freer, a Detroit millionaire, gave the Nation his collection of Whistleriana and Oriental art. The new Freer Gallery opened on the Mall in 1923.

Then Andrew Mellon came along. In 1936 he offered the Nation his $30 million collection of irreplaceable old masters and an additional $20 million with which to build and endow a new museum on the Mall.

Mellon insisted that his offering be called the National Gallery of Art. It was. The Smithsonian's national gallery, its name appropriated, was then renamed the National Collection of Fine Arts.

Congress had noted both the sorry state of the National Collection and the National Gallery's heavy emphasis on European art. Responding to both patriotism and remorse, it sketched a broad new program for the National Collection of Fine Arts. The Smithsonian was given a new mission. It was told to encourage American artists and the appreciation of American Art.

That sudden burst of enthusiasm generated much activity. A site was selected for a new National Collection building on the Mall. A design competition, won by Eero Saarinen, the architect of Dulles Airport, was conducted. Ringing speeches were given. But nothing happened.

Then, in the decade following World War II, interest in the dormant and impoverished National Collection revived again.

The world had begun to realize the international importance of the new American art. Avant-garde painting, nourished by the programs of the Works Progress Administration, was blossoming in New York. That city's Museum of Modern Art was thriving. But Washington still had no Federal gallery of American art.

The sudden acceptance and popularity of the new American painting coincided with the threatened destruction of the Old Patent Office Building. Legislators who considered it useless and inefficient introduced a bill that would have replaced [redacted] columns, its marble halls and spacious courtyard, with a parking lot.

That disaster was averted. In 1958 Congress decided to save the building, to renovate its interior, and to turn it over to the National Collection of Fine Art (which will open its Galleries to the public on May 6) and to the new National Portrait Gallery (which will open in the fall).

Six million dollars were spent on renovations. The Collection was given a new director, Dr. David Scott, and a new mission. Despite the insufficiencies of its finances and its collection it was told to prepare suitable programs for its new and enormous home.

The task will not be easy. Unlike the National Gallery, which from the moment of its inception played a unique role in the Nation's Capital, the National Collection faces a future filled with competition and uncertainty.

In its efforts to assemble a rich survey of historical American paintings it will surely bump up against the National Gallery, whose holdings in 18th and 19th century American paintings are growing steadily. The National Gallery is extremely rich and planning to expand.

In the field of contemporary art, which ten years ago appeared wide open, the Collection will have to compete with yet another new museum. Joseph H. Hirshhorn, an insatiable collector, has given his vast collection of 20th century paintings and sculpture to the United States. As soon as governmental finances permit, a building and garden specially designed to house his gift will be built across from the National Gallery on the Mall.

The city's private galleries are thriving, too. In staging temporary exhibitions the National Collection will be competing not only with the National Gallery and the Hirshhorn Museum, but with ambitious programs of the Corcoran, the University of Maryland and the Washington Gallery of Modern Art.

The National Collection has readied itself for the struggle. In the decade since it was promised its new home, it has changed from a moribund adjunct of the Smithsonian into a scrappy and ambitious institution.

It has succeeded in capturing important new collections (including the 102 contem-

porary works of the S. C. Johnson Collection which it was given in 1966). Its staff, its holdings and its activities have grown. And it has sponsored a wide variety of lively and scholarly exhibitions that have been shown in Washington, in other American cities and at international art festivals abroad.

The 500-work inaugural show and this week's celebrations mark a major turning point. After decades of poverty, dormancy and neglect, the National Collection and the extraordinary building it inhabits will finally and unmistakably come to life.

[From Newsweek, May 6, 1968]

THE NATIONAL COLLECTION

Washington's Smithsonian Institution, which has been called everything from a "billion-dollar curiosity shop" to a "hodgepodge of engines and false teeth," has never been, for the most part, a center of the arts. Such disparate objects as Lindbergh's "Spirit of St. Louis," the Hope Diamond, four-legged chickens and the world's largest crystal ball have attracted more attention than its art. Once the Smithsonian held its extraordinary nineteenth-century American-paintings collection in such disregard that they were hung in ghastly green frames behind the stuffed elephant in the Natural History Museum.

Fortunately, American art has come of age at the Smithsonian. When its National Collection of Fine Arts opens this week in the famous Old Patent Office Building, not only will the collection have its first permanent home but the U.S. will have its first national gallery devoted to the history of American art.

The museum will also house a major art library and will enrich its collection of photographs, microfilms and documents, and expand its lending program and educational facilities to government agencies, American Embassies and schools. "It is the big dream," says National Collection director David Scott. "The dream is so big, so preposterous that I'm still catching my breath."

To celebrate the opening artists Tony Smith and Louise Nevelson are making sculptures, President Johnson will give a dedication speech to 2,000 blue-ribbon guests, and more than 500 works of art, selected from the 11,000 pieces that the National Collection owns, will be exhibited. Displayed on all four floors of the building and in the courtyard, the huge exhibition includes a major two-century collection of prints, a survey of American art from the eighteenth century to the present and an especially large show of twentieth-century paintings and sculpture.

Thus it is possible to see everything from the American primitives to the abstract expressionists and the pop and op painters, from the Hudson River and the Ashcan Schools to the WPA artists and the contemporary Washington Color Painters. "We're going to push all sides," says Scott. "We don't want to slight historical art but there is good reason to concentrate on twentieth-century art. It's much more exciting."

BEST

Over the years the National Collection has amassed much unique material. It boasts the biggest and best American impressionist collection in the world, including Childe Hassam and John Twachtman, and owns eighteen Albert Pinkham Ryders, the largest single group in the country. Richard Wunder, curator of eighteenth- and nineteenth-century art, notes American impressionists are returning to favor. "Only last year the National Gallery bought the best Twachtman they could get for an enormous sum and it couldn't match any of ours. And our Ryder pictures are the best he painted. No one can touch them."

The National Collection has major collections of the work of twentieth-century sculptors Paul Manship and William Zorach and all the works and the studio of neoclassicist Hiram Powers. "We are the natural repository of America sculpture," says Wunder, "because no other museum in the entire country has the kind of space to show large-scale works."

The National Collection might open some fascinating new views on American art as it pulls from its stacks and exhibits excellent paintings of forgotten artists. Especially noteworthy is the haunted Toulouse-Lautrec-like world of feather-boaed dancers, lusty men, and flighty androgynes created by Romaine Brooks, an American expatriate, now 90, who lives in Paris. William H. Johnson, a Negro, has vividly charted the social injustices and torments of the American Negro through violent colors and primitive shapes, and H. Lyman Sayen has dynamited the American landscape with all the brilliance and force of the fauves. "One of our jobs," says Adelyn Breeskin, curator of twentieth-century painting, "is to acquire works of artists who have fallen by the wayside."

DORIC

The collection's building, however, renovated at a cost of $6 million, emerges as the masterpiece of the National Collection. Designed in 1836 by Robert Mills, the architect of the Washington Monument, the building, with its four Doric-columned temple facades, is a superb example of Greek Revival American architecture. The interior is a delightful mixture of Gothic groin vaults, Egyptian hypostyle halls, and terrazzo floors. In its long life, the building has been used for exhibiting patent inventions, billeting Civil War troops and staging Lincoln's second Inaugural Ball.

Founded in 1846 in the Act of Establishment of the Smithsonian Institution, the National Collection, like the National Gallery of Art, the Corcoran, the Phillips and the Freer, will undoubtedly become one of Washington's and the country's major museums. "We are going to have not a frozen but a continuing and living survey of American art," says Scott. "Within ten years we hope to be the Tate Gallery of America. But our first great job is to consolidate the collection, build the staff, and assess the role of leadership that has been thrust upon us. We have a monument and now we must find out how to direct it."

IMPROVEMENT OF SOUTH VIETNAM MILITARY FORCES

Mr. McGEE. Mr. President, one of the most welcome developments to become apparent in Vietnam has been the improved capability, morale, and discipline of the South Vietnamese military forces. This was made evident by the failure, during the Tet offensive, of the North Vietnamese and Vietcong to entice Saigon troops into turning coat. We can look, as well, at more recent combat operations, in which the South Vietnamese Army has performed its tasks with proficiency, including the current operations in the A Shau Valley.

As the Evening Star reported last night in an editorial, this increased level of performance on the part of the South Vietnamese military gives hope that in time they will be able to assume, as have the troops of South Korea, the major burdens of their own national defense. I ask unanimous consent that the Star's editorial be printed in the RECORD.

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

LOYAL TO SAIGON

One of the bitterest disappointments of the Viet Cong and the North Vietnamese is that their Tet offensive—their all-out Lunar New Year assault on South Vietnam's cities—failed to bring about a "general uprising" against the Saigon government. And the most discouraging thing of all, apparently, was the collapse of their propaganda campaign to entice "officers, troops, policemen and public servants of the southern puppet administration" to defect to the side of Ho Chi Minh.

This has been made clear by recently captured Communist documents. As a Star correspondent has reported from Saigon, the documents show a desperate pre-Tet effort on the part of Hanoi and the Viet Cong to persuade members of the regular South Vietnamese army to turn traitor and "leave the enemy ranks for our people and our fatherland." The appeal suggested that economic, political and other rewards would be bestowed on all military units or individual soldiers who "voluntarily rise up to stage a coup d'etat or an uprising." The response, however, was completely negative. American authorities back up President Thieu's claim that there were virtually no defections during or after the Tet turmoil.

It has been more or less fashionable in the past, in some quarters, to belittle the quality of South Vietnam's armed forces. But what is becoming increasingly evident now is that those forces—officers and men in the ranks—have toughened up to a point where their military proficiency, discipline, loyalty and morale command respect. The show they have been putt[redacted]ate suggests that they will be able in due course—like South Korea's troops—to assume the major burdens of national defense. This is a prospect of prime significance.

RESEARCH CLUES SECTION OF THE NEA JOURNAL

Mr. YARBOROUGH. Mr. President, every month the Educational Resources Information Center—ERIC—of the U.S. Office of Education publishes "Research in Education," a review of research conducted under the auspices of the U.S. Office of Education.

As all of us know that this research, necessary though it is, is of little value unless its results are disseminated among those people who can translate it into operational programs.

The Office of Education is to be congratulated for its efforts in the dissemination of research results which in the instance of its September, October, and November 1967 issues of "Research in Education" is included in the NEA Journal of February and March 1968 in a regular section of the Journal titled "Research Clues."

I ask unanimous consent to have printed in the RECORD the "Research Clues" section of the NEA Journal for February and March 1968.

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

[From the NEA Journal, February 1968]

RESEARCH CLUES

(NOTE.—This regular monthly feature of brief research summaries is designed to encourage the teacher to become familiar with significant research in instruction and to conduct action research of his own. It should be remembered that research studies on a particular topic do not always agree and that no single study should be considered to reveal the final answer. The items below are based on a review of research reported in the

September and October 1967 issues of Research in Education, which is published monthly by the Educational Resources Information Center (ERIC) of the U.S. Office of Education. The accession number of each report upon which these summaries are based is given to facilitate further investigation by the teacher.)

What does recent research say about optimum class size?

A study group of the New York State Teachers Association reviewed many research studies concerned with class size. The group found that approximately 80 percent of the research reviewed either substantiated the value of small classes or was inconclusive. When principles of research methodology were applied to variables affecting learning, 5 out of every 6 studies tended to favor small classes.

The group also pointed out that teacher judgment and experience should receive serious consideration in determinations of class size. Teachers have learned that large classes force development of a group norm expectancy, whereas smaller classes allow the teacher to be innovative to give more attention to individual differences, and to employ better teaching practices.

Although recognizing the difficulties involved in determining class size and grouping policy, the study group pointed out that optimum class size of 25 is the average of those class sizes where consideration has been given to purpose, grouping, educational philosophy, pupil characteristics, and different kinds of learning. (ED 011 470.)

Has any recent research evaluated the phonovisual method of teaching beginning reading?

Researchers compared the achievement test performances of two groups of children for grades 1, 2, and 3 in two Pasadena, California, schools to evaluate the effectiveness of a three-year experimental program using the Phonovisual method of reading instruction. They also analyzed the differences between the mean scores of groups at each grade level, and for each sex within the respective groups, on achievement tests in reading vocabulary, reading comprehension, and spelling.

Five researchers found the children in the experimental school to be superior to their counterparts in the control school in each analysis of test performance. Although the girls' performance was generally superior to the boys', boys exposed to the Phonovisual method were aided substantially in achieving higher levels of proficiency in reading skills. (ED 011 498.)

Can mnemonic devices be helpful to high school freshmen?

A Texas study attempted to discover whether or not high school freshmen who had not used mnemonics could profit by their use. It also tried to determine whether the mnemonics should be supplied to the student or whether the student should be taught to construct his own.

The study revealed that the use of mnemonic devices led to a marked improvement in test scores. Also, any type of mnemonic device supplied by the experimenter was found to be effective. Supplying such devices appeared to be more effective than requiring the student to make his own. (ED 011 088.)

Do older students learn more if the teaching methods are student-centered?

An inquiry into the effects of greater learner autonomy on achievement among teacher education students compared a lecture-discussion method used in regular class meetings with a "continuous progress" method in which students had only two formal class meetings devoted to procedural, not substantive matters. One control and one experimental class (taught by the same instructor) were involved in the investigation.

In the experimental method, the student received a packet containing a list of behavioral objectives, instructions, a list of assignments, study guide questions, introductory readings, and for some units, a worksheet. He was tested upon completion of each unit, and moved to the next unit if he passed. If not, he repeated the unit and was retested, sometimes on a different test.

On a 75-item criterion test (also used as a pretest), significantly higher post-test scores were earned by the continuous progress students. Significant differences in favor of the experimental method were found for the 10 students with the lowest grade-point average, but this was not so in the case of the two groups of 10 students with the highest grade-point average. (ED 011 253.)

[From the NEA Journal, March 1968]

RESEARCH CLUES

(NOTE.—This regular monthly feature of brief research summaries is designed to encourage the teacher to become familiar with significant research in education and to conduct action research of his own. It should be remembered that research studies on a particular topic do not always agree and that no single study should be considered to reveal the final answer.

The items below are based on a review of research reported in the November 1967 issue of Research in Education, which is published monthly by the Educational Resources Information Center (ERIC) of the U.S. Office of Education. The accession number of each report upon which these summaries are based is given to facilitate further investigation by the teacher.)

How effective is the lecture as a teaching technique?

A recent survey of research on the lecture technique revealed that it is fairly effective for imparting information when the purpose is to arouse interest in a subject and when retention over a period of time is not important. However, it has its limitations. A lecture must be short and carefully constructed. It should be simple in language and style. It should present only meaningful and uncomplicated information. (ED 011 640.)

What does research say about the feasibility of the year-round school?

In evaluating year-round schools. Polk County, Florida, schools requested the Florida Educational Research and Development Council to make a study of the literature on the year-round operation of public schools and a nationwide survey of state departments of education. Three of seven plans were selected for special analysis—regular year, plus summer attendance; staggered four quarters; and the trimester.

Public reaction from 4,210 respondents (2,477 parents, 487 teachers, and 1,246 students) favored the regular school year, plus a summer program operated without cost to parents but with attendance compulsory for students not promoted and voluntary for others. A plan providing 210 days of continuous study for all pupils was recommended as the best means of increasing the educational quality level and obtaining the greatest amount of educational return per dollar invested in the public schools. (ED 011 690.)

Has the effectiveness of programed learning in an audiolingual language course been investigated recently?

Yes, a recent experiment at the University of Akron was made to determine whether a self-instructional course utilizing a language laboratory was more effective than a course taught under traditional classroom conditions, whether the percentage of students dropping out could be reduced significantly, and whether student interest could be maintained.

A comparison between the experimental and control groups yielded the following information: (a) A smaller percentage of students dropped the experimental course. (b) Low-aptitude students who completed the course did well. (c) A greater percentage from the experimental group than from the control group continued in and completed their second-year French. (d) All students of the experimental group attained exceptional accuracy in pronunciation. (e) Generally, the experimental group did as well as the control group, and significantly better in their mastery of the spoken language and in their variety and accuracy of grammatical structures. (f) At the end of the second year, students from the experimental group had maintained their standing in respect to the students from the control group. (g) Low-aptitude students achieved results that compared well with those of more gifted colleagues. (h) A completely self-instructional program, without a teacher, is not feasible. ED 011 737.

Another study, at Indiana University, examined the results of six years of research on self-instruction in a foreign language. The Indiana researchers concluded that total programed instruction seems productive only in cases where very slight behavioral changes are sought. Experiments have shown that it is most useful in modules at early levels for teaching specific features of pronunciation, grammar, or vocabulary.

Partial programing, such as that developed at Indiana University, suggests that live teaching and programed instruction can be complementary. The machine is used for routine drill while the teacher provides situations and opportunities for the student to transfer structure and vocabulary learned and practiced in the laboratory to natural communication in which he adjusts to the unpredictability of another person's responses. (ED 011 743.)

Is reading achievement at the primary level greater in smaller classes?

Yes, according to a recent University of California study. A three-year experimental primary-grade reading program conducted with a 50-percent reduction of reading-class size was evaluated in the Riverside, California, Unified School District for the years from 1962 through 1965. Test scores were analyzed for 656 children in the experimental group who had two or more years of experience in the experimental program and for 602 in the control group who had one year or less in the experimental program.

The small-class program (an average of 15 students per class) was started in a stratified random sample of seven elementary schools the first year. Six schools were added the second year, and eight more the third year. Data gathered from the Metropolitan Readiness Tests in grade one, Metropolitan Achievement Tests in grades two and three, the California Short Form Test of Mental Maturity in grade two, and the School and College Aptitude Test in grade four were analyzed according to experimental and control group readiness, intelligence, reading achievement, and sex differences.

The experimental group achieved significantly higher than the control group, according to the amount of time spent on the experimental program. Findings indicated that first grade instruction was most crucial, and that boys benefited more from reduced class size than did girls. (ED 011 813.)

PEOPLE'S MARCH ON WASHINGTON

Mr. CARLSON. Mr. President, there is much concern not only among the citizens of Washington, but all over the Nation, in regard to the proposed poor people's march on Washington. The concern is not over the fact that these people are coming to Washington as a part of a protest movement, but the concern

is over the fact that it may get out of hand and develop into riots and disorder.

The freedom and security of every person depends upon all people obeying all the laws. We must keep in mind that if we destroy obedience to the law, the minorities will be the first and most fearful losers.

The civil rights problem of the United States will not be solved by riots and countermeasures. It will be solved by all citizens mutually cooperating in programs for the betterment of all mankind.

The May 6 issue of the U.S. News & World Report contains an excellent interview with the chairman of the Subcommittee on the District of Columbia Appropriations, the distinguished Senator from West Virginia, Hon. ROBERT C. BYRD. In the interview, Senator BYRD discusses frankly and fully some of the problems confronting the Nation's Capital. 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:

Question. Senator Byrd, what is your opinion of the planned "poor people's march" on Washington?

Answer. In my opinion there is no legitimate reason for the march on Washington. It can hardly serve a constructive purpose.

It will place an additional burden upon the already overtaxed metropolitan police department. It can inconvenience the citizenry and interfere with the orderly operations of the city.

It will place an added burden upon the taxpayer, who will be forced to pay the cost of extra health and police-protection measures. And it carries with it the potential for additional civil disorder and violence.

Question. Just what is the purpose of this march?

Answer. The stated purposes have not been clear. There have been suggestions concerning increased federal spending and additional legislative programs to help the poor, but the Federal Government is now spending at an annual rate of 25 billion dollars to help the poor.

I feel that the purpose of the march is to intimidate and pressure Congress into passing unwise legislation, and I also feel that the promoters of the march hope to gain publicity for themselves.

Question. If one purpose is to demand that Congress vote vast new sums of money, do you think Congress will go along?

Answer. I doubt that the Congress will vote vast new outlays of money for such programs as have been suggested, and I certainly hope that the Congress will not act under duress.

Question. Would you say that Congress has been generous with the District of Columbia?

Answer. I believe that the Congress should appropriate a larger federal payment to the city, and I have supported a larger payment. However, I think it should be stated in fairness to the Congress and to the District government that, while Negroes do constitute nearly 65 per cent of the total population in the District of Columbia, they constitute 92 per cent of the school population, and few people are aware that the District of Columbia ranks No. 1 among 15 cities of comparable size in the number of professional staff per 1,000 students.

Of the patients in D.C. General Hospital, 94 per cent are indigent, and at least 80 per cent are Negroes. The cost to the District of Columbia of indigent patients will be close to 24 million dollars in fiscal year 1968.

Additionally, approximately 90 per cent of the public-assistance case load is nonwhite, by family units. It should also be of interest that the Congress in recent years has appropriated increasing amounts of money for playgrounds and swimming pools and recreation projects, the beneficiaries of which are, in the main, Negroes.

Job-training programs and poverty programs and summer-employment programs have been directed in very large measure to benefiting the Negro population.

So, I think it is only fair to state that, by far, the major portion of the tax dollar that is spent in the District of Columbia has been spent for the education, the recreation, the health and welfare of Negro families, and the appropriation for fiscal year 1968 was half a billion dollars, which, aside from federal grant-in-aid funds, is a sizable sum of money.

Question. Senator, do you feel the city of Washington has been hurt by the recent violence and rioting?

Answer. Yes. Aside from the embarrassment and the unfavorable publicity, the city has suffered much costly destruction.

Many business people were subjected to great financial losses. The city revenues will be reduced as a result of lost taxes. The tourist business has been adversely affected. Many Negro families lost employment and shelter. Additional and costly burdens were placed upon the police and health and welfare departments. And race relations were set back.

Question. Are you concerned about the trend of events, nationwide?

Answer. I am greatly concerned for my country, regardless of any outside situation. I feel that we can see ample evidence of destruction of our nation from within.

Question. Some people say this is a situation being fomented, or, at least, exploited by Communists. Do you think there has been Communist inspiration, in some cases?

Answer. I would not ascribe it entirely to Communist inspiration or even mainly to such. I do think Marxist elements seek to exploit it.

I ascribe it more to the general atmosphere of permissiveness that has developed increasingly over the past two decades, during which we have seen the Supreme Court of the United States, through various decisions, virtually handcuff the police and encourage the lawless elements to become more active. This permissiveness has been generated also by the spate of mass demonstrations and acts of so-called civil disobedience which have been encouraged by some civil-rights leaders, some public officials and by a few clergymen. Add to this, the trend toward welfarism and the growing disregard for fundamental principles—belief in God, strong patriotism, willingness to work and earn one's way—and it should be evident that our republic may have started on the road to its ultimate decline and fall.

Question. What is the answer?

Answer. I suggest that, first of all, our country needs strong, courageous leadership.

Second, government has a right to survive, and its first duty is to preserve law and order. This can be done and it must be done—now.

Third, I believe it is vital that all Americans strive toward better understanding and that whites and nonwhites strive mutually to get along with one another. There must be mutual respect between the two races.

People must also face up to the fact that legislation cannot confer status on anyone, but that this must be earned through effort and proper conduct. Finally, the home, the school, and the church have got to do these things: Teach respect for authority and foster the fundamental principles of strong patriotism, industriousness, desire to earn one's way through honest toil, and a genuine belief in God. There must be a spiritual recrudescence if we are to save the flesh.

NUCLEAR WEAPONRY AGREEMENT ENDANGERED

Mr. McGEE. Mr. President, the world has come a long way toward reaching some form of agreement concerning the spread of nuclear weaponry. Certainly this is true when Russia and the United States have agreed to a treaty by which they would, together, guarantee other nations against the threat of nuclear blackmail. This milestone has been reached, however, and for the first time since the advent of the atomic age there is a serious prospect that membership in the nuclear club can be limited and policed to halt effectively the spread of these terrible weapons.

The irony is that new nations—a handful of them—from Africa are threatening to hold up a vote on the treaty in the United Nations, simply, as Crosby Noyes points out in a column published in the Evening Star of April 30, on the basis of self-assertion. If they succeed, the doubts concerning the effectiveness of the U.N. must certainly increase. That is, in itself, a problem which concerns us greatly.

Mr. President, I ask unanimous consent that Mr. Crosby's column, "A Propitious Time To Freeze Nuclear Club," be printed at this point in the RECORD.

There being no objection, the article was ordered [redacted]ed in the RECORD, as follows:

A PROPITIOUS TIME TO FREEZE NUCLEAR CLUB

(By Crosby S. Noyes)

It would be ironic if the treaty to prevent the spread of nuclear weapons now being debated at the United Nations should be blocked or seriously delayed by a handful of African states.

For these African countries, of all the countries in the world, would make the least sacrifice by renouncing the possession of weapons which they have no prospect whatever of acquiring in the foreseeable future.

Their move in the General Assembly to hold up a vote on the treaty is purely for the sake of self-assertion. Their threat to delay the signing of the treaty until after a meeting of non-nuclear countries at Geneva next summer is inspired by the sheer joy of exasperating the great powers.

It is the more ironic in that the great powers, after decades of futile diplomatic dithering, have finally come up with something promising in the field of weapons control.

It is not the millennium. The validity of any treaty depends on how accurately and how long it continues to reflect the real interests of the countries that sign it. The Kellogg-Briand Pact of 1928 outlawing war was hailed in its day as a monumental achievement, only to become a grim mockery a few years later.

One may hope that halting the spread of nuclear weapons will be in the real interests of all countries for a long time to come. But no treaty is likely to prevent a country from building nuclear weapons if it has the capacity to do so and if its survival depends on doing so. And even within the present membership of the nuclear club, the danger of an explosion does not encourage complacence.

Still, the nuclear treaty does rate as a major accomplishment. The mere fact that it is sponsored by the United States and Russia, over the bitter objections of Communist China and the reservations of some of our European allies, is a switch of major significance. The joint Russian-American guarantee to other countries against nuclear blackmail—aimed directly at China—is a fascinating indicator of how times have changed.

These features of the treaty are, in fact, more interesting than the central agreement not to give nuclear weapons or technical knowhow to non-nuclear nations. Since neither Russia nor the United States had the slightest intention of doing this to begin with, there was no difficulty with that part of the contract. Even the fact that two nuclear nations—China and France—will not sign the treaty is not looked on as a serious drawback.

The real effectiveness of the treaty in halting the spread of nuclear weapons, of course, depends on how many non-nuclear nations take the pledge. Not only do they agree not to buy or build their own weapons for at least 25 years, the initial duration of the treaty, but also to submit to an effective system of international inspection when it comes to the use of nuclear energy for peaceful purposes.

This raises serious problems for a number of countries, particularly those that have the technical knowhow and industrial capability of becoming nuclear powers in their own right. Until quite recently, there have been serious doubts that such countries as West Germany, Japan, Italy, Sweden, Egypt and Israel would sign the treaty.

There is less doubt today because of an ingenious bit of arm-twisting written into the treaty itself.

The provision specifies that the nuclear powers cannot give or sell nuclear fuel for peaceful purposes to countries that have not signed the treaty or at least agree to international inspection of their atomic plants. Since this provision affects especially the more advanced nuclear-capable countries, it is hoped it will provide a strong incentive for signing.

And so for the first time there is a serious prospect of freezing the membership of the nuclear club and policing peaceful reactors which, by 1980, will be turning out enough plutonium to make 15,000 nuclear weapons each year.

It is an opportunity which may not come again and which most certainly should not be passed up now. Even the possibility that this effort could be frustrated by the vanity and frivolity of a few irresponsible members of the U.N. would cast the most serious doubt on the future of the world organization.

DICK NIXON TALKS SENSE

Mr. HRUSKA. Mr. President, in the welter of campaign oratory which floods America in this political year, one voice rings through the clamor and confusion with bell-like clarity. It is the voice of Richard Nixon.

While many liberal candidates with long records of big-government and big-budget sponsorship campaign in the Nation's heartland with calls for returning the Government to the people; while many who have defended deficit financing as the cure to the Nation's ills now preach fiscal responsibility; while many who have been a part of the administration's Vietnam policy now call for our withdrawal from Southeast Asia; while such political expediency has been assailing the eyes and ears of the American electorate, one man—Dick Nixon—has been talking sense to the U.S. voter.

This fact has been recognized by the editors of Time, the weekly news magazine, in its current issue. Treating of the candidates' statements on the urban crisis, Time said:

No candidate has addressed himself more realistically to the plight of the Negro slum dweller thus far in the 1968 campaign than did Richard Nixon last week. In a nationwide CBS broadcast, the former Vice President defined a philosophy that combined pragmatism, compassion and faith in the black American's will to achieve his aims within the framework of society.

That same commonsense, constructive approach to a wide range of American problems has characterized Mr. Nixon's campaign statements.

I ask unanimous consent to have printed in the RECORD the highlights of Dick Nixon's radio broadcast on the problems of the cities, as they were published in Time.

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

NIXON ON RACIAL ACCOMMODATION

(NOTE.—No candidate has addressed himself more realistically to the plight of the Negro slum dweller thus far in the 1968 campaign than did Richard Nixon last week. In a nationwide CBS broadcast, the former Vice President defined a philosophy that combined pragmatism, compassion and faith in the black American's will to achieve his aims within the framework of society.)

Today we commonly speak of the urban crisis. And yet the problems wrenching America today are only secondarily problems of the cities. Primarily, they are problems of the human mind and spirit. For years now, the focus of talk, of debate, of action has been on civil rights—and the results has been a decade of revolution in which the legal structure needed to guarantee equal rights has been laid in place. Voting rights, schools, jobs, housing, public accommodations—in all of these areas, new laws have been passed, old laws struck down. The old vocabulary of the civil rights movement has become the rhetoric of the rearview mirror.

DISMAL CYCLE

And yet these victories have not brought peace or the fullness of freedom. Neither have the old approaches of the '30s—the Government charities that feed the stomach and starve the soul. For too long, white America has sought to buy off the Negro—and to buy off its own sense of guilt—with ever more programs of welfare, of public housing, of payments *to* the poor, but not *for* anything except for keeping out of sight: payments that perpetuated poverty and that kept the endless, dismal cycle of dependency spinning from generation to generation.

Our task—our challenge—is to break this cycle of dependency, and the time to begin is now. The way to do it is not with more of the same but by helping to bring to the ghetto the light of hope, and pride and self-respect. We have reached a point at which more of the same will only result in more of the same frustration, more of the same explosive violence, more of the same despair. The fiscal crisis now confronting America is so great, and so urgent, that only by cutting the federal budget can we avert an economic disaster in which the poor themselves would be caught calamitously in the undertow.

The reality of the national economic condition is such that to talk of increasing the budget to pour additional billions into the cities this year is a cruel delusion. But this does not mean that because we cannot do more of the same, we must do nothing new For the fact is that all the money in the world wouldn't solve the problems of our cities today. We won't get at the real problems unless and until we rescue the people in the ghetto from despair and dependency. If the ghettos are to be renewed, their people must be moved by hope. What we do not need now is another round of unachievable promises of unavailable federal funds.

What we do need is imaginative enlistment of private funds, private energies and private talents in order to develop the opportunities that lie untapped in our own underdeveloped urban heartland. We need incentives to private industry to make acceptable the added risks of ghetto development and of training the unemployed for jobs. Bridges of understanding can be built by revising the welfare rules so that, instead of providing incentives for families to break apart, they provide incentives for families to stay together; so they respect the privacy of the individual; so they provide incentives rather than penalties for supplementing welfare checks with part-time earnings. We must make welfare payments a temporary expedient, not a permanent way of life, something to be escaped from, not to. Our aim should be to restore dignity to life, not to destroy dignity.

Black extremists are guaranteed headlines when they shout "Burn!" or "Get a gun!" But much of the black militant talk these days is actually in terms far closer to the doctrines of free enterprise than to those of the welfarist '30s—terms of pride, ownership, private enterprise, capital—the same qualities, the same characteristics, the same ideals, the same methods that for two centuries have been at the heart of American success. What most of the militants are asking for is not separation but to be included in, to have a share of the wealth and a piece of the action. And this is precisely what the central target of the new approach ought to be. It ought to be oriented toward more black ownership, for from this can flow the rest: black pride, black jobs, and, yes, Black Power—in the best sense of that often misapplied term. XXXXXXXXX

PROMISE AND FULFILLMENT

We should listen to the militants, hearing not only the threats but also the programs and the promises. They have identified what it is that makes America go and, quite rightly and quite understandably, they want a share of it for the black man. The ghettos of our cities will be remade when the people in them have the will, the power, the resources and the skills to remake them. They won't be remade by Government billions. We have to get private enterprise into the ghetto. But at the same time, we have to get the people of the ghetto into private enterprise.

At a time when so many things seem to be going against us in the relations between the races, let us remember the greatest thing going for us—the emerging pride of the black American. That pride, that demand for dignity, is the driving force that we all can build upon. These past few years have been a long night of the American spirit. It's time we let in the sun. It's time to move past the old civil rights and to bridge the gap between freedom and dignity, between promise and fulfillment.

EFFECTIVE FIREARMS CONTROL LAWS NOW EXIST

Mr. ALLOTT. Mr. President, on Saturday, April 27, I was rather startled to read an Associated Press dispatch, published in the Washington Post, which quoted the Attorney General of the United States as saying that the sniper slayer of Dr. Martin Luther King might not have been able to buy with "impunity" the death weapon which was used in the slaying of the civil rights leader if Congress had acted in the past to deal with Federal firearms control legislation. I shall read the entire article to Senators. Mr. Clark opts that Dr. King's assassin might not have been able to buy the murder weapon with impunity if there had been strong Federal laws on the books to control the interstate shipment of firearms.

The headline is: "Clark Ties King Slaying to Gun Law," and the article is as follows:

Attorney General Ramsey Clark, urging strong laws to spike gun sales, said yesterday the sniper slayer of Rev. Dr. Martin Luther King, might not have been able to buy the death weapon if Congress had acted in the past.

The Senate Judiciary Committee recently approved a measure to outlaw shipping hand guns across state lines after spurning a broader ban the day Dr. King was shot to death in Memphis, Tenn.

Clark told newsmen Dr. King's slayer "may not have been able to have bought that rifle at that time with impunity" if there had been strong Federal laws on the books controlling the interstate shipments of both rifles and pistols.

Mr. President, I differ with Mr. Clark's observations in this regard. In fact, I must observe that this kind of public pronouncement beguiles and befuddles citizens into fearing that, in fact, there simply are no adequate firearm control laws on the Federal statute books. I presume—or at least I hope it is safe to presume—that the Attorney General knows better. I am referring of course, to the existence of two such laws which have existed for 30 years: the National Firearms Act of June 26, 1934, and the Federal Firearms Act of June 30, 1938. Lest I be accused of pushing the enforcement of some outmoded, 30-year-old law onto our new Attorney General, I shall read a section of the latter law, title 15 U.S.C., section 902(f), which I believe, as a former district attorney, is fully capable of enforcement and which might help some of our citizens realize that there are, at the present time, tough, adequate laws to deal with the question:

It shall be unlawful for any person who has been convicted of a crime punishable by imprisonment for a term exceeding one year or is a fugitive from justice to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce, and the possession of a firearm or ammunition by any such person shall be presumptive evidence that such firearm or ammunition was shipped or transported or received, as the case may be, by such person in violation of this chapter.

I would point out, Mr. President, that essentially the same language appears in section 922 of title IV of S. 917, which the Attorney General appears to favor so strongly.

It appears, also, that Congress as long ago as 30 years had the wisdom to accompany its laws with penalties which it hoped might insure the worth of its legislation. Section 905 of the Federal Firearms Act prescribes penalties for any person violating the provisions of the act and provides for a fine of not more than $2,000 or imprisonment for not more than 5 years, or both.

The information developed so far by the Federal Bureau of Investigation describes Dr. King's assassin as James Earl Ray, also known as Eric Starvo Galt, a man who not only is a fugitive from justice, but also is a person who has spent more than his fair share of the public's money in penitentiaries as a result of having been convicted more than once of crimes punishable by imprisonment for terms exceeding more than 1 year. It would appear, at least it is to be hoped, that this man, when apprehended, is ripe for a proceeding under the Federal Firearms Act.

Mr. President, I honestly believe that citizens would be more disturbed if they realized the problems of the lack of enforcement of present law than they are for the need for the passage of new laws dealing with the same problems. Nothing stagnates more quickly than criminal statutes which have never felt the fresh animation of honest enforcement. Criminal statutes denied honest enforcement quickly fossilize on the shelf of public mockery and disregard. This is true, of course, whether it be the 5-month-old provisions of Public Law 90–226 providing penalties for persons engaged in or inciting riots in the District of Columbia or the 30-year-old statutes dealing with Federal firearms control legislation.

It may be, Mr. President, that Dr. King's assassin obtained the murder weapon "with impunity" not out of any lack of respect for congressional efforts to deal this year with firearms legislation as suggested by the Attorney General, but because he knew of the incredible lack of success by the Departments of Justice and the Treasury to proceed against anyone under the laws to which I have referred. On page 75 of the 1967 hearings before the Juvenile Delinquency Subcommittee is a table, presented by the Director of the Treasury Department's Alcohol and Tobacco Tax Division, of the number of cases prepared for prosecution under the statutes to which I have already referred. This table shows the following:

CRIMINAL CASES PREPARED

Fiscal year	National Firearms Act	Federal Firearms Act	Combination (both acts)	Total
1963	293	55	10	358
1964	306	53	14	373
1965	321	60	17	398
1966	346	100	19	465
1967	515	184	21	720

How many of these cases were eventually presented to the various U.S. attorneys throughout the country for prosecution, or were actually prosecuted, we do not know. But we do know that a recent Federal grand jury indictment in New York revealed a startling fact: It was the first indictment by a Federal grand jury concerning the interstate shipment of guns under the key enforcement provision of the Federal Firearms Act.

The importance of effective enforcement of present firearms legislation was raised in a recent column of Roger Latham which appeared in the February 6, 1968, issue of the Pittsburgh Press. I ask unanimous consent that this entire column be printed in the RECORD.

Where James Earl Ray got his sense of "impunity" about these matters I do not know. I frankly doubt if Mr. Clark really knows. But I do know that Congress has dealt in the past with this subject and that a sense of "impunity" might well be derived from a realization that no law is self-executing, and that an executive branch which fails to execute the will of the legislative branch immobilizes the democratic process.

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

OLD GUN LAW FINALLY FIRES ITS FIRST SHOT

(By Roger Latham)

An article in the February issue of American Rifleman is written by Charles Lee Howard, an inmate in the Ohio State Penitentiary at Columbus.

Howard, who is serving his third felony sentence (15 to 55 years for armed robbery and kidnapping), tells how at 26 he had possessed 20 different pistols and got all but one of them illegally. In fact, 19 of the 20 were stolen.

He claims that from inside prison walls, the antigun uproar makes strange reading. He says:

"It's baffling that the people who want to prevent criminals like me from getting hold of guns expect to accomplish this by passing new laws. Do they forget that the criminal makes a business of breaking laws? No criminal would obey a gun law while committing a crime of equal or greater seriousness."

To carry this subject of gun laws a little further, a recent conviction by Federal agents revealed a startling fact. For the first time since its passage in 1938, a provision in the Federal Firearms Act concerning the interstate shipment of guns has been enforced!

Just recently, U.S. Attorney Robert Morgenthau obtained a Federal grand jury indictment against a Nanuet, N.Y., firearms dealer. The indictment charged that the mail-order house violated the 30-year-old law by shipping guns to individuals in other states who [redacted] oduced the required state or local licenses or permits.

ENFORCE PRESENT LAW FIRST

Sportsman interests have maintained for years before congressional committees and subcommittees consider new legislation that existing Federal firearms laws suffer from lack of enforcement by the U.S. Treasury and Justice Departments.

At the same time, the Treasury and Justice departments have been working strenuously for more rigid gun laws, pushing in particular for increasingly restrictive versions of the Dodd bills.

The delay in acting upon a provision of Federal law is a glaring example of lax enforcement. It lends strength to the position of law-abiding gun owners that existing laws never have been given a real chance.

Sportsmen see little merit in passing additional laws when Federal enforcement agencies have scarcely sampled the effectiveness of laws passed three decades ago.

This same lack of active enforcement probably also has contributed to the general lack of information about gun laws on the part of the public.

PENALTIES ARE THERE

The public has been led to believe there are no laws which prohibit criminals from obtaining firearms, even though such prohibitions have been a basic part of the Federal law since 1938.

The Act provides: "It shall be unlawful for any person who has been convicted of a crime punishable by imprisonment for a term exceeding one year or is a fugitive from justice to receive any firearm or ammunition . . ."

A violation of the act can bring imprisonment up to five years, a fine up to $5000, or both.

Once again, it may well have been the singular lack of enforcement which has created this impression among the public and the news media. Under questioning by Congressmen at hearings in Washington Treasury officials have claimed they are unable to enforce these firearms laws because of lack of manpower.

During the 1965 hearings, Treasury officials admitted that only two men and three

women were assigned full time to enforcement of both the 1938 Federal and 1934 National Firearms acts. This hardly seems a strenuous effort for a department which views the commerce in firearms with such alarm.

This lack of enforcement seems to go along with the lack of action on reasonable and useful firearms legislation.

NEW CONCERN OVER U.S. DETERMINATION TO STAY IN VIETNAM

Mr. McGEE. Mr. President, all along, during the years of struggle in Vietnam, the chief concern of our friends and allies in Asia has been over whether or not the United States has the determination, the persistence, and the patience to stay the course. This concern has arisen anew, as David Lawrence pointed out last night in the Washington Evening Star, in the wake of the recent and continuing talk of coming peace negotiations.

I ask unanimous consent that Mr. Lawrence's column be printed in the RECORD.

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

ASIAN STATES JITTERY OVER VIETNAM

(By David Lawrence)

A new crisis is emerging in Asia. Many of the smaller countries are beginning to worry about the possibility that the United States may give in to North Vietnamese pressure and agree to let the Communist-controlled rebels in the South—known as the National Liberation Front—play a vital part in the coming truce negotiations. What is mostly feared is that some "face-saving" formula is in prospect which will really mean in the end a takeover of all of Vietnam by the Communists.

It so happens that Communist activity has been sharply increased inside several countries in Asia. South Korea is fighting stepped-up infiltration and subversion by North Korean Communists. Indonesia is encountering guerrilla warfare with Chinese minorities in the northern part of the country. Cambodia is being troubled by sporadic guerrilla activities in three provinces. At least one third of Laos is under the control of Communist forces, and 40,000 North Vietnamese troops are in that country. The northern provinces of Thailand are the scene of Red terrorism and subversion. New trouble has been stirred up in Burma as well as in Northern India.

In the face of all this, what is the United States going to do? Pull out of South Vietnam? The prime minister of Malaysia said recently:

"If the Americans for some reason decided to give up this war in Vietnam and the North decided to take over the South, then it will be the end of us all."

Inside the United States, both Sens. Robert F. Kennedy and Eugene J. McCarthy, two of the Democratic aspirants for the presidential nomination, favor a "coalition" in the government of South Vietnam to include the National Liberation Front.

President Johnson has said that the NLF representatives could be consulted during the peace conference, but that he does not favor their participation directly in the negotiations or in the government to rule subsequent to the peace agreement. These comments are being interpreted throughout Asia nevertheless as meaning that the United States is trying somehow to wiggle out of Vietnam in order to meet domestic pressures. President Nguyen Van Thieu of South Vietnam shortly will meet in Washington with Johnson and outline his reasons why a "coalition" agreement of any kind would be fatal to the Saigon government. An American official in Southeast Asia is quoted this week in "U.S. News & World Report" as follows:

"Thieu's government would be overthrown by the South Vietnamese army within 24 hours if he puts his signature on a document that let the Liberation Front into the government."

Another U.S. official in Saigon makes this comment:

"No representative of the Liberation Front is going to be welcome in Saigon. Let them step out of the jungle and they would be assassinated. Or is Washington going to break up the South Vietnamese army and take away its guns?"

A spokesman for the State Department declared yesterday that the "Alliance of National, Democratic and Peace Forces"—a Vietnamese group which broadcast a manifesto from Hanoi over the weekend—would not be accepted by the United States government as a participant in the peace negotiations. The department's press officer, Robert J. McCloskey, noted that the "alliance" talked about setting up a national coalition government, and he made it clear that the United States does not intend to deal with the "alliance" in any way, because it is considered an organization directed by the National Liberation Front.

The officials of governments in Southeast Asia, of course, read the American newspapers. A number of editorials have appeared in prominent places in this country advocating a compromise which would lead to the withdrawal of American troops.

Since the presidential campaign undoubtedly will focus attention on the Vietnam issue, the Asian governments are apprehensive that the Johnson administration, despite its firmness heretofore, will indicate a willingness to make concessions which in the long run could only mean the overthrow of the South Vietnamese government and the rise of a Communist regime in Saigon.

DALLAS MORNING NEWS EDITORIAL ENDORSES GUADALUPE NATIONAL PARK APPROPRIATION

Mr. YARBOROUGH. Mr. President, at a time when the country is concerned with Federal spending and getting the most for its money, it is hard for me to believe that Congress would pass up a bargain. I am talking about the Guadalupe Mountains National Park, authorized by Congress in 1966.

In that same year, Congress appropriated money to buy one-third of the land to make this park a reality. The remaining land—with its plants and wildlife conscientiously preserved by its owner, Mr. J. C. Hunter, of Abilene, Tex.—may be purchased by the Government at a bargain price, for the State of Texas has agreed to donate to the National Park Service its extensive mineral interests in the area.

The Dallas Morning News of April 24, 1968, contains an editorial entitled "A Time to Spend." Mr. President, the time to spend the money for the purchase of the additional land is now. The longer Congress delays in appropriating funds for the land, the higher the price of that land will become.

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

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

A TIME TO SPEND

U.S. Department of Interior has asked the House Appropriations Committee for $1,446,000 to purchase remaining land needed for Guadalupe Mountains National Park.

This beautiful scenic area in West Texas adjoins New Mexico; see pages 12 and 14 of the 1968–69 Texas Almanac. Congress authorized it in 1966. After much debate, the Texas Legislature removed oil-rights obstructions to its establishment.

Congress last year authorized $354,000 of a requested $1.8 million appropriation. The News' Washington Bureau predicts that the committee will recommend part of the current request in its appropriations report next month.

Owner J.C. Hunter Jr. of Abilene is offering the land to his nation at a bargain price. He has preserved its scenic beauty, plants and wildlife for many years so that all Americans may someday enjoy it. How much longer Hunter will continue this unselfish offer is in doubt.

This is no Texas boondoggle. Phoenix, Tucson, Albuquerque and Santa Fe are nearer neighbors to Guadalupe than Dallas is. Denver and Dallas are about the same distance from the park.

Deciding what and when to spend and save is one of the most perplexing problems individuals and governments face. The current fiscal crisis compounds the difficulty. Wise decision-makers must choose with extra care now. But here's a case where it's good sense to spend a little to gain a lot for all Americans, for all time.

SBA DISASTER ASSISTANCE TO GREEN[redacted]RK.

Mr. FULBRIGHT. Mr. President, on April 19, the town of Greenwood, Ark., was virtually leveled by a tornado which struck the main downtown area in mid-afternoon. After the initial shock, the citizens of the community looked to the Small Business Administration for disaster assistance. That agency responded with characteristic promptness and concern by setting up an auxiliary office in the stricken area and by rescinding a policy which might have seriously diminished the effectiveness of the disaster loan program. The Small Business Administration; its Administrator, Mr. Robert C. Root; the Director in Little Rock, Mr. Chris W. Ferguson; and his employees are to be commended for their prompt and sympathetic actions. I join my constituents in expressing appreciation for the services of the Small Business Administration and ask unanimous consent to have printed in the RECORD some of the correspondence that was exchanged on the subject.

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

APRIL 23, 1968.

HON. ROBERT C. MOOT,
Administrator, Small Business Administration, Washington, D.C.

DEAR MR. MOOT: Please accept my thanks and deep appreciation for the prompt action of the Small Business Administration in making its disaster assistance available to the people of Greenwood, Arkansas. Many responsible citizens of Greenwood have advised me, however, that changes made in your loan policy last month may seriously diminish the effectiveness of the disaster loan program.

As I understand this policy, the SBA now reduces the amount of a disaster loan, which might otherwise be justified, by an amount equal to the proceeds of a private insurance claim which might have been paid, if the disaster victim had been fully insured against the hazard causing the damage. I

further understand that such a policy had not been in effect prior to March 19, 1968, and that it was adopted as part of a general "austerity" policy throughout your agency.

Even if such a policy should be judged as wise and in the public interest, which I do not concede, I cannot accept as equitable the precipitate imposition of a limitation on the amounts of disaster loans without, so far as I am aware, any public discussion or any public notice of the effects of such a limitation.

Every citizen may be said to be a potential beneficiary of the Small Business Act and of policies adopted to implement that Act. Every citizen, therefore, may be expected to alter his position as a potential beneficiary in consequence of the law and administrative policies. I do not know what actions might have been taken by those whose businesses were damaged by the tornado in Greenwood, if they had known of your policy regarding private insurance policies. But the fact remains that, so far as I know, they had no real notice of this policy and an unreasonably short time to act even if they had notice. I submit that serious policy changes of this kind should not become effective without public discussion and public notice.

I respectfully request, therefore, that this policy change be rescinded. If, in the future, you should determine that such a policy is desirable, I am sure that the Congress would carefully consider a legislative proposal to amend the Small Business Act. I hope that you may act promptly in rescinding this policy, and I would appreciate a reply at your earliest convenience.

With best wishes, I am,

Sincerely yours,

J. W. FULBRIGHT.

SMALL BUSINESS ADMINISTRATION,
Washington, D.C. April 25, 1968.

Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Thank you for your letter of April 23, 1968, regarding our recent disaster loan policy change which reduces the amount of a disaster loan where the disaster victim was underinsured.

This will confirm our telephone advice to your office that pending issuance of public notice of this insurance policy change I have deferred its implementation.

Other members of the Arkansas Congressional delegation interested in the Greenwood, Arkansas, area have also been informed of this decision. Appropriate Congressional Committees will be advised.

I am pleased that we could comply with your request. If we can be of further help, please let us know.

Sincerely yours,

ROBERT C. MOOT,
Administrator.

FARMERS BANK,
Greenwood, Ark., April 25, 1968.

Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Thanks for your help at the time we needed you to give the March 19th ruling on the SBA. The disaster in Greenwood was terrible, however, we are recovering and in the process of re-building.

Our town will be bigger and better than ever. The people are working together and we have had a tremendous response from area towns in the clean-up job.

This is our means of expressing the feeling of all the people of Greenwood in saying thanks to you.

We look forward to your visit with us in the near future.

Yours truly,

MEANS WILKINSON, *President.*

APRIL 30, 1968.

Mr. MEANS WILKINSON,
President, Farmers Bank,
Greenwood, Ark.

DEAR MEANS: I do appreciate your thoughtful letter. One of the things that gives me pleasure is to be able to be of help to people like you and the citizens of Greenwood. I have seen the pictures of the terrible destruction, and naturally I will be pleased to do anything I can to be of assistance in rebuilding. If any further obstacles arise with the Federal agencies, please do not hesitate to let me know.

With best wishes, I am,

Sincerely yours,

J. W. FULBRIGHT.

FARM PARITY DROPS AGAIN

Mr. MUNDT. Mr. President, in a release dated April 29, which reached my office yesterday afternoon, I note that the Department of Agriculture in its publication, entitled "Agricultural Prices," states that the parity ratio for the farmer has declined one point to 73 percent.

This release confirms the position which I have been taking for many months, now, that the runaway inflation, launched and encouraged by the Johnson administration, is more seriously hurting rural America than any other area by depressing farm income and the resulting lowering of the farmers' parity.

The announcement by the Department of Agriculture stated that the index of prices received by farmers remained unchanged during the month from their continuing low level, but that the index of prices paid by farmers advanced three points during the month.

Mr. President, the announcement by the Department of Agriculture advises us that prices for food, clothing, building materials used in home construction and repairs, household furnishings, and autos and auto supplies rose 1 percent in 1 month, and 4 percent in the past year. Food prices alone averaged 1 percent above the March reported figure and 3 percent above a year ago.

Prices paid by farm families for wearing apparel averaged 1 percent higher than the March reported figure and 7 percent above a year earlier with the largest increase in average prices coming in women's clothing.

Prices paid by farmers in the past month for building materials used in the construction and repair of dwellings averaged 1½ percent above a month earlier and 7 percent a year earlier.

The index of prices paid by farmers for production goods in the past month increased one-third of a percent and was 1½ percent above a year earlier. Prices averaged higher for seeds, feeder livestock building and fencing materials, and motor vehicles.

Thus, Mr. President, with the prices for what he must purchase to continue operations increasing, and the prices he receives remaining stable, or even being depressed in some instances, it is no wonder that the farmer's parity and economic position deteriorates even further with every passing month. Agriculture prices and agriculture's parity cannot stand up under the blows which are being delivered on it from this administration. The agriculture economy cannot withstand the assault of increased imports which take away from the American farmer markets which are rightfully his. The economy of the American farmer and his parity ratio are bound to be depressed when the administration continues to permit the wage guidelines to be breached on all occasions which result in the increasing of the prices which farmers must pay for their items of living and production—while at the same time that same administration does not come forth with any new programs or recommendations for agriculture which will in any way increase the price which he receives for products which he produces.

The farmer's parity cannot withstand the assaults of unbalanced budgets and the deficit spending which have increased his interest rates to the highest levels in over 40 years and have placed an added burden on his costs of production.

Finally, the parity ratio of the farmers of the Nation cannot stand the assault by administrators and planners of this administration, which cut the funds for the Farmers Home Administration so that the FHA cannot meet even the applications for operating loans for farmers; which cut the funds for REA—the farmer's most economical hired man; which seemingly administers most programs to the detriment of the farmer instead of to his benefit.

The present farm parity level of 73 percent is back to where it is the lowest received by the farmers in 35 years, a further indication that—contrary to administration contentions that farmers "never have had it so good"—the majority of farmers today, who went into the business in the last three and one-half decades, "have never had it so bad."

I hope that with this new notice that parity has dropped another percent, the President will give the same attention to the economic problems of the farmer that he is giving to the people from the metropolitan areas of the country and to those who march on Washington to protest their plight.

ICC EXAMINERS ACT IN PUBLIC INTEREST

Mr. METCALF. Mr. President, I was heartened by two recent actions of examiners for the Interstate Commerce Commission, John S. Messer and Nathan Klitenic.

Mr. Messer urged that ICC use its authority to require railroads to provide decent passenger service. The evidence in numerous ICC reports shows that railroads have downgraded passenger service, he said:

The time has come—

Said Examiner Messer—

when the Commission can no longer act like a county coroner and, acting upon death certificates in the form of section 13a(1) notices, inquire by an inquest into the cause of passenger train demise. With very few exceptions the subject trains are at least in a terminal condition when the investigation is ordered. The urgent need is for preventive medicine.

Examiner Klitenic recently issued subpenas directing five brokerage houses to name the actual owners of 1,000 or more shares of stock in several railroads. His action follows a similar move by him last year, in ordering major western railroads to divulge the names of their 30 largest beneficial shareholders and the size of their holdings. It follows the action of the ICC itself in stating that the name of Cede & Co. could no longer be used as a cover for hiding the names of the real owners of stock in railroads.

Mr. President, the current requirements of regulatory commissions on reporting principal owners of utilities are meaningless. The real owners of the stock usually are not listed. "Street names"—which are usually brokerage houses—are listed. Sometimes, as in the case of "Cede & Co.," coverup names are used.

I commend the ICC and its Examiner Klitenic for taking initial steps to determine the actual ownership of railroad companies. I hope they will persevere and succeed. I hope the Federal Power Commission and the Federal Communications Commission will decide to require the reporting of names and addresses of the principal beneficial owners of electric, gas, and telephone utilities. The public has a right to know the ownership and interlocks of giant utility corporations which have more of the characteristics and prerogatives of government than of free enterprise, risk businesses. Enforcement of regulatory and antitrust responsibilities requires that the utilities fulfill their advertised claims that they live in goldfish bowls.

Mr. President, newspaper readers will soon be reading some interesting editorials about railroad passenger service and rates. Some of the editorials will say that opponents of passenger discontinuance "are making a last-ditch stand against the facts of life" and question the railroads' responsibility to provide service for "the few travelers who still want to ride their trains." The editorials will invoke comments by a spokesman for the Southern Pacific whose failure to provide adequate passenger service led to Examiner Messer's action.

Another of the editorials soon to be read around the United States will contend that the railroads have to have an immediate freight rate increase if a curtailment in the freight and passenger service rendered to the public is to be avoided. That is a sorry argument. The railroads got a $300 million rate increase last year; nevertheless, during the last 6 months of 1967 they discontinued 75 intercity passenger trains. One hundred and eight discontinuance proceedings were pending at the beginning of this year.

These editorials were distributed to editors this week by two of the canned editorial factories financed in part by the railroad and electric power industries. One of the editorial factories is California Feature Service in San Francisco, a product of Whitaker & Baxter "serving over 600 California newspapers, radio, and TV stations with news and views of the State and Nation." The other editorial is from Industrial News Review of Portland, Oreg., which distributes weekly free editorials to some 11,000 editors. The dozen editorials distributed by INR include each week one on behalf of the railroad industry, two on behalf of the investor-owned electric utilities. Other editorials regularly laud the chain stores, right-to-work advocates, the American Medical Association, REA Express, Pan American Airways, the Committee of American Steamship Lines, the American Meat Institute, the New York Stock Exchange, the chamber of commerce, the oil, drug, and timber industries.

Another Whitaker and Baxter editorial distributed on April 29 along with the Southern Pacific editorial dealt with the administration's credibility gap, lauding the American Society of Newspaper Editors for its opposition to "a policy of obscurantism for its own sake." The editorial concludes:

> The confusion and disillusion and unrest that pervade this nation today dictates strong appeals for restoration of mutual confidence between people and their government.

I wonder how long the people and their Government must wait until the American Society of Newspaper Editors decides to study and report on the policy of obscurantism and misinformation, financed by key national industries and pressure groups, that is regularly reflected in news media which use the products of California Feature Service, Industrial News Review, American Press, and the U.S. Press Association, which advertised that "for $175 will send your message to 1,199 weeklies and 150 daily newspapers."

Mr. President, I ask unanimous consent to have printed in the RECORD the conclusions and recommendations of Examiner Messer in Docket No. 34733, Adequacies—Passenger Service—Southern Pacific Co. between California and Louisiana, served April 22, 1968; the April 19, 1968, statement of Examiner Klitenic; an article by William Reddig, Jr., entitled "ICC Acts To Lift Veil Obscuring Real Rail Owners," published in the December 5, 1967, issue of the Washington Evening Star; the April 29, 1968, Industrial News Review editorial entitled "They Can't Beat Inflation"; and the April 29 California Feature Service editorials entitled "Setting History Straight" and "That Credibility Gap."

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

DOCKET NO. 34733

CONCLUSIONS

The special study by the Stanford Research Institute, which the S. P. commissioned and paid for, recommended that the carrier "make more vigorous efforts to gain public support of their position". Obviously, the S.P. ignored this advice.

The examiner does not share the conclusions of the special studies that the decline in intercity rail passenger traffic will continue unabated. The patrons of today's passenger-trains, with very few exceptions, are those who either have no choice in their mode of travel or prefer rail travel over other options. Like gold mining of bygone days, the sand and gravel have been washed from the pan in a rushing stream of discontinuances, infrequent service, broken connections, lack of service facilities, inconsiderateness, too slow transit time, and the options of air, bus and automobile travel. The passenger group that remains today are those too old or too young to drive, the blind and infirm, those who are afraid of air and highway travel, or who appreciate the comfort and safety of train travel as compared to other modes.

If the defeatist attitude of the rail carriers could be overcome and reasonable efforts be made to improve the passenger service, a considerable portion of the lost patronage could be recovered. True, the S.P. had a very traumatic experience in 1950 when it invested millions of dollars in new equipment for a luxury train, since recovered for the most part through depreciation, at just the time when the national highway program was in high-gear and commercial aviation was rapidly rising as a result of the propjet and pure jet aircraft development. The S.P. has never recovered from that experience.

With the facilities and service what they are today, it is reasonable to conclude that the level of patronage on the nations railroads has reached bedrock. Only the desperate and obstinate remain. Further decline in passengers can only be brought about by further train discontinuances. There are many ex-patrons who would joyfully return to an efficient passenger service.

The evidence reflected in this record, as well as in numerous other reports of this Commission, justifies the conclusion that the S. P., and other railroads, has downgraded its passenger-train service and that this has contributed materially to the decline in patronage. Wheth[redacted]ering of service standards was brought about by a determination to exterminate a marginal or deficit operation or an honest conviction that there is no further public need for passenger-train service, is a matter of personal opinion. However, this Commission was not created as a moderator but as the guardian of the public interest in matters relating to interstate commerce.

In *Railroad Passenger Train Deficit*, (supra) the Commission adopted the passive role of moderator with absolute negative results. In that report, nine recommendations were made aimed at alleviating the declining passenger patronage. In essence these were: (1) repeal of the 10 percent Federal excise tax on passenger fares; (2) reduce Federal taxes; (3) reduce State and local taxes; (4) create State and local subsidies; (5) encourage more use of passenger-trains by the Post Office Department, Department of Defense, and other agencies of the Government; (6) railroad management to take steps to eliminate duplicate services; (7) experimentation by railroads with new types of equipment; (8) improve the attractiveness of railroad passenger service as a means of stimulating more traffic; and (9) that railroad management make studies aimed at fare adjustments, schedule changes for convenience of passengers, and higher quality promotional activities.

The only one of these recommendations that was not completely ignored was the first one proposed and that in itself is a sad story indeed. Effective November 16, 1962, Public Law 87508 repealed the 10 percent Federal excise tax on passenger fares. That very same day the eastern railroads increased their passenger fares 10 percent and thereby diverted this tax revenue into their own pockets. One month later 8 western railroads, including the S. P. and its subsidiaries, followed suit. So this tax relief which was designed to encourage passenger traffic by reducing the cost thereof to the passengers was never even felt by the public.

The time has come when the Commission can no longer act like a county coroner and, acting upon death certificates in the form of section 13a(1) notices, inquire by an inquest into the cause of passenger-train demise. With very few exceptions the subject trains are at least in a terminal condition when the investigation is ordered. The urgent

need is for preventive medicine. As the family physician guards against serious illnesses by advice and direction, so must the Commission administer and enforce all of the provisions of the act, including section 1(4).

It is quite obvious that the S.P., and most other railroads for that matter, will not voluntarily make the effort necessary to retain and regain the patronage on its trains by all the improvements necessary. The salvation of the nation's rail passenger service rests with the governmental agencies, national, State and municipal, including this Commission.

The examiner is convinced that there is a present need for intercity passenger rail service. He is also persuaded that the need for this service will increase and become a critical factor in the future transportation requirements of the country.

Projections from the most reliable sources, both government and private, indicate that the vast flow of automobile traffic today will triple itself in the next few years and the nation's highways, both existent and planned, will be totally inadequate to meet such a demand.

The airways are already crowded and the larger capacity commercial airliners soon to go into operation will not solve the air transportation problem to any great extent. The increased load facility of the larger transports will simply aggravate the ground capabilities of the terminals for parking, baggage handling, etc., but most important is the tremendous growth in general aviation operations. As the railroads lost the business traveler to the commercial airlines so the commercial air carriers are losing the business traveler more and more each day to the private company plane. The element of flexibility in time and motion that lured the businessman from the train to the highway is acting to move him from the scheduled airliner to his company plane which enables him to move when he pleases and change his travel plans even in midflight.

Regardless of the inflight speed of aircraft, as the holding-time over the fields increases, the congestion in and at the airports is magnified, and the burden of traveling to and from air terminals located further and further from the urban centers becomes a serious problem, in many instances the gap between rail and air transit time will grow more narrow until the comfort and convenience of rail travel from and to the heart of the cities, only a few minutes from office and home, will become most attractive, *if* the trains are maintained adequately and operated efficiently.

There is a limit to the capabilities and capacities of the highways and airways and the most economical and efficient means of moving people from one place to another, the railroad cannot be ignored. It is inevitable that the demands of the future will require its employment to a greater and greater degree.

However, the needs of the future cannot be met by the trains of today. They are too expensive and inefficient. The railroad labor practices of today cannot be endured if the needs of the future are to be met. The present day attitudes of rail management must be overcome and enthusiasm replace lethargy.

The need for passenger rail transportation at present and especially in the future is clear. The rail carriers have a duty to meet the need but not alone. Equal responsibility rests with the Congress, with this Commission, the States, the local communities, and the public.

RECOMMENDATIONS

1. For the Commission to recognize its jurisdiction and exercise its authority under section 1(4) of the act by requiring all passenger-trains operating in interstate or foreign commerce to observe, within 30 days after the effective date of the order in this proceeding, and pendente lite, certain minimal standards similar to the following:

(a) Trains operating over a line of railroad in excess of 250 miles must include in their consist facilities for meal service of no less a standard than that provided by an automat car as previously described.

(b) Every train engaged in transporting passengers in interstate commerce between the hours of 10 p.m. and 8 a.m. must include in its consist adequate sleeping-car accommodations.

(c) Trains whose transit-time is 12 hours or more must include in their consist adequate sleeping-car accommodations and a diner-lounge car as well as additional meal service when required.

(d) All cars used for the transportation of passengers must be equipped with air conditioning and heating facilities, lighting, rest rooms, and drinking water, all in good operational order. These cars must be maintained in clean and sanitary condition, both interior and exterior.

(e) The average speed of passenger trains must not be less than that of the carrier's most expedited freight train.

(f) No consolidation of passenger trains may be effected where the consolidation exceeds 1 hour in execution.

(g) No freight equipment other than so-called "head-end" cars may be added to a passenger-train consist without approval from this Commission.

(Note.—The standards set forth in (b) and (c) will not be applicable to an "all-coach train" service where the carrier provides alternate service with sleeping-car service. As an example, the Santa Fe's El Capitan and the Super Chief service.)

STATEMENT OF ICC EXAMINER NATHAN KLITENIC, APRIL 19, 1968

Gentlemen, predicated entirely upon my own conclusions as to the evidence necessary to a determination of certain of the issues involved in these proceedings and acting exclusively upon my own initiative, I have caused to be issued 5 subpoenas duces tecum. These subpoenas have been served upon Mr. Francis J. Lyons, partner, Hold and Company, Washington, D.C., Mr. Arnold McCullough, partner, Cudd and Company, New York, New York, Mr. T. C. Lewis, partner, Sigler and Company, New York, New York, Mr. J. Eugene Banks, partner, Brown Brothers, Harriman and Company, New York, New York, and Mr. James E. Thompson, President, Merrill, Lynch, Pierce, Fenner and Smith, New York, New York.

Each party subpoenaed is required to appear in these proceedings on June 10, 9:30 District of Columbia Daylight Saving Time, Washington, D.C., and bring with him records of his concern disclosing:

1. Records disclosing names and addresses of each beneficial owner of 1,000 or more shares of stock in the Union Pacific Railroad Company, the Southern Pacific Company, The Atchison, Topeka, and Santa Fe Railway Company, the Chicago and North Western Railway Company, and The Denver and Rio Grande Western Railroad Company and

2. For each of the railroads named above, records showing the number of shares of shock voted by each of the 5 concerns in the year 1967, and for each beneficial owner of 5,000 or more shares of such stock.

[From the Washington (D.C.) Star. Dec. 5, 1967]

ICC ACTS TO LIFT VEIL OBSCURING REAL RAIL OWNERS

(By William Reddig, Jr.)

Who owns the railroads?

The Interstate Commerce Commission moved in two separate actions yesterday to lift the veil guarding the names of persons owning blocks of stock in the nation's railroads, where control often forms a web which would be confusing even to a spider.

William H. Tucker, ICC chairman, said here that the cover name of Cede & Co. could no longer be used in reports of stock ownership filed annually with the commission.

This shadow firm had been used recently as convenience by the New York Stock Exchange in order to automate transfers of railroad shares. The puzzled ICC found Cede had become the major owner of four of the nation's six largest railroads.

In St. Louis, ICC examiner Nathan Klitenic went even further and ordered the major western railroads involved in the Rock Island merger case to divulge the names of their 30 largest beneficial shareholders and the size of the holdings. Previous reports usually showed up with listings of street names (brokerage firms) as the owners.

Tucker said the use of Cede & Co. by the exchange had "misleading effect." Reports for calendar 1967, to be filed by March 31, 1968, will at least have to list the brokerage houses formerly consolidated under the Cede name.

Cede, the reports indicated, had become the largest owner of Union Pacific stock and the second largest stockholder of the Pennsylvania, Southern Pacific and Santa Fe.

The stock exchange said it had used the company's name, beginning last year, to simplify computerized transactions between brokers. The actual transfer of securities in railroads was almost eliminated by the automatic bookkeeping process.

Involved in the Rock Island merger case are such big [redacted]is as the Union Pacific, the Santa Fe, the Chicago & North Western, and the Southern Pacific, along with a dozen other connecting or competing railroads. Knowing who controls them is important to finding out where competing interests actually exist and their size.

Examiner Klitenic said that, in detailing ownership "street names are unsatisfactory." If the carriers can't get from brokerage houses the names of beneficial owners—who actually vote and receive dividends from the stock—"then you will have to go to the commission. This is their requirement," Klitenic said.

[From the Industrial News Review, Apr. 29, 1968]

THEY CAN'T BEAT INFLATION

With few exceptions, basic industries of most nations are owned and run by government. Instead of paying their way and contributing taxes for the support of government, they are supported by subsidies and are an onerous tax burden. This is the price of socialized industry. The one outstanding exception is the United States where basic industries are self-supporting, taxpaying enterprises. Instead of being a burden, they are counted upon not only to provide essential services but as a dependable source of tax revenue.

It is in the direct public interest for our basic industries to be able to earn a reasonable profit and thus continue to attract investors, produce goods and services, progress and pay the taxes so sorely needed today. These are the reasons why the petition of U.S. railroads for an immediate freight rate increase is of concern to everyone. The need for prompt action is best expressed in the words of various railroad officials. The chief executive officer of one road emphasized that immediate approval of rate increases by the ICC is "of critical and immediate urgency to this carrier if a curtailment in the freight and passenger service rendered to the public is to be avoided." Another warns that unless prompt action is taken, "the railroads cannot adequately meet the needs of this nation's commerce and the requirements of national defense—much less take our rightful place among other industries which have

earnings sufficient to attract institutional and professional investors."

Many have testified in the same vein. Reduced rail earnings and rising costs are beyond the reach of internal cost cutting. In the public interest, a higher rate level that will preserve the solvency of the railroads is required.

[From California Feature Service, Apr. 29, 1968]

SETTING HISTORY STRAIGHT

Some of the people who are making a last-ditch stand against the facts of life as they apply to railroad passenger traffic have resorted to the hoary argument that because there was federal subsidizing of transcontinental lines in the Civil War period the railroads are forevermore beholden to the few travelers who still want to ride their trains, no matter how outlandish the economic loss.

A reasoned answer to these critics has been made by a prominent railroad man in a letter to the San Francisco Chronicle. Setting the "subsidy" history straight, James G. Shea, general public relations manager for Southern Pacific, points out that the building of the Central Pacific Railroad, which later became the SP, was, in Abraham Lincoln's words, "a political as well as a military necessity."

Shea continues with the facts of the need for opening the west; of "land grants" in unsettled areas to insure that nearby government land would benefit by the coming of the railroad; of the return the government was given in half-rate transportation of freight, military goods and personnel for 80 years (until, after two World Wars, Congress decided the railroads had paid back the land values 9.6 times over). He points out that the "cash grants" by the federal government, in the form of a first mortgage, were all repaid at 6 percent interest by 1909. In addition, most of the best granted land was sold quickly by the railroads to settlers for as little as $1 an acre.

Fortunately for the country, the "military and political necessity" for once proved a mutual bargain.

As for the "public convenience and necessity" argument against abandonment of very costly long-run passenger service, Shea reminds that federal authorities assign air line routes to communities, and take them away, by applying a simple test: "Use it or lose it." Why the same test shouldn't apply to railroad passenger service now should be explained by nostalgic critics.

[From California Feature Service, Apr. 29, 1968]

THAT CREDIBILITY GAP

That the nation's newspapers are not merely in a snit when they complain about the Johnson administration's "credibility gap" was emphasized the other day by the American Society of Newspaper Editors.

The press quarrel with LBJ, the Society's Freedom of Information and Press-Bar Committee reported, is based largely on the fact that his administration "follows a policy of obscurantism for its own sake."

"All administrations manipulate the news to a greater or less extent," the report says, "and all have been known to conceal . . . and even lie about important information when it served their interests to do so. Coping with this is the task of every Washington reporter, and the ability to cope with it is what separates the men from the boys. But under LBJ the coping is immeasurably more difficult because official deceit is practiced both when there is a reason for it and when there is not."

That is a strong indictment, yet the confusion and disillusion and unrest that pervade this nation today dictates strong appeals for restoration of mutual confidence between the people and their government.

EIGHTH MEXICO-UNITED STATES INTERPARLIAMENTARY CONFERENCE—A BRIEF APPRAISAL

Mr. GRIFFIN. Mr. President, recently 17 Members of the U.S. Congress participated in an eminently successful meeting with Members of our parliamentary counterpart from Mexico.

The Eighth Mexico-United States Interparliamentary Conference, which took place in Honolulu during the Easter recess from April 11 to April 17, 1968, provided a unique opportunity for legislators of both countries to discuss, in an open and candid manner, the problems and issues which affect United States-Mexican relations.

The Mexican Congress was represented by 27 distinguished Members of the Senate and of the Chamber of Deputies. Their expertise and intense interest in the matters under discussion contributed greatly to the success of this year's meeting.

Mr. President, I ask unanimous consent that the names of the delegates appointed from Mexico be listed at this point in the RECORD:

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

LIST OF MEXICAN DELEGATES TO THE CONVENTION

SENATE DELEGATION

Senator Manuel Bernado Aguirre.
Senator Raul Bolanos Cacho.
Senator Oswaldo Cravioto Cisneros.
Senator General Hermenegildo Cuenca Diaz.
Senator Luis Gomez Zepeda.
Senator Arq. Luis Gonzalez Aparicio.
Senator General Cristobal Guzman Cardenas.
Senator Lic. Maria Lavalle Urbina.
Senator Lie. Rafael Murillo Vidal.
Senator Dr. Mario C. Olivera Gomez.
Senator Liz. Ezequiel Padilla Penaloza.
Senator Lic. Manuel Sanchez Vite.
Senator Lic. Manuel J. Tello.

CHAMBER OF DEPUTIES DELEGATION

Deputy Lic. Hesquio Aguilar Maranon.
Deputy Juan Manuel Berlanga Garcia.
Deputy Lic. Alberto Briceno Ruiz.
Deputy Lic. Maria Guadalupe Calderon Corona.
Deputy Jesus Elias Pina.
Deputy Lic. Joaquin Gamboa Pascoe.
Deputy Lic. Juan Manual Gomez Morin Torres.
Deputy Dr. Francisco Guel Jimenez.
Deputy Dr. Ignacio Guzman Garduno.
Deputy Lic. Octavio Andres Hernandez Gonzalez.
Deputy Lic. Victor Manzanilla Schaffer.
Deputy Lic. Ignacio Pichardo Pagaza.
Deputy Heriberto Ramos Gonzalez.
Deputy Rene Tirado Fuentes.

Mr. GRIFFIN. Mr. President, the work of the Conference was conducted in three committees—Political Affairs, Economic Affairs, and Social Affairs.

Much of the debate in the Economic Affairs Committee, to which I was assigned, concerned our mutual balance-of-payments problems. In order to earn much-needed foreign exchange, Mexico is heavily dependent upon the tourist dollar. But, at the same time, the United States is seeking to restrain foreign travel, by a combination of statutory and voluntary controls.

As a result of the Conference, I am confident that the Mexican delegates better understand the nature of America's fiscal situation and why it is urgent for the United States to embark upon stringent measures to stem the dollar outflow. I am certain also that, as a result of the Conference, the U.S. delegation has a better understanding of the difficult economic problems which confront Mexico.

The Conference also focused considerable attention upon the control of nuclear weapons. Mexico played an active role in drafting the nonproliferation treaty, and also helped to frame the Latin American nuclear free zone agreement. Despite such initiatives, the problems of nuclear arms control are likely to remain with us for a long time to come. While our two Governments may not always agree on specific issues relating to this problem, the United States can continue to learn much from Mexico's deep and continuing interest in preventing the spread of nuclear weapons and in utilizing nuclear energy for peaceful purposes.

Many other important questions were discussed by the committees. In the near future, the Committee on Foreign Relations will publish a report outlining the activities and accomplishments of the Conference.

Our meeting [redacted] the extent to which Mexican-United States relations have taken on a new and larger dimension. Many of our problems are no longer strictly bilateral. Rather, they concern our often differing approach to the complex array of world political and economic developments.

In part, this shift reflects the emergence of Mexico as a mature, modern state. And, in part, it also reflects the steady progress which has been made in overcoming the mutual problems that are bound to arise from time to time between two nations of unequal power which share a common border.

It would be misleading to suggest that the American and Mexican delegations found complete agreement on all outstanding issues on the agenda. Moreover, the Conference is not a policymaking organ; delegates cannot, of course, commit their respective Governments to a certain course of action.

But we succeeded in airing problems which exist and, hopefully, we succeeded in narrowing some of the differences. Through such meetings, I believe it has been possible to establish the understanding and mutual respect which is all important in averting unnecessary friction and in resolving conflicts as they arise.

Mexico today provides a unique example of how far and how quickly an industrious and determined people can advance along the path of economic and social development. Moreover, our neighboring country to the south has managed to progress without relinquishing her rich heritage, her traditions, and her national identity. In Mexico nationalism has taken a positive course; it has not stood in the way of modernization.

Mexico's proximity to the United States necessitates the maintenance of friendly relations between our two countries. The recently concluded Mexico-

United States Interparliamentary Conference will, I believe, help to strengthen the ties between us, at a time when the cause of international cooperation and good will needs a strong shot in the arm.

Mr. President, the acting chairman of the House delegation, Representative JAMES C. WRIGHT, JR., of Texas, and the chairman of the Senate delegation, the Senator from Alabama, Mr. SPARKMAN, addressed the plenary sessions of the Conference. I ask unanimous consent that their eloquent remarks, in addition to the joint United States-Mexican statement issued at the close of the Conference, be printed in the RECORD.

Additionally, a perceptive account of Mexican-United States relations was published in Reporter magazine of April 18, 1968. I ask unanimous consent that the article, entitled "Mexico: The Problems of Proximity," be printed in the RECORD.

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

OF ONE BLOOD

(Remarks of Congressman JIM WRIGHT, acting chairman of House delegation at opening plenary session, Mexico-United States Interparliamentary Conference, Honolulu, Hawaii, April 13, 1968)

On Mars Hill in Athens almost 2,000 years ago, Paul of Tarsus spoke of a God who had "created *of one blood* all the nations of men for to dwell on the face of the Earth."

In the intervening two millennia, men have acted largely as though this were not so. Where we should have built bridges of understanding, we have erected walls of separation. Men have builded artificial barriers of alienation and hostility between the nations, between the ethnic races, between the social classes, between the economic strata, and between the generations of man.

Each has listened to the shrill voice of his own ambitions and his own desires and sought his own aggrandizement until, like the inheritors of the Tower of Babel, we seem almost to have lost the one thing which sets man above beast—the capacity to communicate with one another.

We speak words, but the words do not convey thought, because each of us wants so much to be understood and cares too little to understand. How sad—how infinitely sad—that my country at a time when it has attained an historic pinnacle of economic affluence should be permeated by waves of doubt and distrust and tremors of violence.

How ironic that at the very moment in history when Russians and Americans have learned to understand the stratosphere and the ionosphere, they still are unable to understand one another—and almost afraid really to try.

How pathetic that in Vietnam both sides claim the right to such terms as "liberation" and "self-determination," yet neither can hear the heartbeat of the other above the frenzied chatter of machine guns and the whine of bombs and mortars. And because they do not sit together and talk, men go on dying and infants crying at mothers' breasts. And blood comes instead of milk.

And yet how hopeful that here in Hawaii—Kipling to the contrary—East and West have met and their cultures blended. How prophetic that here in these beautiful islands men are setting aside the false divisions of racial origin; Polynesians, Orientals and Caucasians are working together as brothers, created "of one blood"; and here has risen the inspiration of a Center of East-West studies where lamps of learning can illumine the darkness in both directions.

How exemplary that Hawaii should have become the 50th State in the American family, thus demonstrating that men whose fathers have died together in wars can live together in peace, and together can wage the peaceful war against the ancient enemies of man—hunger and disease, ignorance and servitude, and even war itself.

How appropriate, then, that lawmakers of our two countries—Mexico and the United States—should be meeting here. In the brief years of our interparliamentary association together, we have found solutions for numerous problems which neither of us could have found alone. Is it too much to hope that this experience of ours may be a small example to a strife-torn world?

As friends and brothers we have settled the ancient dispute over the Chamizal and stabilized our common border.

In the past four and a half years, President Lyndon B. Johnson has had six personal meetings with Presidents Adolfo Lopez Mateos and Gustavo Diaz Ordaz. This is more frequent personal contact between the elected leaders of our two nations than has occurred in our entire preceding national histories. There is an ever-increasing interchange of private citizens between our two countries. And the total volume of trade between our nations increases annually.

We have labored together to extend the Inter-American Highway, a ribbon of Hemispheric union and an artery through which pulsates an ever-greater flow of commerce. Mexico has paid for the entire portion of this highway which passes through the Mexican Republic.

During the past five years, under the Alliance for Progress we have worked together on agricultural and housing loan programs to the extent of $50 million.

Together we have applied the skills of engineering to share our waters, the Colorado and Rio Grande, and to preserve them pure from destructive minerals.

We are launching together a pilot project employing nuclear power to convert salt water to fresh, a beacon to the growing population of a hungry world that the children of Earth possess the collective wisdom—if we have the will—to make of the atom man's servant, and not his destroyer.

Within the past few days our nations have signed at Mexico City a non-proliferation treaty preserving the New World as a sanctuary from the atom's destructive might. What an inspiration to divert this marvel of science from destructive uses, and let it help us instead to water the parched and thirsty land, that foodstuffs and fibres may grow, the naked be clothed and the hungry fed.

These things are but earnest of what two nations can do—and tiny grains of sand upon the continent of what the world can do—when we learn the simple wisdom that we are "created of one blood."

The original inhabitants of these islands came in boats across many miles of ocean from Tahiti. After many generations, they were joined by waves of migration from the United States, from China, from Japan and Europe.

Whether the first Americans came across the Bering Strait from the Asiatic mainland, or in long barks from these Pacific Islands, or across the Cape of Good Hope from North Africa—or a combination of the three—it is clear that there was more cross-fertilization of blood and of ideas than was once commonly believed.

The Totem Pole appears in Alaska and in New Zealand. Pyramids were built by the Egyptians and by the Mayas whose facial features resemble art work on the Egyptian tombs. Ceremonial costumes and tribal rites of the Aztecs bear a startling resemblance to those of the early Hawaiians.

If we begin in Northern Scotland or in the Scandinavian lands and come Southward into Equatorial Africa, observing the gradual changes in skin pigmentation and physical features of the people, we get the clear impression that these external and superficial distinctions are chiefly the result of long generations of exposure to climate.

In view of these observations, is it too much to say that all the nations of men were truly created "of one blood"? Surely our elemental wants are basically the same—freedom from need and from danger, from fear and from oppression—and the hope that the lives of our children may be better than our own.

Last September when Hurricane Beulah smote the coastal lands along the Gulf of Mexico with its awesome fury and left along both sides of our border a path of human wreckage in its tidal wake, it demonstrated once again that Nature has no respect for the unnatural boundary lines which man in his folly has drawn.

In the brotherhood of suffering which comes in a common disaster, we declared an "Open Border Policy." Crossing the swollen river whose muddy waters obliterated the national boundary line, rescue crews in helicopters lifted stranded families away from the cruel crest of the flood and carried them to safety, not stopping to ask their nationality.

During the height of that disaster, I visited a place called Camp Ringo where a military barracks had been converted into a refugee camp to house and clothe and feed several thousand victims of the flood. Looking at the shining eyes and happy countenance of a little Mexican boy with oatmeal on his face, the Captain of the National Guard smile[redacted] to me:

"A hungry child is exactly the same the world over."

The Captain was a Negro, and I a Caucasian. But the little boy was just a little boy.

And in that moment the three of us were truly "of one blood."

If this be true, then those of us to whom is given the trust of elective leadership must lead in the light of that truth.

For unless the spirit of man be elevated above the lust and hunger of the beast, men will go on hating and all our learning will get us only more sophisticated ways to kill and to frustrate one another's hopes. It is the task of leadership, then, to lift the vision of man to search for understanding, and for peace on earth.

In the midnight of despair, we must be apostles of the dawn. When the black gales of strife among men howl the loudest, let ours be the voice of the sunrise, as together we work for the day when love will overcome hate, hope will triumph over fear, and faith will replace distrust.

When we all can think and feel and behave as men "of one blood," then truly it will be a day of Peace on Earth, Good Will to Men.

EIGHTH MEXICO-UNITED STATES INTERPARLIAMENTARY CONFERENCE

(Remarks of Senator JOHN SPARKMAN at the closing plenary session, Honolulu, April 16, 1968)

Dr. Guel, Senator Aguirre, ladies and gentlemen, it now becomes my duty, at once pleasant and sad, to bring to a close another Conference of the Mexico-United States Interparliamentary Group.

The duty is pleasant because the Conference itself has been pleasant. We arrived here good friends and we leave better ones.

The duty is sad because no one likes to say good-bye to a friend or to bring a pleasant experience to an end.

But more than this, my duty this afternoon is a satisfying one, because the Conference itself has been satisfying—and successful. We have covered in an eminently satisfactory manner all of the items on our agenda, as well as some which weren't there but which arose in the course of our discussions.

It should not be surprising to any of us that we have not settled any of the problems

which were before us. We did not expect to do that; indeed, we have no authority to do that. In accordance with our rules and traditions, we have taken no votes; we have passed no resolutions. Wnat we have done is to clear the air. We have explained frankly and honestly to each other the problems we each face and our respective points of view toward these problems. If this has not in itself solved those problems, it has hopefully made them easier to solve, or at least to live with.

One of the things which has struck me about this conference in comparison with some of our past conferences, is the extent to which we have so few bilateral problems. Most of the problems which now concern us are bigger than the United States and Mexico, and cannot be settled by the United States and Mexico acting either alone or together.

We have talked, for example, about the control of nuclear weapons. If this were a problem which could be settled by the United States and Mexico, it would be no problem at all. This does not mean, of course, that together we cannot contribute to a settlement, aand we have already made some progress in this direction. I want to take this opportunity to express the deep appreciation of my delegation, and I am sure of my Government as well, for the very helpful initiatives which Mexico has taken in bringing to fruition the Treaty for a Latin American Nuclear Free Zone and in advancing the Geneva negotiations for a general nuclear non-proliferation treaty.

We have also talked at some length about our mutual balance of payments problems. I am frank to say—there is no use in deceiving ourselves about it—that the United States faces a fiscal and monetary crisis. I am confident that we will deal successfully with that crisis. We in the United States understand the concern of you in Mexico that the measures we may feel compelled to take will complicate your own balance of payments. We are grateful for your reciprocal understanding of our position. And we are especially grateful for the strong support which the dollar received from the Mexican Treasury and the Mexican Government during the recent international gold crisis.

This is another example of a problem which we both face but which we cannot solve acting either separately or together. It requires broader international action.

There is great significance in the fact that the problems which concern us are moving from the realm of our bilateral relations to the world stage. It means not only that our bilateral relations are improving. It means that we can each devote a larger share of our energies to attacking these broader problems. The United States delegation derives particular satisfaction from the presence at this conference of two outstanding Foreign Ministers of Mexico—Senator Padilla and Senator Tello—who, after having already made lasting reputations as statesmen on the world stage, have turned their attention to legislative matters. It does honor to us all that two such distinguished men, with their positions in history already secure, are still willing to give the Congress of Mexico—and through this meeting the Congress of the United States as well—the benefit of their great wisdom and experience.

Happily, not all of the items on our agenda have been so intractable as the control of nuclear weapons and the re-ordering of the world's monetary system. One of the more agreeable matters has been the forthcoming Olympic Games. My delegation has been most gratified to learn in greater detail about the plans for these Games and especially about the Cultural Olympics which will be held in conjunction with them. What a splendid and imaginative idea it is to have a Cultural Olympics. I hope it will become a firm tradition—another monument to Mexican leadership. It has the potential of becoming even more valuable and important than the athletic events.

Finally, I want to express my delegation's deep appreciation to the entire Mexican delegation which, as usual, has come well prepared and has presented its points of view with clarity, with frankness, and with friendliness. I particularly want to say what a pleasure it has been to work with you, Senator Aguirre, and with you, Dr. Guel.

And so, it is with some sadness but a great deal of satisfaction that I declare this Eighth Mexico-United States Interparliamentary Conference officially adjourned.

JOINT STATEMENT OF HEADS OF DELEGATION, MEXICO-UNITED STATES INTERPARLIAMENTARY CONFERENCE, HONOLULU, APRIL 16, 1968

Concluding this 8th annual Interparliamentary conference between Mexico and the United States, the heads of the two delegations find themselves in a truly remarkable degree of agreement and join in making the following statement.

We observe with deep mutual gratification the constantly increasing friendship and progressively improving relations between our two countries.

We take pride in the amicable solutions which our two countries have found in recent years to a number of mutual issues, such as the settlement of the previous disagreement over the Chamizal, the purification of the waters of the Colorado and Rio Grande Rivers, and the improvement of conditions along our common border.

We find ourselves in agreement with the objectives of the Treaty of Tlatelolco, Protocol II of which has been signed by the United States, thereby contributing to making Latin America free of nuclear weapons.

We hope and believe that the Non-Proliferation Treaty which has been under consideration at Geneva and which will be discussed at the next session of the United Nations will be a further step in the direction of effective disarmament and world peace.

We are encouraged by the strengthening of the Organization of American States and look forward together to progress in the mutual struggle against poverty and illiteracy in the hemisphere and to a time when the bonds of friendship will embrace all the nations of the hemisphere in a family united by common hopes for the future of man.

We are pleased with the increasing two-way flow of official and private visitors, of cultural and educational interchanges between our two countries, and the increasing volume of trade, travel and communication.

We express our appreciation to President Lyndon B. Johnson of the United States for meeting with us informally during his visit to Honolulu. We point out that our conferences have always met with the Presidents of our respective countries—a further manifestation of the good relations which exist between the Executive and Legislative Branches of our two governments.

Finally, we wish to express our deep appreciation to the Governor of Hawaii, the Honorable John A. Burns, and to the people of Honolulu for their cordial hospitality during our stay, which has been both pleasant and productive.

MEXICO: THE PROBLEMS OF PROXIMITY

(By Gladys Delmas)

MEXICO CITY.—"I believe in the Mexican peso as I believe in the dollar," Minister of Finance Antonio Ortiz Mena said during the "gold rush" last November while the central bankers of the western world hemmed and hawed about how firmly and under what conditions they would support the price of gold and the parity of the dollar. Then he dramatically opened the vaults of the Bank of Mexico, offering ingots to all comers. Thus Mexico, alone among nations, laid on the line its entire gold reserves—$260 million. The sale of gold coins has always been free in Mexico, at a slightly higher price per ounce than bars, which are sold only to registered jewelers and manufacturers. It was at the coin price that the ingots were offered when the coins gave out. Nevertheless, this was an extraordinary gesture: the difference in price would not have protected Mexico had the dollar fallen victim to the gold rush. With all eyes on Europe, we hardly found time to say "Thank you."

Latin America so often appears to us just a vast problem area—walls scrawled with "Yanqui No!" smashed embassy windows, aid that never seems to accomplish its purpose—that we easily overlooked Mexico, a stable, steadily growing country, still relatively poor, of course, but at this stage of its development we no longer grant it Food for Peace, and AID is all but phased out.

One reason why Mexico is so different from the other countries of Latin America is a simple geographical fact: we have a long common frontier. That much of the southwestern United States was once Mexican and that we acquired it by imperialist methods—we called it "manifest destiny" then—is no longer a rankling issue between us. Mexicans are realists who recognize a fait accompli; they recognize too that we are not likely to repeat the grab. Our proximity, however, implies other perils and problems for both nations, but it also brings benefits and stimulates reactions that have had an important and healthy influence on Mexico's own development.

THE M[redacted]DER

The border itself is a problem: it separates such vastly different cultures, such striking differences in the standard of living, even though the Mexican side is generally more prosperous than the rest of Mexico. Vast deserts separate it from the heartland, making it almost another Mexico. Thus the attraction of American goods across the border is tremendous; the dollar drain from shopping expeditions "to the other side" wipes out at least half of the income Mexico collects from American tourists. In spite of their relative prosperity, the Mexican border towns look poor and miserable in comparison with their twins on the American side. Some, such as Tijuana, are overtly vice districts. Most are clogged with unemployed, usually unskilled farmers from the interior hoping for a chance at the high wages (by their standards) so temptingly close.

In the last few years, the Mexican government has tackled the problem with imagination and zeal. The first program, started some years ago under President López Mateos, sought to present a more attractive image of Mexico. Handsome new gateways were built to expedite customs and immigration formalities; the Mexican end of the international bridge at Laredo, for instance, is now far more splendid and efficiently conceived than the American one. New hotels and motels sprung up with government aid, as luxurious as any in the United States; modern shopping centers, selling the best of Mexican crafts rather than the usual tourist junk, have been opened; streets have been paved and lighted, conference halls built to encourage international meetings and others between Mexican businessmen from the interior and their northern fellows, as well as Mexican cultural events to link the Americanized border with the "real" Mexico.

To stem the tide of dollars across the border, Mexican manufacturers are offered tax concessions, privileged freight rates, and promotional campaigns as incentives to develop the rich border market; recently there has been a campaign against professional smuggling. The national government has just set up a Bureau of Standards whose seal guarantees that goods are of international quality. Thanks to such measures, the

sale of Mexican goods along the frontier has more than tripled since 1960.

In the spring of 1965, Minister of Industry and Commerce Octaviano Campos Salas made a dramatic proposal. Why shouldn't Mexico, with its abundance of cheap, potentially skilled, and easily trained labor, compete with Hong Kong, Taiwan, and Japan in the manufacture of labor-intensive goods? The frontier is crowded with would-be emigrants and other unemployed; Mexico lacks the capital to set up such industries on its own. Thus a new organization was created, the Frontier Industries Program, in which the whole process of investments and imports is reversed: foreigners may own one hundred per cent of a company; they may bring in, duty free and with a minimum of formalities, machinery, raw materials, parts for assembly—but all their product must be exported. Since the fall of 1966, some eighty new companies have been set up, providing some six thousand new jobs, and many others are knocking at the door. The minister has recently urged Mexican capital to enter the field, and even suggested that such enclaves be established elsewhere in the country.

Such a program presents great advantages for certain types of American industry, particularly for the assembly of small electronic units, or for the needle industries, which may use sophisticated American textiles cut to American patterns. With easier supervision and lower transport costs than in the Pacific area, all-American materials can thus be used. The possibility of all-American ownership is another advantage that would not be permitted in Japan, for instance. "The Americans have lost their world leadership in the production of cheap radios, tape recorders, portable TV sets, and so on," a young Mexican official said to me. "Thanks to this program, they can produce as cheaply as Japan—if not more cheaply. It's a bonanza we're giving them."

There are drawbacks. American labor unions are firmly opposed: they see a parallel to the move of the textile industry from New England to the South. The AFL–CIO resolved at its latest Miami Beach convention to exert all possible pressure to obstruct the program. Mexican labor unions point out, however, that far from harming American labor, the program should help it by creating new jobs for the manufacturing of parts on the American side, particularly in the southern part of Texas, which is a depressed region. The labor issue is certainly one reason why the big American companies have not yet come in in force: they prefer to use subcontractors where their own labor relations are not in jeopardy.

In any case, even these small beginnings are having some surprising effects. In Tijuana, I was told, there are noticeably fewer women walking the streets, and it is becoming difficult to find servants. Neither pressures from American unions nor sporadic U.S. attempts to limit the rights of registered Mexican laborers who commute daily to the other side are likely to provoke an official protest. These are purely matters of U.S. concern, Mexico feels, and it is one of its basic principles that no state shall interfere in the internal affairs of another.

A BOON TO UNITY

But if Mexico refrains from asking privileges for its citizens in other countries, at home its policy is among the sternest in the world in defending its own. Here its past experience has provided a never-forgotten lesson. In 1910, when the revolution started, almost all the basic structure of the economy—railroads, mines, electric power, telephones, commercial agriculture, and oil—was in foreign hands, chiefly American. Any government measures not to their liking were immediately protested by their embassies, and the Mexican government usually was obliged to accede. The economy was, as a consequence, almost entirely oriented toward export, so that foreign investment was of relatively little benefit to the Mexicans themselves. However, a few energetic Mexicans were beginning to build for local consumption; the first large-scale paper mill in Latin America was built in 1894, the first steel mill in 1903.

Nevertheless, the first generation of economists who emerged after the bloody years of revolution felt obliged to go slowly toward their goal of Mexican control of Mexican industry. It was not until the oil companies openly flouted Mexican law and the decisions of the Mexican Supreme Court that the first dramatic step toward "Mexicanization" was taken and the oil fields expropriated. This act, more than any other, contributed to the uniting of all Mexicans behind their government and to a new sense of pride in their own capacity and national identity. Its success, in spite of political and even military threats, an international boycott, a credit freeze, and the massive departure of foreign technicians, encouraged the government progressively to gain control of other basic sectors of the economy and to become progressively more stringent in allowing foreign entrepreneurs into the country.

Today, more than ninety per cent of investment in Mexico is Mexican, including all public services and the basic sectors of industry. Agricultural and financial activity are, by law, exclusively reserved for Mexicans; industries closely connected with the basic sectors and the exploitation of "non-renewable resources" must have a majority of Mexican capital. Only when a foreign company can offer new technology, possibilities for export, a significant number of new jobs, and the stimulation of ancillary industries—or when Mexican capital has proved unwilling to undertake the risks involved—is it allowed to maintain full control. Even then, only a small number of foreign managers are allowed into the country for the limited time considered necessary to train Mexicans to replace them. Compare this situation with that of Canada, our other neighbor, where foreigners, mostly Americans, own an estimated seventy per cent of the oil and gas industry and sixty per cent of the mining, and control sixty per cent of manufacturing. Yet in spite of all these restrictions, more severe than those in any Latin-American country, during the past five years Mexico has received more foreign capital—investment and loans—than any other.

Mexico may restrict the entrance of the investment dollar, but the tourist dollar is ardently wooed; it is the most obvious benefit from our proximity. In spite of the outflow across the border and the increasing tendency of Mexicans to travel to far places, which is beginning to worry the Mexican government as it does our own, the net income from this "industry without chimneys" was about $400 million in 1966. This provides that extra influx of capital, without interest or amortization, which economists say is essential for successful development. Tourism also provides much new employment, important in a demographically exploding country, for much less investment per job than industry would require.

Another immediate benefit of proximity is the military umbrella. Mexico is proud that it spends less than ten per cent of the federal budget for the military—who, in any case, are engaged more in civic-action programs than in martial activities. It owns no sophisticated "hardware" and the government has just declared—in striking contrast to most of South America—that henceforth it will buy no arms whatsoever abroad. It is proud of this pacifist stand, but it sometimes forgets that the power and friendship of its neighbor contribute, in some degree at least, toward making it possible.

Our protective military might and Mexico's dependence on U.S. trade, which is over sixty per cent of its total, have made it politically important for Mexico to adopt as a counterreaction an independent policy in foreign affairs and a set of principles and ideals to which it can refer with some consistency as justification for its position. It is determined, above all, not to be a satellite of the United States. Thus, in spite of our cajolements and a majority vote in the Organization of American States to expel Cuba, Mexico maintains diplomatic relations with the Castro regime.

Mexico was among the most vocal of the Latin-American countries in deploring our intervention in the Dominican Republic. It also has been among the earliest and most enthusiastic supporters of some hemisphere programs—the Latin American Free Trade Association (LAFTA), for instance—which we originally opposed, however useful we think them now.

Because of this independence and its resounding success at home in managing its political and economic affairs, Mexico seems cut out for leadership in Latin America. This it firmly rejects. One of the principles born of its painful past to which it constantly refers is the equality of nations, great and small. During the recent visit of the President of El Salvador, Mexican President Diaz Ordaz emphasized this theme over and over: "We wish to co-operate with you, but not as a Big Brother. We are not seeking leadership of any kind, anywhere."

From its old experience with foreign companies, particularly during the oil crisis, has come Mexico [redacted] the "Calvo clause," which it emphasizes more than any other country. This concept grew out of a treatise on international law written by an Argentine, Carlos Calvo, in the nineteenth century. As Mexico has interpreted it, it means that no foreigner, in any circumstances, may invoke diplomatic protection but must seek redress through the local courts, with no more rights than local citizens. The legality of this concept has been debated by international lawyers for years—with the opposition citing the incompetence and corruption of local justice and the reluctance of investors to depend on it. Mexico does not argue; it simply demands a signature agreeing to the doctrine from any prospective investor. But it has also instructed its embassies everywhere to observe the same rule—no Mexican may appeal to them for extralegal help.

Examples of this reciprocity are numerous. Since Mexico so objects to fully owned foreign companies within its own borders, Mexican businessmen when investing abroad, particularly in Central America, are urged to look for local capital and accept a minority interest. In most cases they have complied. Mexico asks that foreign investment contribute to its own technology: the government-owned railroad-car factory recently won a bid in a worldwide competition for the delivery of $11 million worth of cars to the Colombian railroads, not only because of generous credit terms but more particularly because forty per cent of the manufacturing is to be done in Colombia under Mexican technical supervision, thus aiding the Colombians to set up their own industry.

THE MEXICAN VIRTUES

If our proximity has thus stimulated Mexico to define and maintain a more consistent foreign policy than any of its neighbors, it has also been useful in provoking a deep sense of "Mexicanism" at home. American ways are, of course, creeping in. But all traditions that are not directly antagonistic to the modern world that Mexico longs to enter are lovingly preserved. The *charros* still ride in their spendid silver-spangled outfits—although today they are more often bankers than cowboys. The *mariachis* still serenade a loved one in the early dawn of her saint's day, even though they awaken a whole apartment building in the process.

Fiestas are still fiestas, even though sound management of family finances should often preclude them. And bread has not completely replaced the humble tortilla, although most Mexicans can now afford it. Even those of pure Spanish blood are proud of being Mexican and of the unique way of life that has developed here. One important result of this strong sense of national identity is that there is no "brain drain." Students eagerly seek higher education abroad, but they come home.

This nationalism, however, is far from xenophobic: in spite of its relative poverty—a per capita income in 1966 of $455 as compared with $751 for Venezuela and $709 for Argentina—Mexico is far more generous than any other Latin-American country. Even the United States is in Mexico's debt in several projects, one of the most striking of which is the Third Country Training Program for students from the rest of Latin America. Students chosen by U.S. Agency for International Development offices in other countries are sent to Mexico, their expenses paid partly by their country of origin and partly by AID. Mexico offers them free tuition and other facilities—in some cases a monthly stipend—at an annual cost that the United States estimates to be about $5 million. Mexican students are being turned away from local universities for lack of room, while each year some ten thousand foreigners are occupying class space that might otherwise be used by Mexicans. The advantages Mexico offers as a training center for Latin Americans are numerous: a language and culture similar to their own, a technology better adapted to their needs than ours is, and a living example of how it can be used to promote healthy, steady growth. Besides, because of Mexico's stringent immigration regulations, these students must go home again.

Mutual agricultural projects have developed from proximity, too. The campaign to eradicate foot-and-mouth disease, essential to keep our own herds healthy, is a never-ending battle; a team of U.S. and Mexican experts work together still, examining suspicious cases and guarding the ports of entry. Eradication of the screw worm and the fruit fly is a current objective, through use of the same co-operative methods.

The great success story today, however, comes from Mexico's own agricultural complex for education, research, and extension training at Chapingo, near Mexico City, started in 1923. The work done there with modest facilities has shown striking results: from 1943 to 1963, Mexico more than doubled its food production; corn yields rose from 4.4 bushels a hectare to 32. The average daily calorie intake rose from 1,700 per person to 2,700; Mexico is no longer one of the hungry countries.

Impressed by these results, the Rockefeller Foundation in 1963 donated funds to set up the International Center for Corn and Wheat Improvement at Chapingo. Seventy per cent of the total, however, came from the Mexican government and from loans made to it by the International Development Bank and AID. The first results have been remarkable: a new strain of short-stemmed wheat which, in a couple of years, has made Pakistan practically self-sufficient and has greatly improved yields in India; hybrid corn that has done the same in Africa and Southeast Asia; a new type of potato now grown in twelve countries in various parts of the world. In collaboration with the University of Manitoba, a new cereal is being created that will have a much higher percentage of certain amino acids, necessary for a balanced diet, than any now known.

The activities of the United Nations here are another example of Mexico's eagerness to share. Nearly half of all U.N. Latin-American programs for development, economic training, and research are located in Mexico City. When I asked why, I was answered by a flood of reasons. One is Mexico's generosity: from 1950 to 1967, the government contributed $2.7 million to these projects in addition to its normal quotas. A more mundane reason is that there are no exchange problems, and the fact that Mexican professors keep their students at the grindstone—no mañana here. But above all, I was told, Mexico is much more in touch with the modern world than are its neighbors to the south.

Herein lies, I believe, the greatest benefit that Mexico receives from our proximity. Other Latin-American nations are growing and industrializing, but the growth is haphazard and unorganized. Argentina provides tremendous incentives for new industry, only to find that there is insufficient electric power and inadequate transport. Brazil is not only letting its proud new capital, Brasilia, grow shoddy for lack of maintenance but has allowed the splendid highway over the mountains from São Paulo to Santos, hailed in its time as a great feat of engineering, to grow pitted and dusty. Peru, joyful in the bonanza of its new fish-meal industry, has overfished its waters, thus starving the birds who provided precious guano; almost all the protein-rich fish meal is exported as cattle food, while half the population is on the verge of starvation.

Only Mexico is conscious of the need for priorities—electric power before industry, roads before cheap automobiles, people before profits. Mexico has the finest network of highways in the hemisphere, and washouts caused by the deluges of the rainy season are repaired within weeks. Only Mexico has developed its social program—social security with emphasis on the whole man and not just medical care and pensions, profit sharing in industry, rural improvement—along with its growing prosperity. Only Mexico has a clearly defined policy in regard to the relative roles of state and private enterprise in the development process. Although Mexico constantly reiterates that it is not trying to become a minor United States, our proximate example has set it on the path of building a modern industrial state through uniquely Mexican methods. Mexico is still a relatively poor country. But in the clarity of its goal and its steadiness in pursuing it, it is the only really modern nation in Latin America.

AIRPORT SAFETY

Mr. JAVITS. Mr. President, we are all quite aware of the tremendous new demands on our existing airports and air safety system which will be made within the next decade. In view of what I have long felt to be an inability within the administration to propose any constructive airport development plan, last August I introduced a proposal—S. 2379—calling for an airport development fund comprised of various user taxes to be used to expand and renew our hub airport facilities. I am still aware of no administration plan which comprehensively deals with airport development.

On the other hand, there does seem to be a significant amount of activity in the air safety field. The U.S. News & World Report in its May 6, 1968, edition, discusses some of the new safeguards which hopefully will be introduced in the near future to improve air safety.

I am also concerned with the apparent inability to deal with noise abatement around airports. We must find some answers to the noise problem since the SST and other supersonic planes may soon be flying over our populated areas.

It is still my view that until a fuller effort is made to develop our ground facilities we will never be able to have the efficiency and safety which we require.

I ask unanimous consent that the U.S. News & World Report article be printed in the RECORD.

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

BIG CHANGES COMING FOR AIR TRAVELERS

Big changes are in prospect for the air traveler within the next 10 years, if forecasts given to the airline industry by one of its top authorities prove to be correct.

These forecasts, prepared for the International Air Transport Association by J. T. Dyment, chief engineer of Air Canada, hold out this prospect for the passenger of the future—

Flights will be not only faster and more comfortable, but also far safer.

Plans for flying will almost never be upset by bad weather or mechanical trouble.

The plane a passenger rides in will actually fly itself just about all the time, even when landing in snow or fog. Navigation will be completely automatic.

New safeguards will be incorporated into fuels, engines, other features of the aircraft to guard against fire and failure due to stress and stain.

Fires, when they occur, will be far less dangerous than they are today. Collisions in midair will be less likely in spite of a vast increase in tra[redacted]

CHANGING AIRCRAFT

A completely new type of aircraft will whisk travelers between neighboring cities and from point to point within sprawling metropolitan areas.

Some of the changes on which Mr. Dyment is counting already have begun to take shape.

A new type of jet engine, the airline expert points out, is being designed for the jumbo jets that are due to fly next year. These new engines will be more powerful without being heavier or longer. They're expected to use about 5 per cent less fuel for a given trip than engines that would have to be built on the basis of current designs.

Planes equipped with these engines should be more economical to operate—a factor that will help hold down passenger fares.

The new engine, because of changes in design, will also be much less likely to develop acute indigestion if it gobbles up a bird or two.

FIRE THREAT REDUCED

A major development in the fuel system within the next few years is expected to reduce the threat of fires in case of a crash landing or if a leak develops in the fuel tank. Here, the industry is informed, there are two avenues to improvement:

Carry fuel in jellied form, so it will not spray out of ruptured tank or give off flammable vapors.

As an alternative, fill the fuel tank with a foamy plastic that reduces the capacity of the tank only 2 per cent but still keeps fuel from spraying if the tank ruptures.

Experiments with both approaches to the problem are going on right now.

Each passenger will have a heat-resistant plastic bag, small enough to be stowed in a cigarette package but large enough, when unfolded, to retain the air needed to breathe for five or 10 minutes. This device, developed by the Federal Aviation Administration, will give people more time to get clear of a plane in a crash accompanied by smoke.

IMPROVED SEATS

Draperies and upholstery will be of materials that will not give off harmful vapors in case of fire. Backs of seats and instrument panels are to be redesigned to reduce the dangers of head injuries in accidents.

Crashes, however, will be much less likely for a variety of reasons, the experts say.

For one thing, there is to be a massive improvement in maintenance.

Airlines already have discovered that the condition of the combustion chambers in an engine can be checked by wrapping the engine with photographic film and inserting a radioactive isotope. The result is an X-ray film showing any failures or cracks long before they are large enough to cause trouble.

Another device holds promise along the same lines. Long bundles of optical fibers will be inserted into the airframe to enable mechanics to inspect the inside of the wing and other inaccessible parts. In these fibers, light rays actually bend around corners.

With such aids, airlines will not have to break down engines at periodic intervals. Maintenance, as a result, should be better and more economical.

Multichannel data-transmission systems will enable a few cables to replace the many miles of complex electrical wiring that can cause trouble nowadays.

NEW WARNING SYSTEM

Sensing devices, in far greater numbers, will give warning of impending trouble. And the airliner will have the ability to switch automatically from a faulty mechanism to a spare, backup unit while in flight. As Mr. Dyment puts it:

"Practically all units being designed for the future will have this self-test, self-monitoring fault isolation, automatic-alternative operation, and fault-indication capabilities built into them."

In operation, the airliners will become almost automatic from takeoff to touchdown.

Navigational information will be beamed to the plane from ground stations along the route. A computer aboard the plane will convert these data into a precise location, which will be displayed before the pilot on a moving map of the area over which he is flying. Thus, the pilot will always know where he is in relation to mountains and other obstacles.

The map will continue to unfold on a cathode-ray tube until just before the plane descends for a landing.

DETECTION OF OTHER PLANES

All airliners will be equipped with devices to detect other planes in the vicinity, compute their speed and course, give warning of a possible collision, and in all probability feed the necessary change of course or altitude to an automatic pilot for instant evasive action.

Equipment of this type has already been tested in some planes.

Instruments in the cockpit are to be improved, especially the altimeter, which, in the past, has been the source of errors in determining altitude.

At airports, the flight paths of all planes taking off and landing will be worked out by computers to get them in and out of the areas as fast as possible and avoid collisions. Planes will be under "positive control" of the control towers at all times.

SEEING THROUGH FOG

Special radar units are expected to give pilots a good picture of the area about a mile and a half ahead of the aircraft even in the worst weather.

Runways will be grooved to reduce the hazards of skidding under icy conditions. Urea pellets, instead of sand, will be used to remove ice and snow.

In these highly sophisticated, almost automatic planes of the future, the pilot, according to Mr. Dyment, will no longer be regarded as a kind of airborne chauffeur. Rather, he will be considered to be "the manager of a 10-million to 40-million-dollar investment." He will be able to fly the plane in emergencies but should rarely find it necessary to do so.

How will the pilot keep his hand in, if he rarely handles the controls? Mr. Dyment told the airline executives that the answer to this question—and to the future training of pilots—lies in advanced on-the-ground trainers, which will simulate actual flight "so closely that training with a big transport airplane can be eliminated, except for check-outs on the nonhazardous procedures."

Recently, an airliner crashed into a motel in New Orleans while executing an emergency training maneuver.

New types of aircraft will come into use, besides the jumbo jets, airbuses and supersonic transports now under development, Mr. Dyment predicted.

For relatively short hops—up to 300 miles—there will be a hybrid craft—half helicopter, half prop-driven plane. A rigid rotor, with about 30 per cent fewer parts than the conventional rotor, will be used for vertical takeoffs and landings. In forward flight, the rotor will be folded and stowed, and the propeller will take over. The "composite helicopter" will also have a short wing.

The first step in that development—a rigid-rotor helicopter—has already been taken by Lockheed, now building this type of craft for the U.S. Army.

PROMISE FOR FUTURE

When the evolution is finished—around 1980—the composite plane is expected to have far more speed and capacity than today's helicopters.

Looking still further ahead, the Canadian expert predicts that by the year 2000 "all airline airplanes, subsonic and supersonic, will be wingless, wheelless, lifting-body vehicles" powered by a combination of "horizontal-thrust and lift-thrust engines." He also believes a nuclear plane could be built within 10 years and evolve by 1990 into a million-pound craft carrying 1,000 passengers. Shielding for a nuclear engine, Mr. Dyment says, will weigh less than the fuel for one of the jumbo jets.

Increasing size is expected to be accompanied by decreasing costs per passenger mile—hence probably lower fares.

Some airline executives have suggested reductions of as much as 50 per cent in long-distance fares when the jumbo jets are in widespread use.

With all these advances, however, some problems will remain. Mr. Dyment warned the industry about these:

Speeds much above 1,800 miles per hour—the speed set for the U.S. version of the SST—are not likely in this century. The technical problem in changing from 1,800 to 6,000 miles per hour is much greater than the problem of changing from 600 to 1,800.

The sonic boom, which occurs when a plane flies faster than sound, will remain. The pressures the public will accept are likely to be "considerably lower than the value the manufacturers believe will be acceptable."

Smoke from airliner exhausts will be a continuing worry. Some aircraft engines smoke more than others, and the pressure will be on manufacturers to improve the "smokers." There will also be research on additives that can reduce or eliminate smoke without adding to fuel costs.

Mr. Dyment sees no solution at hand for the problem of "clear-air turbulence"—vertical air currents in a completely clear sky that can send an airliner plunging thousands of feet without warning. No "all-capable black box" is being developed that can give advance warning of that kind of situation.

For flying at extremely high altitudes, earlier warnings of increased cosmic-ray activity will be needed.

New methods of handling passengers and baggage at the airports, and better ground transportation to and from airports, need to be developed.

NOISE ABATEMENT

Mr. Dyment predicts that the noise around airports will become less intense but more constant.

Another airline authority, A. Baltensweiler of Swissair, says he is worried about the "sideline noise" of the SST during takeoff. The noise this plane will emit underneath the takeoff path will be "quite acceptable to today's standards," Mr. Baltensweiler says, "but populated areas abreast of the runway will be flooded with noise" exceeding that from today's largest planes "by a very, very wide margin."

All in all, as the experts see it, air travel in the future should be exciting and rewarding, even if effects on the ground leave something to be desired.

EARMARKING OF CERTAIN REVENUES FOR THE LAND AND WATER CONSERVATION FUND

Mr. JACKSON. Mr. President, the Washington Post on Sunday, April 28, published an excellent editorial on S. 1401, the bill to amend the Land and Water Conservation Fund Act, which the Senate passed on Tuesday. The Post editorial so clearly summarizes the situation, and so cogently puts the issues involved in the legislation into proper perspective, that I ask unanimous consent to have the text printed at this point in the RECORD.

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

SHOWDOWN ON PARK FUNDS

For several [redacted] Senate has debated the bill to supplement the Land and Water Conservation Fund and to speed the acquisition of national and state park lands. Senator Jackson described it as "emergency legislation to save and maintain the outdoor recreation programs of the states and of the Federal Government." Senator Kuchel said it is the most important conservation measure that will come before Congress this year. It was unanimously endorsed by the Senate Interior Committee. Yet some Senators are attempting to destroy it by amendments.

The chief purposes of the bill are to make possible the acquisition of park lands before they are despoiled or committed to other purposes and to counteract escalating land prices. It is not uncommon for Congress to authorize a national park estimated to cost $14 million, as in the case of Point Reyes National Seashore, and then find when it gets around to buying the land a few years later that the ultimate price tag will be $55 million. The National Park Service must have new tools to deal with this problem.

Several such tools are provided in the Senate bill. One would be authority to acquire options on lands and waters in any area approved by Congress for park purposes, without waiting for specific appropriations. Another would permit contracts to purchase such lands in advance of appropriations up to $30 million a year. A third would permit lease-back and sell-back arrangements for land not immediately needed for recreational purposes, a device which the Interior Department estimates may return to the Government from 40 to 100 per cent of the initial acquisition costs.

Even more important is a reliable source of funds that will permit advance planning for the acquisition of park sites. For this purpose the bill would earmark $1.2 billion from the receipts of Outer Continental Shelf mineral leases over the next five years for the Land and Water Conservation Fund. Originally the bill would have channeled into this fund all the Outer Shelf receipts and other mineral-easing and national forest revenues on the ground that funds flowing into the Treasury from the sae of natural resources should be reinvested in recreational lands for the benefit of all the people.

Under pressure from the Budget Bureau this was scaled down to a small fraction of the natural-resource revenue. What remains for the Conservation Fund is an irreducible minimum if a reasonable park-acquisition program is to be carried out. Approval of this bill, without crippling amendments, would ease the problem of acquiring a Redwood National Park, the proposed Potomac National River Park and many similar projects at reasonable prices. In the long run it may well save the Government billions of dollars through the taking of land at pre-escalation prices. The Senate should not let this opportunity go down the drain for want of vision as to the Nation's future recreational needs.

Mr. JACKSON. Mr. President, I regret that a majority of the Senators present and voting on Monday did not agree with the Committee on Interior and Insular Affairs that the best economy in the long run would be the earmarking of certain revenues for the land and water conservation fund to assure that the States and Federal agencies could acquire authorized park areas before the land prices escalate even more. All of the money which would have been earmarked would still have to be appropriated by Congress through the regular procedure. I hope the Senate will have another opportunity to examine this question before the end of the 90th Congress.

The bill retains many valuable land management tools and, in my judgment, even without the earmarking feature, it is good legislation.

POLISH CONSTITUTION DAY

Mr. PERCY. Mr. President on the 3d of May, as we commemorate Polish Constitution Day, let all free men rededicate themselves to the cause of liberty and to the cause of justice. Let us remember those who are denied liberty and justice, and let us speak up for those ideals and pledge that our concern will endure until one day all men are free.

URGENT ACTION NEEDED ON TAX INCREASE

Mr. SMATHERS. Mr. President, the storm signals are up for the U.S. economy and are waving more frantically than ever. Everybody agrees that time is running out.

Congressional inaction on the long-delayed surtax and spending reductions may have already done much damge.

Here are some startling facts concerning the economy as seen by our leading experts both in and out of government:

The domestic economy is racing ahead at a dangerous pace. The first quarter increase in total production set a record of $20 billion, the largest quarter-to-quarter gain in history. There is evidence that the current quarter gain will equal if not exceed this figure. This, coupled with resurgent consumer spending, is putting an excessive strain on resources, which can result in grave consequences.

The dollar is still shaky, and international confidence in it is still lacking. We must take action which will exhibit our willingness and ability to meet our fiscal responsibilities at home if confidence in the dollar is to be restored abroad.

Wages, both union and nonunion, are increasing too fast. Much of the first quarter increase in personal income can be attributed to a rise in the statutory minimum wage and increased social security benefits, but increased industrial activity in the second quarter will likely result in more overtime, more jobs, higher wages, and larger personal incomes. Consumers have also reduced the percentage of aftertax income that they save, from 7.5 percent last year to 6.8 percent this year, thus pouring still more money into an already flooded economy.

The cost of living continues to rise, with the March index posting the sharpest increase in 8 months. The March rise of 0.4 percent over February is the 14th consecutive monthly advance in living costs. This consumer price rise largely affects our balance of trade as Western European countries trim their cost-of-living trend back to standards of a few years ago.

Mr. President, the red flags are there. If we do not have fiscal balance, if we do not have congressional action on the tax bill, we will be faced not with a boom but with a bust. The time has come for Congress to act, to break the deadlock and accept the tax and spending cut package which will restore fiscal responsibility and divert an impending financial crisis.

Mr. President, I ask unanimous consent to have printed in the RECORD several articles published in the Wall Street Journal of April 29 and two articles published in the Washington Post.

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

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

BUSINESS INDICATORS POINT TO MORE INFLATION—CASE FOR FISCAL RESTRAINT IS TERMED STRONGER

(By Richard F. Janssen)

WASHINGTON.—The Johnson Administration's bargaining in Congress for a tax increase will resume tomorrow against a backdrop of intensifying economic strains and a bulging budget deficit.

Whether the increasingly ominous indicators will prove enough to break the stalemate over spending cuts as a price for boosting taxes remains uncertain, but Administration insiders figure the developments of the past few days have made the economic case for fiscal restraint more compelling than ever.

"We've been saying since last fall that there's a chamber of horrors around the corner," one official recalls, and he cites evidence that the corner is currently being turned.

In addition to the accelerating climb in consumer prices and the disturbing deficit in foreign trade that became apparent late last week, the Government reported today that the "leading indicators" of business point toward stronger inflationary pressures just ahead. What's more, the Government's own deficit on the new unified budget basis has run up to $28 billion through the first nine months of the fiscal year, ending June 30, and even the seasonal influx of tax collections isn't expected to work it back down to the $19.8 billion total estimated only last January.

Of the 21 leading indicators available for March, the Commerce Department said, 16 pointed up and only five were dropping or holding steady. When a similar number for February was published last month, only nine tilted up and 12 were moving down or sideways. As these statistics that are considered guides to overall activity a few months hence generally have been heading higher for about a year, they suggest that "we're likely to have a continuing strong rise in the economy well through 1968," commented William H. Chartener, assistant commerce secretary for economic affairs.

While cautioning that officials "don't particularly like the scorecard approach" to interpreting the indicators, Mr. Chartener emphasized at a news conference that an "overwhelming preponderance" of all economic statistics available for March showed advances. These figures, most of which previously have been published separately, also include those considered to move along with or behind the economy generally.

"ANOTHER LARGE RISE" SEEN IN GNP

After a record advance in the first quarter, Mr. Chartener said, the gross national product is expected to show "another large rise" in the current quarter. This most comprehensive measure of both private and Government output of goods and services was reported as climbing by $20 billion in the March quarter to a $827.3 billion seasonally adjusted annual rate. As the foreign trade surplus component fell short of what was assumed, however, some analysts suspect the GNP rate for the first quarter might have to be pared back by perhaps $1 billion.

Aside from the sometimes-dubious signals flashed by the leading-indicator compilation, Mr. Chartener cited these reasons to expect further rapid overall growth: "Sales were to strong to permit the rise in inventories" that businessmen gen[redacted]d to achieve in the first quarter, so that their effort will continue to spur heavy production; consumers have reduced the share of after-tax income that they save to 6.8% from the exceptionally large 7.5% of late last year, and the June quarter will be the first one fully reflecting added income from minimum-wage-law increases and liberalized Social Security benefits.

President Johnson's previously reported announcement that Vietnam expenses are rising, Mr. Chartener added, bodes a rise of roughly $2.5 billion this quarter in the defense-spending sector of the GNP, which rose by $2 4 billion to a $74.6 billion annual rate in the first quarter.

Even passage of the long-sought 10% income-tax surcharge, on a comparable change in tax rates, would no longer do much to narrow the current fiscal year's Federal deficit, other officials said in interviews. If taxes were raised in the next few weeks, they probably wouldn't pull more than $1.5 billion to $2 billion extra into the Treasury before the fiscal year expires June 30, they said.

That could hold the deficit to around $22 billion, less than the approximately $24 billion expected without such action, but still more than double the $8.8 billion of the last fiscal year and easily exceeding the deficit in any of the 10 years for which the budget has been reconstructed to mesh with the new unified approach; this approach includes the massive trust funds through which Social Security and certain other payments and recepits are channeled, as well as the outlays previously included in the narrower and now-abandoned administrative budget.

Promising to keep the deficit from becoming even deeper, an analyst said, is the fact that receipts from individual taxpayers near the April 15 income-tax deadline have been "running somewhat better than anticipated," giving as much as $400 million to $500 million extra help. Reports of fattening corporate profits in the first quarter, he added, suggest that the Treasury's intake from this source might be about $500 million bigger than expected, too.

While the Treasury isn't in a "fat" cash position, "life could be worse," a debt expert said, and at the moment it appears the de-

partment will have little or no new borrowing to do to cover the current fiscal year's deficit. Through the end of March, the new budget figures show, the Treasury and other agencies borrowed $25.7 billion from the public, with the remainder of the deficit to that date covered by drawing down cash balances and miscellaneous financial transactions.

The national debt outstanding is sure to rise in coming months, analysts add, but they expect the trust funds to amass enough of a surplus before June 30 so that as much as $4.5 billion of Government securities will be acquired by Government agencies themselves. Through this means and the maturing of some $5.5 billion of tax-anticipation bills in late June, they explain, the cumulative amount of borrowing from the public should be less by the end of the fiscal year than it was at the end of March.

REFINANCING OF ISSUES

Officials don't rule out the possibility, though, that they might try to attract some extra cash in connection with the refinancing of $8 billion of longer-term issues that come due May 15. With about $3.9 billion of these held by private investors (and the rest in Government accounts) they would have the opportunity to raise perhaps $400 million of new cash by the frequently used device of accepting subscriptions for about 10% more in new issues than needed merely to replace the old ones.

Plans for this financing won't be nailed down until the last minute, of course, but some sources speculate that a logical offer would consist of one security of about seven years maturity and another much shorter one, of perhaps 15 months.

The Treasury also could decide to get a head start on the next fiscal year's borrowing sometime closer to June 30, because the Administration's financial fears currently center mainly on the coming summer and fall. Unless a tax increase starts bringing in extra revenue at about the $10 billion annual rate sought, Mr. Chartener warned, the Government will face a "severe financial problem" in the second half of this calendar year.

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

THE OUTLOOK: APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

For much of 1967, many economists went around with brows furrowed about the viability of the long boom. Despite smartly rising incomes, consumers seemed sated with shiny new cars, cool to color TV, and strangely fascinated by fattening balances in their savings accounts. Businesses were periodically paring back their capital spending plans, and only the Vietnam war seemd to be keeping the economy from becoming stuck on a plateau.

But so far in 1968, the eternal American dream of an ever-larger helping of worldly goods and services is reasserting itself—and with an impatient intensity that could imperil its realization.

In the pervasive "sky's the limit" mood, unions ask for and receive pay hikes in percentages that would have been dismissed as daydreams a few years ago. Companies rapidly post price increases with little evident worry that their clamoring customers will be driven off. Shoppers plunge bravely into deeper instalment debt again. And an even more reckless impatience to consume was evident in Washington and other places lately, when Negro youths happily smashed the plate glass windows that seemed the only barrier to at least a briefly more abundant life.

Some statistics, too, convey a sense of limitless potential. The Federal Reserve Board's index of industrial output is setting records again, and related figures suggest there's plenty of room left to grow. Despite the robust boom of the first quarter, factories averaged 15.9% idle capacity, a margin of slack that hasn't been exceeded in five years and is 3 percentage points wider than in the generally sluggish like quarter of last year.

The broadest measure of the economy—the gross national product—also radiates unrestrained expansion. Not only was the annual rate of GNP in the March quarter the biggest on record, but the gain over the previous quarter was the most sizable ever achieved.

A less cheerful set of satistics shows, however, that the giant gains are being achieved at a considerable price—an inflation that just might prove serious enough to undo the boom. The first column below lists the percentage gains in real GNP, or physical output of goods and services exclusive of inflation; the second shows the accompanying rise in prices of all elements in the GNP. The 1968 figures represent annual rates in the first quarter.

Year	Percent real GNP gain	Percent price inflation
1964	5.5	1.5
1965	6.1	1.9
1966	5.8	2.7
1967	2.6	3.0
1968	6.0	4.0

Obviously, the intensifying inflation hasn't yet crimped real output. But unless North Americans become as acclimated to ever-soaring prices as South Americans have, what most deeply worries Johnson Administration economists is that when the reaction does come it is apt to be over-reaction. "People enjoy inflation for a while, but then they tend to become cross about it," says one, "and you get really strong pressure to put some limits on it."

To a degree, some influential Administration men fret, that's what's happening already in Congress. Lawmakers aren't content to impose the restraint of a $10 billion tax increase without also crossly cutting some $6 billion of spending stimulus from the budget. What with the Federal Reserve Board's aggressively tighter monetary policy and a new White House determination to keep Vietnam outlays from soaring, "we just don't need all that much restraint," says an Administration aide. The drag that Congress would put on the economy with the tax and budget package wouldn't be heavy enough to cause a recession, he assures, but he argues that it would needlessly exceed the bounds of prudence.

Lack of either tax hikes or spending cuts would be a completely different story, however, increasing the chances of an all-the-harsher attack on inflation within another year or two. Embattled England almost invariably pops up as the object lesson. While the circumstances vary, it's not hard to see how delays in dealing with chronic economic ills can compel a country eventually to resort to an abominable array of direct controls, confiscatory taxes and incredible interest rates all intended to deliberately shrivel the standard of living.

Long before any such painful economic backlash takes place, though, the growth in real output is apt to become less impressive than it's been lately. The limiting factor: Not plant capacity, but people.

The phrase "shortage of skilled help is heard so often that its almost a cliche, and the less skilled can be hard to find, too. One shred of evidence appeared in a crowded Columbus, Ohio, restaurant on a recent Saturday evening, when it became apparent to patrons that the lone and aging waitress assigned to their section couldnt cope both with serving current customers and with clearing away several hours accumulation of dirty dishes. The bottleneck was broken only when a boothful of teenagers took over, voluntarily doing busboy duty and operating soft drink spigots.

So far, to be sure, the supply of new workers has proven surprisingly large. While officials had expected at least 1.4 million to join the civilian work force this year, they weren't prepared to find 735,000 newcomers employed in February and March alone. That could mean the reservoir of women and teenagers wanting to latch onto increasingly attractive payrolls is even deeper than believed. But it could also mean that the lion's share of all the new workers that will emerge this year has already been spoken for, and that relatively few are left.

"In a wartime kind of economy, it's amazing how much you can squeeze out of the turnip," marvels a high official. But it wouldn't be amazing if our drive for extra consumption becomes frustrated someday by limits either on our human resources or on our patience wtih inflation.

RICHARD F. JANSSEN.

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

TAX BOOST, SPENDING CUTS PACKAGE SEEN IMPERILED BY SPLIT BETWEEN TWO HOUSE PANELS

(By Norman C. Miller)

WASHINGTON.—A split between two powerful House committees is endangering urgent efforts to reach agreement on an income-tax increase and a spending-reduction package.

The Johnson Administration is trying to develop a compromise on the key issue of how much spending should be cut. But President Johnson's reluctance to openly advocate a spending-cut scheme of his own makes it uncertain whether the compromise effort will succeed.

A breakthrough could come quickly, to be sure, for the factors handicapping the compromise effort are balanced against a widespread Congressional feeling that "something must be done soon" to avoid a financial crisis. Yet intensive private discussions, involving Administration officials and key members of the House Appropriations and Ways and Means committees, have failed to produce agreement on a spending-reduction plan that all believe is a prerequisite to finally getting a tax bill moving in the house.

A House-Senate conference committee is slated to resume discussion of the tax and spending-cut issue tomorrow. But House negotiators have declared unacceptable a Senate-passed plan that would couple a 10% income-tax surcharge with a spending limit designed to cut $6 billion from the Administration's budget for the year beginning July 1.

HOPE FOR TALKS FADE

It had been hoped that the conferees would be able to start informal discussions of a new House plan for long-term spending control, but that seems like a faint hope now. A House plan would have to originate in its Appropriations Committee, and it is evident that that panel's Chairman Mahon (D., Texas) and Ways and Means Committee Chairman Mills (D., Ark.) disagree sharply on the spending-cut issue. The problem of closing the breach between them is compounded because several Appropriations subcommittee chairmen, who have power in their own right, are balking resentfully at Mr. Mills' demand that they move to rescind and reduce appropriations before his committee acts on an income-tax measure.

After a special Appropriations Committee meeting Friday, Mr. Mahon said in an interview that "no plan of action" had been developed during the closed-door session. He said the appropriations reductions Mr. Mills has urged were "too high."

ADMINISTRATION'S PROPOSAL

For his part, Mr. Mills has stressed he won't consider supporting a tax bill unless action is taken to rescind unspent appropriations that Congress approved in previous years, as well as reducing Administration requests for new spending authority. In private negotiations, Mr. Mills is demanding a

$20 billion reduction in requested and previously authorized appropriations, coupled with a spending limit designed to cut $6 billion from next fiscal year's budget. Appropriations may be spent over more than one year, and Mr. Mills believes the plan would result in long-term expenditure control.

The Administration has been unwilling to accept such deep cuts. Privately, it has offered to accept $16 billion of cuts in requested and previous authorized appropriations and a $4 billion reduction in its spending plan for next fiscal year, according to one high official.

Mr. Mahon apparently is leaning toward supporting the smaller reductions the Administration indicates it will accept. But he is having trouble persuading his committee to support that plan. Several influential Appropriations Committee members insist that President Johnson must publicly endorse a specific budget-cut plan before they will undertake the politically onerous task of rescinding and reducing appropriations.

But so far, President Johnson has declined to make a public recommendation, maintaining instead that he would accept whatever cuts Congress proposes. Some discouraged participants in the negotiations fear the whole effort may collapse unless the President moves soon to break the deadlock. "The committees aren't going to get anywhere on their own," one Administration official says.

No one has been able to come up with a compromise solution, and the Administration is reluctant to throw its support to either side. "The President is in a bind," says another official. "If he takes the package Mills wants, he risks losing the Democrats. If he gets out in front with his (lower spending-reduction) plan, he risks losing Mills and the House Republicans."

SERIOUS FINANCIAL SITUATION

Some key Congressmen express confidence that these problems will be solved somehow and that a package including a tax increase and spending reductions will be enacted before long. By their assessment, the principals in the struggle agree on at least one thing: The Government's financial situation is too serious to let disagreement over details prevent decisive action to curb the burgeoning budget deficit.

Some think action could come rapidly. "The ingredients of compromise have been present for weeks," said a senior Ways and Means Democrat. "There hasn't been any movement yet, but I really think a breakthrough could come by the middle of (this) week."

Others who expect a compromise think it may take longer to arrange. But they agree that time may be running out, that a lengthy delay risks development of a financial crisis before action is taken.

"We have got to stop this talk, talk talk," said a disgusted House Appropriations Committee Republican. "We need a plan of action to do something within 30 days."

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

IRS SUGGESTS NO HALT IN EXCISE TAX COLLECTIONS

WASHINGTON.—The Internal Revenue Service "suggested" that car makers and telephone companies continue to collect excise taxes after tomorrow, even if Congress doesn't pass the bill extending current charges by then.

The 10% telephone tax and 7% auto tax are due to drop on May 1 to 1% and 2% respectively. The excise tax bill, weighted down with controversial amendments, including the Administration's long-sought 10% surtax, is currently tied up in a Senate-House conference committee.

But it's generally assumed that the excise tax portion, which provides for continuation of the taxes at current rates until Jan. 1, 1970, will be passed separately. The IRS theorizes, though, that if the bill's passage is delayed beyond the tax cutback date, its provisions will be retroactive and car makers and telephone companies might have a harder time collecting the back taxes.

The IRS made a similar suggestion last month, when the taxes lapsed for a few days before a temporary stop-gap measure was enacted retroactively, restoring them until May 1.

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

LIVING COSTS POST SHARPEST CLIMB IN 8 MONTHS—MARCH INDEX INCREASED 0.4 PERCENT FROM FEBRUARY—GAIN WAS THE 14TH IN SUCCESSION—WHOLESALE-PRICE RISE IS SLOWED

WASHINGTON.—Consumer prices in March staged their swiftest rise in eight months, but the climb in wholesale prices slackened, the Labor Department reported.

Increases in most consumer goods and services pushed the consumer price index to a record 119.5% of the 1957–59 average, up 0.4% from February's 119% and 3.9% above the 115% of a year earlier. The March rise followed five consecutive monthly increases of 0.3%, and was the 14th consecutive monthly advance in the cost-of-living measure (see chart on page one).

"It's safe to assume" that the index will rise again this month, but "it's hard to tell now" by how much, said Arnold Chase, assistant commissioner of the Bureau of Labor Statistics. If the present rate of increase continues, the climb in living costs this year could exceed the 4% of the Korean war year of 1951, he said.

He indicated that the "fast increase in industrial prices" is likely to resume in the second half of 1968, but he quickly played down any chance that this could lead to price controls.

FOOD COSTS BIG FACTOR

Food, apparel and furniture prices led last month's increases, the department said in its report.

Retail and wholesale food and beverage prices rose a seasonally adjusted 0.4% from February. Higher pork, poultry and fresh-fruit prices caused most of the retail advance, the department said. Vegetables prices slumped as improved weather boosted production, and egg prices declined less than seasonally.

The overall consumer price index isn't adjusted for seasonal variation, but some components are modified to make trends easier to detect.

Retail apparel prices last month rose a seasonally adjusted 0.7% from February, reflecting strong demand for new spring and summer lines of women's and girls' wear. Wholesale apparel prices climbed 0.4%, as wages and material costs rose, the department said. A "slight rise" in retail and wholesale durable-goods prices resulted largely from "strong advances" for furniture and floor coverings. Retail prices of new autos dropped seasonally, but remained 3.5% above a year earlier.

SERVICES MORE EXPENSIVE

A 0.6% rise in the cost of consumer services last month accounted for almost half of the index's advance from February. Included were recent advances in college-tuition charges and higher medical costs, reflecting increased hospital charges and doctors' and dentists' fees. Higher home-ownership costs resulted from advancing property taxes and insurance rates. Rents rose 0.3%.

Wholesale prices rose 0.2% last month to 108.2% of the 1957–59 average, after having risen by 0.7% in February. The March level was 2.4% above a year earlier. The report estimated that such prices this month climbed another 0.2%.

Prices of industrial commodities last month rose 0.3%, down from February's 0.5% rise, and farm-product prices were up for the fourth consecutive month, the department said. Led by higher metals, lumber, chemicals and machinery quotes, 110 of the 225 industrial-product classes listed by the bureau registered price boosts.

Industrial commodities this month were estimated to have risen by 0.2% to 108.8%; this would be 2.6% above April 1967. These prices, which analysis consider of key importance to the stability of the domestic economy and the U.S. ability to export successfully, have been rising since last August, after holding fairly stable from February 1967 through last July.

NOTES TRADE DEFICIT

Referring to the dismal U.S. trade performance last month, Mr. Chase said: "We can ill afford" price boosts in export products or in products that compete with imports. U.S. foreign trade in March showed a deficit of $157.7 million, the first time imports exceeded exports in more than five years.

The accelerating consumer-price rise plays "a very large part" in the deteriorating trade picture, a high Commerce Department official said separately. William H. Chartener, assistant secretary for economic affairs, said that while the U.S. index is rising at about a 4% annual rate lately, compared with 1.2% a few years ago (with a 4.8% annual rate in March alone), major nations in Western Europe have cut their living-cost trend back from the 4% that prevailed a few years ago to around 2.6% in the last year.

The dollar outflow is being worsened substantially at the consumer level, he said, by sharply rising U.S. used-car prices and an accompanying jump in demand for foreign cars, to nearly a 1 millio[redacted]ual rate in the first quarter from about 750,000 a year earlier. Voicing a view officials generally have dared express only in private, Mr. Chartener said: "We may be reaching the point where American manfacturers (of autos) will have to take a much closer look" at the possibility of regaining the small-car market for the sake of curbing the dollar and gold drain.

METAL PRICES FALLING

The department noted that in April metal prices dropped sharply. Copper prices declined following settlement of the eight-month industry strike, and prices for iron and steel scrap plunged 7.5% as steel mills trimmed their raw-materials inventories in anticipation of reduced customer buying after the Aug. 1 steel-strike deadline.

The March rise in the consumer price index will bring cost-of-living pay boosts to about 80,000 workers, the department said. The advance in the index since December will bring an additional 3 cents an hour to about 65,000 aerospace and public-transportation workers. Increases of 1 to 5 cents an hour will go to other workers based on monthly, quarterly and semiannual changes in the national indexes.

Separately, the department reported that workers' weekly purchasing power fell 6 cents in March. In terms of 1957–59 dollars, to adjust for price increases, the average nonfarm, nonsupervisory worker with three dependents had "real" buying power last month of $77.77 a week, down from $77.83 in February but up from $77.43 a year earlier.

[From the Washington Post, Apr. 26, 1968]

UNITED STATES MARKS RARE DEFICIT IN TRADE

(By Frank C. Porter)

The Government's drive to reduce the dollar drain received a setback yesterday when Commerce Department figures disclosed the first monthly U.S. trade deficit in five years.

The United States bought $158 million more from foreign sources last month than it sold overseas a projected annual trade deficit of nearly $1.9 billion.

The Johnson Administration has been shooting for a 1968 surplus—the excess of exports over imports—of $4.6 billion. This

would compare with last year's anemic favorable balance of $3.6 billion.

Adding to the gloom were Treasury figures reported by the Associated Press yesterday showing that the Nation lost $1.2 billion more of its gold in March, reducing the stockpile to $10.7 billion. This is about half the bullion that was on hand 10 years ago.

Most of this loss, however, apparently occurred before March 17 when the United States and other gold pool members initiated a two-price system, confining their transactions to central banks and no longer supplying the private market. Thus U.S. authorities are hopeful that any further drain on their gold stock will be minimal.

The Commerce Department reported that general imports rose 0.4 per cent in March to $2,612,400,000—second only to the record set in January.

Exports, on the other hand, nosedived 11.5 per cent to $2,454,700,000—the lowest since last October.

Government officials blamed the rare deficit partly on an 11-day longshoremen's strike in New York, although the official Commerce Department announcement said the effects of the dock tieup on either imports or exports could not be assessed. Presumably such a work stoppage would cut imports as much as exports.

It was noted, however, that the last trade deficit—$101 million in January, 1963—also occurred during a dock strike.

More worrisome is the fact that the Nation's trade surplus has been gradually narrowing over the past two years. And the March performance could be blamed in good part on three product areas: steel, copper and autos.

American consumers have been stockpiling foreign steel at an accelerated rate as a hedge against a possible strike in the domestic industry this fall.

The American Iron and Steel Institute reported that steel imports set a record in March. For the first quarter, it said, net imports were a record 3.4 million tons, up 40 per cent over the same period last year and more than 12 per cent of domestic consumption.

Copper imports have been running about $100 million monthly because of the eight-month strike in the domestic industry. Although a settlement was reached last month, it will take time for domestic supplies to catch up to demand.

Auto imports have been running at a record rate somewhere around 10 per cent—as the American industry continues to leave the market wide open for cheaper and smaller foreign cars.

Although the country normally has a trade surplus, other factors—tourist spending and military expenses overseas, foreign aid, investment abroad and the like—more than offset it, making the United States chronically fall short in its balance of payments. In other words, more dollars flow out of the Nation than come back to its shores.

Despite the March trade deficit, there is a net export surplus for the first three months of 1968 amounting to an annual rate of $731 million. But this is a far cry from the Administration target of $4.6 billion.

[From the Washington Post, April 29, 1968]

SECOND QUARTER GAIN IN GNP MAY APPROACH RECORD

(By Harold B. Dorsey)

NEW YORK.—Although the increase in Gross National Product in the first three months of the year was the largest quarter-to-quarter gain on record—$20 billion and an upward trend at an unusually large 10 per cent pace on an annual rate basis—the prospects suggest that the second quarter increase will also be in the neighborhood of $20 billion.

In fact, the economy is likely to take on a boomier appearance in the current quarter than it did in the January-March period. The first quarter jump in GNP would have been even larger if it had not been for the fact that the rate of inventory accumulation declined from $9.2 billion in the fourth quarter to $3.9 billion in the first. Inventory accumulation is expected to accelerate in the second quarter and this factor alone will provide considerable stimulation to business activity.

Factory output, as reflected by the Federal Reserve industrial production index, actually declined slightly in January and February after hitting a peak of 164.0 in December, and has shown only a partial recovery to 163.5 in March. This softness in the manufacturing sector, however, largely reflected temporary factors.

Factory output in the April-June period should show a fairly substantial rise. Detroit has boosted its assembly schedules for April and further additions may be forthcoming in May and June. Steel output, already running at a record rate, should continue to rise as metal users add to their strike-hedge inventories. The resumption in the output of copper will help swell the overall production figures.

The pickup in consumer spending should add further to industrial activity. Inventory ratios in distribution channels are now relatively low. Manufacturers, therefore, are again in a position to boost production rates for consumer goods.

Since much of the big increase in personal income in the first quarter was attributable to boosts in the statutory minimum wage and in Social Security benefits—which in turn provided the wherewithal for the consumer spending spurt—it is widely assumed that incomes will show a much smaller rise in the current quarter. However, I believe that the second quarter gain in personal income will not be far short of that recorded in the first quarter. Rising industrial activity should result in more employment, longer working hours and more overtime, thus entailing bigger paychecks. As a result consumers are likely to have ample purchasing power to continue their spending spree during the April-June period.

Beyond that point, however, the prospects are considerably less favorable. In the first place, because GNP is rising at the annual rate of 10 per cent in the first half of the year (6 percent after disallowing the effects of higher prices), the growth in the economy's resources simply will not permit a continuation of that excessive pace. For one thing we don't have the necessary labor force.

In addition, that rate of growth in the economy's activity is certain to increase the demand for credit at a time when the monetary authorities are committed to restrain the growth in the supply of credit. If we are to assume that the Federal Government deficit will not be reduced significantly, then the government's demand for credit is going to be enormous.

An inadequate supply of credit in relation to demand almost invariably has a negative effect on the spending of the non-government sectors, usually after a six-to-nine month time lag. Again assuming that Congress will not enact the legislation necessary to reduce the deficit, the crisis atmosphere in the area of international payments and gold seems certain to recur with an adverse effect on confidence here and abroad.

Congressional dallying with fiscal policy legislation has already done a lot of damage. It has permitted an inflationary boom to get under way and that maladjustment has to be corrected later on. It has already caused the monetary authorities to lay the base for severe tension in credit markets. It has caused one gold crisis and something near chaos in the international monetary area is impending unless proper fiscal action is taken very, very soon.

REGIONAL SOIL CONSERVATION PROJECTS

Mr. JAVITS. Mr. President, I am always pleased to learn of positive efforts in Federal-State-local cooperation. I invite attention to the impressive cooperative effort between New York State and the Federal Government in developing regional resource development boards to bring various agencies together to study the very important problem of soil and water conservation. In particular, I am speaking of the New York State river basin studies which may prove to be the catalyst for construction of reservoirs for flood control, municipal water supply, pollution control, irrigation, and recreation, as well as for the identification of areas best suited for agriculture, highways, and parks.

I am particularly concerned with the need to minimize water pollution problems in smaller rivers and streams during periods of drought as well as the need for construction of reserve water facilities in rural areas in anticipation of future industrial and community growth needs. Together with 10 New York Members of Congress, I have introduced a bill, S. 2308, to deal with these two problems in particular.

I am hopeful that the proposed legislation will be [redacted] so that additional Federal assistance will be available to New York State and other States to implement plans such as that which may be submitted by the Western New York State River Basin Study.

I ask unanimous consent that an article entitled "New York Plan for Water," written by the assistant commissioner of the New York State Conservation Department, Francis W. Montanari, and Wallace L. Anderson, the State conservationist, and published in the Department of Agriculture publication "Soil Conservation," be printed in the RECORD. The article discusses in some detail the splendid efforts being made in New York.

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

NEW YORK PLANS FOR WATER: REGIONAL RESOURCE DEVELOPMENT BOARDS BRING AGENCIES TOGETHER IN STUDIES OF RIVER BASINS

(By Francis W. Montanari and Wallace L. Anderson)

New Yorkers, pressed by the drought years of 1962–66, are taking a searching look at their river basins and organizing forces to plan the development of their extensive water resources.

In 1959, the Temporary State Commission on Water Resources Planning reported, "The most productive approach to the State's water-resource problems can be accomplished through State-Federal cooperation. . . ." Now, Federal and State agencies are cooperating on river basin studies covering almost the entire State.

The State Water Resources Commission represents State interests by including members from State Departments of Conservation, Transportation, Agriculture and Markets, Health, Commerce, Law, and the Office for Local Government. The Division of Water Resources is the commission's technical service arm in river basin studies.

The U.S. Department of Agriculture participates in river basin studies through the Soil Conservation Service with the cooperation of the Economic Research Service, Forest Service, and other agencies as appropriate.

STUDIES IN PROGRESS

Two studies, one on the Genesee River Basin and one on the Susquehanna River Basin, will result in recommendations for the construction of water-resource projects. Also underway are a North Atlantic Regional Study and an Ohio River Basin Study, which will result in framework plans for these two streams.

A Western New York River Basins Study, now in the beginning stage, will identify specific projects in its recommendations. Under a cooperative agreement with the Soil Conservation Service, the New York State Division of Water Resources will reimburse SCS $44,000 in order to accelerate the studies to meet schedules for a completed comprehensive water-resource plan established by the division. The money will be used to make upstream reservoir site inventories and cost estimates and to do field surveys of flood and drainage problems.

Other studies are being conducted jointly by interstate or Federal-State commissions or committees in the Delaware River Basin, the Great Lakes Basin, the New England River Basins, and as part of the Appalachian Regional Development Program.

ROLE OF CONSERVATION DISTRICTS

The State recognizes the importance of soil and water conservation districts as a means of including local people in resource planning. In turn, the districts encourage county governments to request the State Water Resources Commission to form regional water-resources planning and development boards. Six such boards, representing 24 of the 62 counties in the State, have been organized since 1960.

A regional water-resources planning and development board formulates a comprehensive plan which identifies projects economically justified for development and outlines possible means of financing and managing them. The board uses basin studies as a guide for applying plans suggested by the U.S. Army Corps of Engineers and the U.S. Department of Agriculture.

The Board's personnel and its legal, engineering, and other services come from the commission, through the Division of Water Resources of the State Conservation Department. The counties involved pay 25 percent of the cost of the study, and the State pays the balance.

A VARIETY OF INTERESTS

Five of the seven board members represent a specific interest, such as agriculture, industry, public water supply municipal corporations, and outdoor recreation, and two are members-at-large.

For example, on the Erie-Niagara Basin Board in western New York, agriculture is represented by Wendell Call, a town supervisor and vice-chairman of the Genesee County Soil and Water Conservation District, Many dedicated men, like Mr. Call, are investing much time and energy toward insuring wise use of the State's water resources.

Soil and water conservation districts and regional water-resource planning and development boards complement each other. Districts give information and support to the boards and help insure the proper consideration of agricultural interests in the final plans. As an example, seven districts in the South Central Resource Conservation and Development Project recently helped supply the petition for establishing the Eastern Susquehanna Regional Planning Board. This board is now established.

Local governments and State and Federal agencies are anxious to convert these plans to action. The result will be construction of reservoirs for flood control, municipal water supply, pollution control, irrigation, and recreation; the identification of areas best suited for agriculture, highways, and parks; the enlargement or stabilization of channels for flood control, navigation, drainage, or sediment reduction; and the proper use and management of land to reduce erosion and floods and to insure proper use of land resources. The plan also will point out the needs for new State and possibly Federal legislation for action programs.

Although anxious for action programs to begin, New Yorkers are convinced that adequate and proper planning is necessary to ensure the most economical and wise use of each dollar spent.

THE NEED TO REDUCE AMERICAN TROOPS IN EUROPE

Mr. BAYH. Mr. President, for 2 years the distinguished majority leader, Senator MANSFIELD, has been advocating a gradual reduction in the number of American troops stationed in Europe. Resolutions expressing the sense-of-the-Senate on this question have been introduced by Senator MANSFIELD in the 89th Congress and again in the 90th Congress. Both resolutions attracted many cosponsors and in April and May of last year, a combined subcommittee made up of members of the Foreign Relations and Armed Services Committees held hearings on Senator MANSFIELD's Senate Resolution 49, urging a "substantial reduction" in our permanent European force.

In testimony before the subcommittee former Secretary of Defense McNamara stated that a proposal for the redeployment of a number of American units had been presented to our NATO allies. Pending approval, it was expected that the redeployment of these troops to the United States would begin, in Secretary McNamara's words, "Soon after January 1, 1968." That approval was soon forthcoming but the redeployment is only now beginning. According to informed estimates, it will involve 34,000 military personnel and less than 20,000 dependents—out of a staggering total of nearly 600,000 military and civilian personnel now stationed in Europe.

In my judgment, and I believe it is the judgment of the distinguished majority leader who is the principal sponsor of the resolution, this redeployment of only 34,000 troops does not meet the test of "substantial reduction" as called for in Senate Resolution 49.

I was very interested, therefore, in the action last week of the distinguished senior Senator from Missouri during the debate on the military procurement bill. The amendment offered by Senator SYMINGTON once again questions the wisdom of maintaining large numbers of American troops on the European continent—along with a substantial number of dependents. I want to praise the Senator from Missouri and the Senator from Montana, and those Senators who joined in the enlightening colloquy that followed for keeping this vital issue before Congress and the American public. Unfortunately, their wise counsel has not been heeded.

In the aftermath of World War II, with the democracies of Western Europe in shambles and a Communist menace threatening the continent, the United States joined with its allies in the North Atlantic Treaty Organization to provide for the common defense of Europe. The establishment of satellite governments in Eastern Europe, the Berlin blockade, and the threat of Communist subversion within the Western democracies themselves—these were the circumstances surrounding the American military commitment in postwar Europe.

It is a commitment the United States has honored fully and will continue to honor. In fact, Mr. President, the United States is the only member of NATO to so honor its obligations. We have remained steadfast where others have found it convenient to hedge.

The question, Mr. President, is whether the maintenance of 350,000 military personnel, accompanied by well over 200,000 dependents, is an absolutely necessary and essential ingredient of that commitment? I think not.

The Assistant Secretary of Defense for International Security Affairs, Paul Warnke, speaking on "The Future of NATO" pointed out:

> The validity and credibility of the U.S. commitment to collective security in Europe . . . is not a matter which depends now or would depend in the future on the specific level of U.S. troops maintained in Europe at any one time.

And the former Secretary of Defense, Robert McNamara, testifying on the 1969 defense budget, expressed a similar view when he said:

> The willingness [redacted]ted States to fulfill its obligations (in NATO) should no longer be in question, quite apart from the presence or absence of a particular number of U.S. troops on the ground.

The inference to be drawn from these statements is, I think, perfectly clear. Not only is it not essential that we maintain 350,000 troops in Europe, it is even less essential that 250,000 civilian personnel are also being maintained at a great cost to American taxpayers and to the stability of the dollar.

Mr. President, it should be clear to any interested observer that the whole environment of Europe has changed drastically since the ominous events of 1949 and 1950. With American economic assistance, and under the protective shield of American forces, the Western European nations have recovered and prospered. Today they are capable of more fully meeting the economic cost of European defense—a cost which the United States has been forced to bear almost singlehandedly for nearly one-quarter of a century.

At the same time, there has been a noticeable "thaw" in Eastern Europe. The nationalistic sentiments of the satellite countries have reasserted themselves as we are witnessing today in Czechoslovakia. The nations of Eastern Europe, to be sure, remain communistic, but the specter of a monolith centrally directed from Moscow has diminished. The possibility of dealing with the individual nations of Eastern Europe is opening before us. If we act wisely, American foreign policy may pierce the Iron Curtain.

In short, the Europe of 1968 is very different from the Europe of 1948 and even very different from the Europe of 1958. Today there is little likelihood of a Russian military attack against Western Europe. This is in sharp contrast to the tinderbox situation that prevailed

in the late 1940's and early 1950's and which led to the formation of NATO.

The maintenance of 350,000 American troops—plus dependents—on the European Continent has become, in effect, a symbolic gesture. In my judgment, it is an all too costly symbol.

Do we need to maintain 600,000 Americans in Europe to convince both friend and foe alike that the United States respects its obligations to the mutual defense of Europe? Again, I think not. With our greatly increased airlift capability, estimated to be 10 times as great in early 1970 as it was in 1960, Europe is only hours away. Large numbers of American troops could be permanently reassigned to the United States and still be redeployed in Europe on short notice if the need arises.

We have managed ourselves into a position, ironically, where it is now more likely that our European friends, even more than our enemies, need this concrete evidence of America's commitment. That, indeed, is a sad commentary.

The political-military situation clearly calls for a reappraisal of America's European posture. There is, in addition, a very compelling economic argument for a reduction in the level of American troops. The very unfavorable balance of payments and the resulting gold drain have focused attention on the cost of maintaining our troops. Exact cost figures are classified. Nevertheless, educated estimates indicate that the cost is nearly $2.5 billion annually, with the net foreign exchange cost approximately $800 million.

Mr. President, newspapers daily carry the statements of European central bankers clamoring for America to measure up to its fiscal and monetary responsibilities and restore confidence in the dollar. At the same time that these voices exhort the United States to put its house in order, their governments have failed to ease the pressure on our balance-of-payments deficit by assuming a greater share of their own defense costs. This contradiction was pointed up by former Secretary McNamara when he noted that Western European nations seem to feel that—

> On the one hand there should be no diminution in U.S. forces, but that on the other hand the responsibility for meeting the balance-of-payments deficit caused by such large scale continuing U.S. deployments in Europe is none of Europe's affair.

He went on to say:

> The United States would welcome suggestions from our allies on how to meet this pressing problem, since its solution cannot be further postponed.

Those suggestions have not been forthcoming. We can no longer wait. The recent announcement that more than 50,000 reservists will be called up in the next few months provides an added measure of urgency. The time to act is now. All indications are that the Senate is prepared to support a strategic redeployment and planned reduction of American troops and supporting personnel.

An increasing share of the costs and sacrifices necessary to provide European defense must be borne by those who benefit from it most—our European friends themselves.

VIVA SENATOR YARBOROUGH IN HIS CONTINUED EFFORTS FOR BILINGUAL EDUCATION

Mr. WILLIAMS of New Jersey. Mr. President, a very interesting conference, sponsored by the Southwest Educational Development Laboratory, was held in Austin, Tex., last week. This National Conference on Educational Opportunities for Mexican-Americans gave the standing-room-only conference participants the opportunity to review and discuss recent legislation relating to education of the Mexican-American; see and hear demonstrations of current programs. The presentations included indications of effectiveness, descriptions of environmental conditions and population characteristics of school and community, and administrative practices; identify institutions presently concentrating on education of the Mexican-American and to determine the means each is using to approach the task; identify areas of critical need in order to give direction to planning programs to meet immediate needs, moving toward accomplishment of long-range objectives.

No conference on Mexican-American education would be complete without the man who has assumed the leadership and responsibility in the Senate for making these programs a reality, my distinguished colleague, the senior Senator from Texas, RALPH YARBOROUGH.

Senator YARBOROUGH, in his eloquent manner, delivered the closing address at the conference and, in so doing, collated the notes taken in the discussion groups, with the visual images from the excellent demonstration programs and the unresolved questions raised in the coffee breaks, and challenged the conferees to meet the educational needs of our bilingual communities across the country. We are finally realizing that the teaching of Spanish, French, German, Chinese, and Yiddish as the bridge to the official language of English is not enough. We are now convinced that we must actually teach portions of the school curriculum concurrently in different languages. This is true bilingual education.

Senator YARBOROUGH, in his address, put it this way:

> It is the teachers in the classrooms—not the guns on the battlefields—that made the greatness of America. The strength and greatness of America is measured by the ideals of the civilization which you instill in the children of America—the strength of America does not lie in the devastation rained on the people of other continents by our explosive chemicals. . .
>
> The carrying out of a bilingual education idea will mean an America where the people understand each other. Until every American can understand the language with every other American we will have a basic weakness in our society. When every American understands every other American, then we will have a stronger America, a united America, a forward-moving America . . .
>
> Let us continue to listen, and let us teach all of society to do so.

Mr. President, I ask unanimous consent that the address of Senator YARBOROUGH at the National Conference on Educational Opportunities for the Mexican-American be reprinted in the RECORD at this time so that we can have the benefit of his latest remarks on this vital education issue.

Mr. President, this conference was a testimonial to the excitement that Senator YARBOROUGH has generated by urging the passage and funding of the Bilingual Education Act. I was pleased to join in cosponsoring that legislation, and I certainly join him in urging a greater appropriation for one of our most important education programs—bilingual education.

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

TEACHING SOCIETY HOW TO LISTEN

(Excerpts from address of Senator RALPH W. YARBOROUGH before the National Conference on Educational Opportunities for the Mexican-American, sponsored by the U.S. Office of Education and the Southwest Educational Development Laboratory, Austin, Tex., April 26, Commodore Perry Hotel)

Thank you and good evening. It's both a pleasure and an inspiration to be here this evening with so many friends, some of whom I know and some of whom I have yet to meet.

Some time ago someone made a humorous observation about how to improve society. He said: "If one could only teach the voters how to talk and the politicians how to listen, society would be quite civilized."

By repeating that, I do not intend to offend any voters nor politicians who may be present.

I repeat it because it is relevant, because in the case of the Mexican-American minority in this country, the rest of society has not yet learned to listen. And until all of us learn to listen to what is being said, we are not going to see improvement of their educational opportunities or of any other opportunities.

I think it is safe to say, though, that we have come a long way in the last few years toward securing better educational opportunities for our Mexican-American students.

Slowly, this country is beginning to listen:

There is now an Interagency Committee on Mexican-American affairs in Washington whose purpose it is to assure that Federal programs are reaching Mexican-Americans.

The Department of Health, Education, and Welfare has sworn in a Special Advisory Committee on Mexican-American Education, whose purpose it is to make recommendations to the Commissoner of Education.

The Office of Education has a permanent Mexican-American Education Unit.

The Bilingual Education Act has become a law.

And, for the past three days, the Office of Education in concert with the Southwest Educational Development Laboratory has sponsored this Conference.

We are learning to listen and we have come a long way. The corollary, of course, is obvious: We still have a longer way to go than the distance we have come, and a lot more to hear:

As of 1960, Mexican-American educational achievement in Colorado, California and Texas was LESS than that of any other group in 1950!

As of 1960, fifty per cent of the Mexican-American population in the same three states had less than an eighth grade education.

In Texas, forty per cent of the Spanish-speaking population were found to be functionally illiterate.

These statistics give some indication as to how much work is yet to be done—they are statistics of quantity. But quality is a big factor we need to look at as well.

In the area of bilingual education—and by that I mean true bilingual education; not just the teaching of say, Spanish as the bridge to the official language of English—but actively teaching portions of the school curriculum concurrently in two languages; in the area of bilingual education, it can

safely be said that there is little quality now evident in America.

At present, Under Titles I and III of the Elementary and Secondary Education Act there may be as many as twenty-five "beginnings" of bilingual programs, but many of these are of questionable quality, and none of them approach true, model bilingual efforts.

But the Bilingual Education Act is not suffering just from a derth of quality programs to fund; it too is suffering from quantity. When we passed the Act, we authorized the appropriation of $15 million for the fiscal year 1968—but no funds were appropriated. Thirty million are authorized for the coming fiscal year—1969. But the Administration has requested only $5 million, one dollar out of six!!

Currently, programs funded under other Titles of the Elementary and Secondary Education Act are aiding only about 142,000 of the total of some three million children who need help in bilingual education. If the new law were fully funded at $30 million it would be possible to aid 215,000 more children—still a drop in the bucket.

If the Administration has its way—and I intend to see to it that it does not—only 35,000 more children will be helped during the next year through passage of this law—a goal that can barely qualify as an attempt to pay lip service to the great need that exists; and I choose my metaphor consciously. The recommendation of the Bureau of the Budget is such patent tokenism that if it were currency, it would be printed on tissue paper. The words of William Shakespeare seem appropriate to describe the Bureau of the Budget's inaction: "They have been at a great feast of languages, and stolen the scraps."

My observations so far indicate, I think, that—with the exception of the Administration's request for funding of the Bilingual Education Act—the Federal Government has moved forward in the area of providing better educational opportunities for Mexican-Americans. A framework, a foundation, has been provided upon which improvement can rest.

But the real job, the initiative, remains—as it should—at the State and local levels.

The Equal Educational Opportunities Survey—the so-called Coleman Report—completed in 1966, yields some very interesting information concerning the status of the Mexican-American children in our schools. These findings, I suggest, have particular relevance for local school superintendents and teachers.

It was found, for instance, that the elementary and secondary school level, Mexican-American students living in the same county as Anglo, English speaking students, had less volumes per pupil in the school library, fewer programs for the especially skilled and talented, fewer programs for the physically handicapped, fewer State and regionally accredited schools, and less access to free kindergartens and nursery schools than did Anglo students.

The findings concerning kindergarten seem to have particular relevance because the Report suggests that those Mexican-American students who attended kindergarten tend to achieve better than those who did not.

The major finding of the report, overall, was that family background and involvement in a child's education was the most important single factor in affecting a child's achievement in school. As for Mexican-American family involvement, however, it was found that its effect was small, compared to the English speaking Anglo majority, suggesting perhaps, that for some reason Mexican-American parents are unable to translate their interest into practices which re-enforce their child's achievement. It is my belief that their lack is due to the language barrier.

It would seem, then, that local schools could do more work in setting up outreach programs to involve the parents of Mexican-American children more in the educational process.

Finally, the report showed that the influence of the teacher is greater for Mexican-American students than for most other minority groups as well as for the Anglo, English-speaking students. In short, we need better trained teachers to work with our students. I note that one of the major functions of the Bilingual Education Act is to train such teachers. And the longer we put off that training, the worse the problem is going to become. You know, it takes at least a year longer to train a bilingual teacher than a monolingual teacher, and that extra year is on top of the acquisition of basic skills in the foreign language.

Finally, and most important, all of us must realize that when we address our attention to the issue of improving the educational opportunities of Mexican-Americans, we must really look at the larger issues upon which this depends. Not only must we strive—at the Federal, State, and local levels—to improve educational opportunities, but we must work to eradicate poverty, eliminate hunger and ill-health, improve housing conditions, and fight for increased employment opportunities. Education is but one strand in the fabric of life—and we must view life as a whole. In short, let us be wary of becoming myopic and let us not be afraid to channel our energies to all areas of need.

And, let us continue to listen, and let us teach all of society to do so.

The carrying out of a bilingual education idea will mean an America where the people understand each other. Until every American can understand the language with every other American we will have a basic weakness in our society. When every American understands every other American, then we will have a stronger America, a united America, a forward-moving America.

It is the teachers in the classrooms—not the guns on the battlefields—that make the greatness of America. The strength and greatness of America is measured by the ideals of the civilization which you instill in the children of America—the strength of America does not lie in the devastation rained on the people of other continents by our explosive chemicals.

Ours is an exciting day. As the late John F. Kennedy said in his Inaugural Address: "I do not believe that any of us would exchange places with any other people, or any other generation. The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it . . . and the glow from that fire can truly light the world."

He was speaking of you—you serve the country in its highest public service calling. It is the teachers of our nation who will light those fires which will truly light the world. It is in the wisdom and the dedication of our teachers and school leaders that our hope for the future rests. If you succeed,—our civilization flourishes. Your idealism and your success in transmitting those ideals to the youth of America are the true guide posts of our future greatness or the lack of it.

May it be greatness!
God Bless You.

A VIEW OF PRESIDENT JOHNSON FROM 3,000 MILES AWAY

Mr. INOUYE. Mr. President, it is sometimes difficult for us to evaluate an important historic development if we are too close to the situation. Most Americans have praised President Johnson's selfless decision to withdraw from Presidential politics in order to devote himself completely to the search for national unity and world peace. But now, a respected British newspaper, the London Daily Mail, has come up with a penetrating and thoughtful analysis of the President's decision. And this view from England makes some points that have perhaps been overlooked here in America.

The article is entitled "This Decision of a Great Man." I should like to quote a few statements from it:

Because we are used to politicians declaring that they put their country before their party, and lying as they do so, we throw up a barrier of scepticism against a man who says he puts his country before himself, and speaks the literal truth.

He was doing this not because he was tired of the carefully fostered hatred and abuse with which he has been showered, but because of the solemn regard he has for the task with which the American people entrusted him by the largest majority in America's history.

". . . Lyndon Johnson was a Liberal before it was fashionable, an integrationist in the face of his political and personal danger . . . a man whose origins in poverty had given him an unshakeable sympathy for those who slip off the vastly wealthy plateau of American enterprise.

His place in American history in secure. When the dust has settled, his achievement will be seen.

I believe that we can all get a better understanding of President Johnson's decision by reading this newspaper article, written from the perspective of 3,000 miles away. Accordingly, I ask permission to insert the article in the RECORD.

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

[From the London Daily Mail, Apr. 2, 1968]

THIS DECISION OF A GREAT MAN

(By Bernard Levin)

We can say one thing right away: on Wednesday, November 6, Lyndon Johnson's overwhelmingly predominant feeling will be one of relief.

We can now say a few more things.

The pigmies who have dominated the British political scene for so long, and their Transatlantic counterparts now fighting for the crown, have conditioned us all to thinking that pettiness, duplicity and self-regard are the inevitable concomitants of the political life.

Because we have forgotten what greatness is, we are unable to admit that it still exists. Because largeness of stature is so rare, we do not recognise it when it is before our eyes. Because we are used to politicians declaring that they put their country before their party, and lying as they do so, we throw up a barrier of scepticism against a man who says he puts his country before himself, and speaks the literal truth.

When President Johnson said: 'I shall not seek, and I will not accept, the nomination of my party,' he was not 'doing a Nasser'; he was announcing his decision to step voluntarily down from the job of the most powerful man in the world.

HIS CONCERN

He was doing this not because he was tired of the carefully fostered hatred and abuse with which he has been showered but because of the solemn regard he has for the task with which the American people entrusted him by the largest majority in America's history.

For so huge has been the torrent of propaganda against President Johnson and the course on which he has steered America, that

we have been unable to understand (quite apart from the effect of those who made it their business to see that we did not understand) what manner of man this is.

Johnson was an anti-segregationist years before John Kennedy had a word to say on the subject of the Negro's place in American life.

Johnson was Joseph McCarthy's bitter political enemy, because of the private and public harm that that evil man was doing to the U.S., when John Kennedy was on the friendliest personal and political terms with McCarthy and Robert Kennedy was actually working for him.

HIS SYMPATHY

Johnson's mind grasped the realities of international power early and completely, and he was urging Eisenhower to stand firm at the time of the U-2 incident, when John Kennedy was counselling the contrary.

This is not to belittle the man, and President, Kennedy became. But Lyndon Johnson was a Liberal before it was fashionable, an integrationist in the face of his political and personal danger (he and his wife were roughed-up in Dallas during the 1960 election campaign by segregationist rednecks), a man whose origins in poverty had given him an unshakeable sympathy for those who slip off the vastly wealthy plateau of American enterprise.

These qualities he brought to the Presidency. And to them one more—and that one perhaps the most important—must be added. It is the understanding he has of the role of the President as both political leader and Head of State.

He learned first about the Presidency under Roosevelt; then he saw it from even closer quarters as Kennedy's vice-President; then finally during the years when the loneliest view in the world—that from the White House windows—was his.

And what he understood about the job, as all the greatest of his predecessors—Jefferson, Jackson, Lincoln, both Roosevelts, Truman, Kennedy—have understood, is that a house divided against itself cannot stand. The President must preside over a country united in its larger purpose, or disaster is inevitable, as those Presidents who failed to comprehend this truth—Grant, Wilson, Harding, Hoover—demonstrated.

That the United States is deeply divided is not Lyndon Johnson's fault. His policies, both at home and abroad, were right, and do not become wrong simply by reason of his submission.

In the U.S., he was right to fight racial discrimination and the cruelty of American poverty amid American affluence. Abroad, he was right to continue America's help to the free world and the world that wishes to be free.

HIS DESTINY

But too many people—some of them well-meaning, some of them malevolent, far more of them only ignorant and irresponsible—would not have it so. Lyndon Johnson, the man who would rather abandon his own destiny than see America torn apart, and the high and vital office of the Presidency damaged, has realised that those who would rather tear America apart than abate their own ambition had caused wounds that could not be healed if he were to fight for the nomination and the Presidency.

For that reason—because of his understanding of the role of the President as a unifying and life-giving force in American society—he has taken this decision.

And what a decision it is! Is there any precedent for it—the voluntary relinquishment of supreme power by a man who had only to fight to retain it, and does not lack the will to fight? Can you see the Wilsons and Heaths doing it?

The questions are too absurd to answer; in their absurdity is the measure of Johnson's action, and of the man.

HIS BATTLES

His place in American history is secure. When the dust has settled, his achievement will be seen. His battles for Civil Rights, for better education, for urban renewal, for care for the old, the sick, the forgotten, for the continuation of overseas aid—these things will in time be spoken of.

The legislation he got through Congress—first the measures for which Kennedy failed to compel acceptance, and then the even bigger body of his own measures—will be recognised, like Lincoln's emancipation of the Negroes and Roosevelt's New Deal, as work which helped to transform for the better the entire basis of American society.

I believe that over Vietnam, too, history will vindicate Lyndon Johnson. If aggression is in the future more cautious, if freedom is from now on more secure, it will be because "his shoulders held the sky suspended."

And if—as is obviously his dearest wish—he can succeed in the task to which he had now dedicated the remaining months of his Presidency, and find a just and durable peace in Vietnam, he will not even have to wait for history.

HIS SACRIFICE

Now, he prepares to watch the struggle for the succession, hoping that America can find a man to heal the terrible divisions that make such mock of American sacrifices. And as he contemplates the Americans who died in Vietnam, who died in the world war in which he served, who died in the strife of the race-torn cities, it would not be strange if into his mind were to come, as a valedictory, the most famous words in American history.

It is for us, the living, rather to be dedicated here to the unfinished work they have thus far so nobly advanced. It is rather for us to behave dedicated to the great task remaining before us, that from these honoured dead we take increased devotion to that cause for which they here gave the last full measure of devotion; that we here highly resolve that the dead shall not have died in vain, that this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, and for the people, shall not perish from the earth.

A SALUTE TO THE INTERNATIONAL RED CROSS

Mr. DODD. Mr. President, last week's newspapers carried the welcome news that the 100 white mercenaries who have been interned in Rwanda after withdrawing from the Congo, had, after many delays, finally been repatriated to Europe. For a period of some months preceding this, their repatriation had been blocked because the Congolese Government had been demanding their extradition and had brought pressure to bear on the surrounding African countries to refuse overflight permission for planes assigned to evacuate the mercenaries.

The news of their evacuation was, therefore, particularly welcome as a confirmation of the triumph of moderation over the extremism which temporarily seemed to have victory in its grasp.

I want to take this occasion to pay tribute to the International Red Cross whose courageous commitment to principle, more than any other factor, was responsible for persuading the Congolese government to abandon its demand for extradition. The Red Cross deserves all the more credit because it fought this battle on its own, without the support of our own Government or any other major government.

I also wish to pay tribute to President Gregory Kayibanda of Rwanda, who refused to knuckle under to the pressures brought to bear against him by the Mobutu government, even when it severed relations with his tiny country.

For some reason, the press of our country virtually ignored the plight of the white mercenaries in Rwanda during the 6 months of their internment, even though the story had all the elements of personal and political drama. Because the episode is of more than passing interest from a historical standpoint, I would like to establish some of the essential facts and I would also like to insert into the RECORD my exchange of correspondence with the State Department on the subject.

The mercenaries who have now been evacuated were originally brought into the Congo by the Congolese Government, acting with our approval. The original contracts were entered into with the Tshombe government in 1964, and they were renewed by the Mobutu government when Mobutu took over in November of 1965.

At the time the mercenaries were brought into the Congo, more than half the country was under the control of pro-Communist rebels, and the Congolese army was abandoning one center after another. The small force of mercenaries turned the tide of battle; and in doing so, they rendered a highly important service to the Congo and to the entire free world.

The reasons behind the mercenary revolt in the summer of 1967 are obscure. From the available information, however, I am disposed to believe that it was a combination of reasons rather than any single reason.

For the period of some time prior to their revolt, there had been growing unease in the mercenary ranks about developments in the Congo.

Colonel Schramme, the mercenary leader, had assisted Governor Munango of Katanga in persuading the Katanga gendarmes to lay down their arms at the time of the Kinsangani mutiny in July 1966. He had done so only on the basis of an assurance from the Mobutu government that the Katanga gendarmes would be given safe conduct and that there would be no reprisals against them. When the Mobutu government dishonored this agreement by imprisoning Governor Munango and massacring the 400 Katanga gendarmes in cold blood, it is understandable that Colonel Schramme and the other mercenaries should have lost some of their appetite for their job and should have begun to fear for their own security.

Their apprehensions were fed by the virulent antiwhite propaganda conducted by the Congolese radio under the direction of its Prague-trained Minister of Information, Mr. Kandy.

It was also fed by the continuing atrocities against European residents of the Congo perpetrated by the police authorities and by units of the Congolese Army.

And, against this background, when the Mobutu government failed to pay the mercenaries their salaries for several months and then asked their senior offi-

cers to report to Kinshasa, the situation exploded.

The mercenaries seized a number of centers in the eastern Congo and then consolidated their forces at Bukave. There, the Congolese Army proved utterly incapable of dislodging them.

Meeting in Kinshasa in September of 1967, the Organization of African Unity voted unanimously to invite the International Red Cross to negotiate with the mercenaries for their withdrawal from the Congo. The International Red Cross agreed to accept this responsibility on the basis of the assurance that the mercenaries would be repatriated to their respective countries if they withdrew from the Congo into Rwanda, laid down their arms, and signed pledges that they would never again return to the Congo.

On the basis of the assurance conveyed to them by the International Red Cross, the mercenaries, after lengthy negotiations, withdrew from the Congo into Ruanda on November 4 of last year. There they were interned by the Rwanda Government, in anticipation of their evacuation to Europe.

But then the situation changed. The Organization of African Unity had set up a special subcommittee to pursue and, presumably, to implement the resolution adopted at the plenary session in Kinshasa in September. Meeting in Kampala, Uganda, after the mercenaries had withdrawn from the Congo, the subcommittee, apparently after violent internal disagreement, voted in effect to override the resolution adopted by the OAU conference and the understanding with the International Red Cross. It now took the stand that the mercenaries should not be repatriated unless their respective countries paid a ransom for them equivalent to the damage suffered by Bukavu and other centers where fighting took place.

Even in advance of this meeting, heavy pressure had been brought to bear on the surrounding African countries to refuse overflight permission to the Sabena Airlines aircraft which had been ready to effect the evacuation of the mercenaries immediately after their withdrawal into Rwanda.

In December, President Mobutu went one step further. He demanded that the mercenaries be extradited to the Congo, in clear violation of the resolution adopted by the OAU conference and of the agreement with the International Red Cross. And on December 28 he announced that the mercenaries would in fact be brought back to the Congo to stand trial.

I immediately dispatched a long telegram to Secretary of State Rusk in which, among other things, I said the following:

One does not have to approve the recent action of the mercenaries in order to oppose their extradition to the Congo. I personally believe that the mercenaries were terribly misguided in their revolt against the Congolese government and I welcomed the end of their insurrection. But there are moral and humanitarian principles involved in this situation, which apply all the more strongly to those who criticized or condemned the mercenary insurrection.

I feel strongly that our own honor is involved in this situation first, because of the very great influence we have with the Mobutu government; second, because it is generally believed that we gave our tacit approval to the OAU-International Red Cross plan to solve the mercenary problem without further bloodshed; and third, because there is an overriding moral and humanitarian responsibility which we simply cannot shirk even though the United States may not have been a direct party to the Red Cross Negotiations.

On checking into the situation, I discovered that the International Red Cross, as soon as it learned of the plan to extradite the white mercenaries to the Congo, had sent an urgent communication to President Kayibanda, of Rwanda.

This communication, which was signed by Mr. Gonard, president of the International Commission of the Red Cross, stated that the sending back of the white mercenaries to the Congolese Government, would constitute a violation of the principles of international law and of the rights of man. It underscored the fact that the Organization of African Unity had invited the Red Cross to proceed with the evacuation of the mercenaries after President Mobutu had promised that he would not seek their extradition to the Congo. And it recalled that the mercenaries had agreed to lay down their arms in the expectation that their lives would be spared and that they would be repatriated.

I also learned that the International Red Cross, even though it had no budgeted funds for the service, was continuing to pay for the upkeep of the mercenaries in their detention center; and I learned that it had been completely unsuccessful in attempting to raise additional funds to cover this cost from the United States and other member nations.

Rwanda is a very small country. It has no army worthy of the name, and from a military standpoint it is completely defenseless against its Congolese neighbors. It is, therefore, to the eternal credit of President Kayibanda, of Rwanda, that he listened to the urging of the IRC instead of to the threats of Mobutu.

On January 10, President Mobutu told the Congolese press agency that he intended to break off relations with Rwanda if it did not turn over the mercenaries to him promptly.

On the following day it was announced that the Congolese Government was, as of that day, severing all diplomatic relations with Rwanda and terminating all agreements between the two countries.

The communique issued by the Congolese Government charged the Government of Rwanda with failing to conform to the resolution of the OAU and with pursuing an anti-African policy.

Replying to Mobutu's threat to sever relations, President Kayibanda said the following on January 11:

The government of Rwanda has never had recourse to mercenaries and does not wish to have any in its country . . . We believe that an honest negotiation between states, in conformance with the resolution adopted by the OAU at Kinshasa, is the only possible way of resolving the question of the mercenaries . . . The meeting of the special commission of the OAU in Kampala completely reversed the spirit of the resolution adopted at Kinshasa, in coming out for the surrender of Colonel Schramme's men to Congolese justice. Since that time, General Mobutu has committed himself to the position which he had never previously proposed. What is he afraid of in returning the mercenaries to their country of origin?

It soon became clear that the African countries were anything but united in support of Mobutu's intransigent position. Many of them made no effort to conceal the fact that they had grave misgivings about repudiating the resolution adopted by the OAU conference and surrendering the mercenaries to the notoriously bloody justice of the Congolese Government.

A few weeks ago, the Mobutu government decided to back down on its demand and to permit the evacuation of the mercenaries from Rwanda.

This decision of the Mobutu government can only be applauded. Unquestionably the reputation of the government can only gain from this decision. It is to be hoped, that having learned something of the advantages of temperance in this situation, it will be willing to show itself equally temperate in future situations.

Mr. President, I ask unanimous consent to insert into the RECORD at this point the text of the two communications I sent to the State Department on the question of the white mercenaries and the text of the replies I received from the Department. XXXXXXXXXX

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

DEPARTMENT OF STATE,
Washington, D.C., February 14, 1968.

HON. THOMAS J. DODD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DODD: In replying to your letter of January 11 concerning the *ex-Congo* mercenaries, I am sure you will appreciate that many of the questions you raise are problems which involve the interests, points of view and current efforts of a number of African and European nations. To answer all of them in an unclassified communication in the form in which they have been posed would raise questions involving confidences which those nations have reposed in us. In some cases, these involve conversations held with the Vice President.

With regard to certain specific points raised in your letter that can be answered in an unclassified communication:

The Organization of African Unity (OAU) did pass a resolution in September at Kinshasa condemning the aggression of the mercenaries, insisting that the mercenaries leave Congolese territory immediately with the help of competent international bodies, and calling upon all member states to assist the Congo to put an end to the mercenaries' activities if they did not accept immediate withdrawal. The International Committee of the Red Cross (ICRC) was subsequently asked by the OAU by letter to undertake arrangements for the peaceful evacuation envisaged by the resolutions. The ICRC agreed to do so and for several weeks engaged in difficult and complex negotiations in an effort to comply with the request of the OAU. You may recall that at one point we informed the ICRC that if a truly international airlift could be organized in connection with the ultimate evacuation of the mercenaries and Katangans, we would be willing to take part.

The ICRC's arrangements were not yet complete when a new mercenary incursion took place in Katanga, followed by the withdrawal of the mercenaries at Bukavu into Rwanda. Faced with these circumstances, the OAU Sub-Committee on Mercenaries

created at Kinshasa in September met again in Kinshasa and adopted a new resolution, the terms of which I believe you are familiar with. This second resolution was considered by the Sub-Committee and the OAU Secretary General to have superseded the September resolution. At this point, the Red Cross role was terminated, and while a Red Cross presence continued at Kigali for humanitarian reasons involving refugees and wounded, the ICRC has since had no formal role to play to our knowledge, nor has it been asked by the OAU, which now considers itself responsible for the mercenaries, to assume a further role.

The United States did, as I indicated, support the efforts of the ICRC to arrange for a peaceful evacuation of the mercenaries from the Congo, even to the extent of responding favorably to a request for aircraft. With the transfer of the location of the mercenaries from the Congo to Rwanda, we have continued to encourage an equitable solution to the problem consistent with the questions of political security and humanitarian considerations involved.

The Congolese Government, as a member of the OAU, originally subscribed to the resolution of September but subsequently regarded it as superseded by the second resolution in November.

The question of overflight rights for a Belgian airliner is of course a matter for the Belgian Government and any action they may have taken in this regard would be between themselves and the countries concerned. The overflight question, in any case, did not arise until after the second Kinshasa resolution.

We have no confirmed information that any Katangans involved in the Kisangani meeting of 1966 were in fact "massacred."

The original decision to employ mercenaries was a decision taken by the Congolese Government in its own national interest. Mercenaries subsequently saw action in a variety of places in the Congo and were indeed at Stanleyville at the time of the liberation of the hostages.

We do not know whether any of the current group in Rwanda were among those at Stanleyville. The balance sheet of their contribution to the Congo is primarily a matter for the Congolese themselves to judge, but to the extent that they did render useful service, it is the more regrettable, as you indicated in your earlier cable, that those who remained were so misguided as to terminate their association through a revolt endangering the lives and property of so many persons, both Congolese and European.

I trust the foregoing is responsive to your inquiry and will be helpful in answering questions.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

JANUARY 11, 1968.

Mr. H. G. TORBERT, Jr.,
Acting Assistant Secretary for Congressional Relations, Department of State, Washington, D.C.

DEAR MR. TORBERT: I am in receipt of your letter of January 5 in which you reply to my wire expressing concern over the announcement that the white mercenaries now being detained in Rwanda would be extradited to the Congo and put on trial.

To be frank and blunt, I do not believe that I have ever received a more evasive or less satisfactory reply to a communication on an urgent matter. Let me therefore pose several specific questions to which I would like to have specific replies.

(1) Is it accurate that the Organization of African Unity, meeting in Kinshasa in September, passed a resolution calling for the withdrawal of the mercenaries from the Congo, asked the International Red Cross to act as intermediary in negotiating their withdrawal, and assured the International Red Cross that if the mercenaries would lay down their arms and withdraw, the Mobutu government would not demand their extradition and they could be repatriated to their respective countries?

(2) Is it accurate that the State Department gave its tacit approval to this arrangement?

(3) Does the State Department approve of the subsequent action of the Organization of African Unity, demanding that a ransom be paid by the mercenaries' several countries of origin before they are released from Rwanda? If the State Department does not approve, has it made its views known to the more moderate governments who are members of the Organization of African Unity and friendly to the United States?

(4) Did the State Department use any of its considerable influence in an effort to persuade the African countries involved to grant over-flight permission for a Sabena Airlines aircraft, so that the mercenaries could be removed from Rwanda in accordance with the original understanding between the Organization of African Unity and the International Red Cross?

(5) Does the State Department support the current efforts of the Congolese government to compel the extradition of the mercenaries from Rwanda? And if it does not support these efforts, has it used its influence in any way to persuade the Mobutu government to abandon a project that can only earn it the contempt of civilized mankind?

(6) In the light of the half hour show trial and public execution of former Prime Minister Kimba and his associates, and in the light, too, of the massacre of the 400 Katanga gendarmes who gave up after the Kisangani mutiny after having received an assurance of safe conduct, does the State Department have any confidence in the quality of Congolese justice?

(7) Is it not accurate that a majority of the mercenaries in question were employed with our approval both by the Mobutu government and by the Tshombe government before it; and that they rendered important services to the Congo and to our own interests? And is it not accurate that at least a number of these mercenaries were members of the column which moved on Stanleyville, with the moral suport of the entire civilized world, in an effort to prevent the massacre of Dr. Carlson and the other whites who were being held as hostages by the leftist Simbas?

(8) Concerning the question of the mercenaries, has the State Department been in touch with or given its support to the International Red Cross, which has described the proposed extradition as a violation of human rights and of international law?

I earnestly hope that, in replying to this communication, the Department will not send me another completely meaningless and evasive letter. I do not ask whether the Department has *followed* "the evolution of events". This I take for granted. I ask what the Department is doing to *influence* the course of events.

I look forward to hearing from you at an early date.

THOMAS J. DODD.

DEPARTMENT OF STATE,
Washington, D.C., January 5, 1968.

Senator THOMAS J. DODD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DODD: Secretary Rusk has asked me to reply to your cable of December 29, 1967 in which you express your concern that the mercenaries currently under detention in Rwanda might be returned to the Congo for trial.

The problems posed by the revolt of the mercenaries in the Congo and their subsequent withdrawal into Rwanda have been, as you know, difficult and complex, and we have followed their evolution closely. I appreciate your informing us of your views, and assure you that we shall give them careful consideration.

Sincerely yours,

H. G. TORBERT, Jr.,
Acting Assistant Secretary for Congressional Relations.

DECEMBER 29, 1968.

Hon. DEAN RUSK,
Secretary of State,
Department of State:

I am disturbed by a dispatch from Kinshasha in this morning's Washington Post which quotes President Joseph Mobutu as saying that the white mercenaries now being held in neighboring Rwanda would be brought back to the Congo for trial.

One does not have to approve the recent action of the mercenaries in order to oppose their extradition to the Congo. I personally believe that the mercenaries were terribly misguided in their revolt against the Congolese government and I welcomed the end of their insurrection. But there are moral and humanitarian principles involved in this situation, which apply all the more strongly to those who criticized or condemned the mercenary insurrection.

The 100 or more mercenaries involved left the Congo for Rwanda after lengthy negotiations conducted by the International Red Cross and on the basis of an assurance conveyed to them by the Red Cross that they would be repa[redacted] their respective countries if they withdrew from the Congo into Rwanda, laid down their arms, and signed pledges that they would never again return to the Congo.

On checking into this situation, I discovered that the International Red Cross, having learned of the plan to extradite the white mercenaries to Mobutu, sent an urgent communication several days ago to President Kayabanda of Rwanda. This communication, which was signed by Mr. Gonard, President of the International Commission of the Red Cross, stated that the sending back of the white mercenaries to the Congolese government would constitute a violation of the principles of international law and of the rights of man. It underscored the fact that the Organization of African Unity had invited the Red Cross to proceed with the evacuation of the mercenaries after President Mobutu had promised that he would not seek their extradition to the Congo. And it recalled that the mercenaries had agreed to lay down their arms in the expectation that their lives would be spared and that they would be repatriated.

Mr. Gonard's letter also confirmed that, in line with its humanitarian mission, the International Red Cross stood ready to assist in the evacuation of the mercenaries.

I feel strongly that our own honor is involved in this situation first, because of the very great influence we have with the Mobutu government; second, because it is generally believed that we gave our tacit approval to the OAU International Red Cross plan to solve the mercenary problem without further bloodshed; and third, because there is an overriding moral and humanitarian responsibility which we simply cannot shirk even though the United States may not have been a direct party to the Red Cross negotiations.

I earnestly hope that the Department will use its influence to persuade the Mobutu government to honor its commitment and to abandon its request for the extradition of the mercenaries. The Mobutu government should be told in the bluntest terms that the extradition of the mercenaries would dishonor the Congo because it would be regarded by civilized opinion as a flagrant violation of a pledge of safe conduct.

I also hope that the Department will use its influence with the Mobutu government

and with the more moderate membership of the OAU to bring about the early repatriation of the mercenaries, in line with the agreement negotiated by the IRC.

THOMAS J. DODD,
U.S. Senator.

BELL CONTRACT SETS PATTERN FOR PENSIONS

Mr. HARTKE. Mr. President, it is welcome news that the Communications Workers of America and the Bell System have reached a significant new 3-year contract in settlement of the strike which has been in progress since April 18.

Among the significant provisions one which stands out as a beacon to lead the way for others is the agreement to provide for vested pensions. This is directly in line with the position I have repeatedly taken as a consistent advocate of providing irrevocable pension protection for workers regardless of what may happen to disrupt the company-employee relationship for those who have served long and well. In this Congress, as in the 89th and 88th as well, I have offered the pension protection bill now before the Finance Committee to insure workers against the loss of pension rights. Too often this has occurred through no fault of the worker. The vesting provisions of the CWA-Bell contract agreement guarantee that the worker who has attained 40 years of age with a record of 15 years with the company will, whether or not he continues to retirement age as its employee, receive benefits at retirement proportionate to his service.

Too long and in too many pension programs it has been possible for a worker to serve 20, 25, or even 35 years without any possible assurance that he will collect the pension he was long since promised and expecting at the time he retires. In some cases, a longtime employee may leave the company to take a job elsewhere for personal reasons—perhaps not even in the same industry, or perhaps a thousand miles away in order to be near family members, for example. But in doing so, he forgoes all rights in his pension in many a case where he is not himself a contributor. In short, he has no vested right in the benefits no matter how long he has worked there, unless he is still there when he reaches retirement age.

This has long had an effect of jeopardizing the pension, not only by employees decisions but frequently in cases where the company is sold, goes out of business, or in some other manner fails to come through with the pension as scheduled. This, of course, was notoriously the case in South Bend when Studebaker discontinued its auto plant there. I assume there is little likelihood that such a fate would befall the Bell System, but the vesting provision is one which deserves widespread emulation. I would point out that not only does it give the employee a guarantee of benefit from 15 years or more of service, but it will automatically increase the mobility of all Bell System employees. No longer for them will there be the hard question of whether to forego the pension rights or move to a new job—after 15 years, doing so will not entail the loss which chains workers frequently to their jobs when they cannot afford to leave because they cannot afford to lose the promised security for their later years.

Further, there will now be guaranteed, effective June 1, 1969, a minimum monthly pension for all of $125 per month at age 65 with 20 years of service. But also of real significance is the fact that in the computation of benefits, where previously social security payments were counted in part toward the minimum monthly payments, all deductions for social security are now eliminated. Now the $125 per month minimum will be a figure provided over and above social security. Breaking the relationship puts the two systems, private and public, into a stronger supplementary position for each other to the greater benefit of the retired worker.

Mr. President, I congratulate both labor and management for successfully negotiating their new contract. Both sides, including the top leaders of the companies and my good friend President Joe Beirne of the union, have bargained in the best traditions of the labor movement. In doing so, they have overcome their past disagreements and restored this great public utility to good internal relationships between employees and company.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). Is there further morning business? If not, morning business is concluded.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER 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.)

VISIT TO THE SENATE BY MEMBERS OF CONGRESS OF GUATEMALA

Mr. CARLSON. Mr. President, we are honored to have as guests of the Senate today Members of the Congress of Guatemala. They are touring the United States. They are now visiting the Nation's Capital and they will visit some of our larger cities. They are going to visit the Tennessee Valley Authority; they are going out into the Midwest to the farm areas of States like Nebraska, and across the Nation.

We were privileged to have them today as guests of the Committee on Foreign Relations.

I wish to introduce our guests to the Senate at this time. They are Congressman Alfonso Molina Flores, Congressman Ramior Humberto Alfaro Escobedo, Congressman Emilio Simeon Avila Torres, Congressman Gonzalo Humberto Salguero Alarcon, Congressman Jose Rodolfo Ogaldez Giron, and Congressman Ofelio Terreaux Chavez.

[The distinguished visitors rose in their places and were greeted with applause, Senators rising.]

Mr. MORSE. Mr. President, I am sorry that I could not get to the luncheon today to honor these distinguished guests. However, as the chairman of the Subcommittee on Latin American Affairs I do wish to welcome them.

RECESS

Mr. CARLSON. Mr. President, I ask unanimous consent that the Senate stand in recess for 5 minutes so that Senators may greet our visitors.

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

Thereupon, at (2 o'clock and 15 minutes p.m.) the Senate took a recess until 2:20 o'clock p.m.

During the recess, the distinguished guests were greeted by Members of the Senate.

On expiration of the recess, the Senate reassembled and was called to order by the Presiding Officer (Mr. MUSKIE in the chair).

xxxxxxxxxx

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield to me, without losing his right to the floor?

Mr. McCLELLAN. I am glad to yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and it may very well be a live quorum, so I would suggest that the attachés notify all Senators to that effect.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and the following Senators answered to their name:

[No. 126 Leg.]

Allott	Holland	Morton
Anderson	Hruska	Mundt
Bartlett	Inouye	Scott
Boggs	Jackson	Sparkman
Byrd, W. Va.	Javits	Stennis
Case	Jordan, Idaho	Talmadge
Church	Mansfield	Thurmond
Ellender	McClellan	Williams, Del.
Fannin	Miller	Young, N. Dak.
Griffin	Morse	

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. LONG], and the Senator from Utah [Mr. Moss] are absent on official business.

I also announce that the Senator from Pennsylvania [Mr. CLARK], 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 Minnesota [Mr. MCCARTHY], the Senator from Minnesota [Mr. MONDALE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maryland [Mr. TYDINGS], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

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

The Senator from Colorado [Mr. DOMINICK], the Senator from Wyoming [Mr. HANSEN], the Senator from Oregon [Mr. HATFIELD], the Senator from California [Mr. KUCHEL], and the Senator from Kansas [Mr. PEARSON] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

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

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

The motion was agreed to.

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

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

Aiken	Fong	Muskie
Baker	Fulbright	Nelson
Bayh	Gore	Pastore
Bible	Harris	Pell
Brewster	Hartke	Percy
Brooke	Hayden	Prouty
Burdick	Hickenlooper	Proxmire
Byrd, Va.	Hill	Randolph
Cannon	Hollings	Ribicoff
Carlson	Jordan, N.C.	Russell
Cooper	Long, La.	Smathers
Cotton	Magnuson	Smith
Curtis	McGee	Spong
Dirksen	McGovern	Symington
Dodd	McIntyre	Tower
Eastland	Metcalf	Williams, N.J.
Ervin	Murphy	Yarborough

The PRESIDING OFFICER. (Mr. GORE in the chair). A quorum is present.

ABSENCE OF SENATORS FROM SENATE CHAMBER

Mr. MANSFIELD. Mr. President, I must express a keen sense of disappointment at the fact that it has taken at least 45 minutes to obtain a quorum on the floor of the Senate today. We have a good quorum in town, but too many Senators are absent who are vitally interested in this measure or, at least, so they have said. In addition, we have too many Senators who are preparing to go out of town.

I think I should point out that the leadership has been trying to get the pending bill out of the committee and before the Senate for a year and a half. It is one of the most important bills which will come before the Senate this year. If, perchance, the attendance does not increase measurably, it is my intention to forgo this travesty, this charade, and move that the Senate stand in adjournment until Monday noon.

If the absent Senators and those who are planning to go out of town or those who have other duties do not see fit to be in the Chamber to attend to their primary responsibilities, then the Senate will wait until they return so that we can get down to the consideration of this most important, significant, and timely legislation.

Mr. MURPHY. Mr. President, in defense of at least a few Senators, I must state that a rather important luncheon is taking place. That luncheon should be over momentarily. It is honoring the new representative of the State of Israel. I know that many Senators are there.

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

Mr. MURPHY. I yield.

Mr. MANSFIELD. Mr. President, all of the Senators in attendance at that luncheon came to the Chamber and answered to their names. That luncheon is nearby.

Mr. MURPHY. Mr. President, I thank the Senator.

RIOTS AND THE MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the following articles be printed in the RECORD:

An article entitled, "March of Poor Formally Starts From Memphis," written by Charles N. Conconi, and published in today's Washington Star.

An article entitled, "Seven Organizers of March Arrested in Mississippi," published in today's Washington Star.

An article entitled, "Marchers Wind up Lobbying," written by Willard C. Clopton, Jr., and Bernadette Carey, and published in today's Washington Post.

An article entitled, "Rowdy Group of Area Youths Severely Beat District of Columbia Policeman," written by Michael Drosnin, and published in today's Washington Post.

An article entitled "Protests by Students Continue To Spread," published in today's Washington Post.

An article entitled "Stage 1 of Poor March Over," published in today's Washington Daily News.

A story by Robert C. Maynard, appearing in today's Washington Post, titled "Memphis Prepares Poor People's Drive."

A column by James J. Kilpatrick, appearing in today's Washington Evening Star, titled "Permissiveness Gone Mad in the Universities."

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

MARCH OF POOR FORMALLY STARTS FROM MEMPHIS—MRS. KING LEADS RITES IN TRIBUTE TO SLAIN HUSBAND

(By Charles Conconi)

MEMPHIS.—Mrs. Martin Luther King Jr. was to open the march to Washington today for the Poor People's Campaign by placing a marble slab to the memory of her slain husband on the balcony of the motel where he was slain.

The 250-pound marble marker, surrounded by floral tributes, was carved with the name of the murdered leader of the Southern Christian Leadership Conference, the dates of his birth and death and a quotation from Genesis reading:

"And they said one to another, Behold, this dreamer cometh. Come now therefore and let us slay him . . . and we shall see what will become of his dreams."

From the memorial ceremony in front of room 306, Mrs. King and the Rev. Ralph D. Abernathy were to lead the first group of campaign marchers on the first leg of their route to Washington.

The demonstrators gathered in the small motel parking lot were scheduled to follow Abernathy, through the streets of Memphis towards the city limits, to board buses for Marks, Miss., about 70 miles distant. Marks is a town that is becoming an increasingly important symbol for the campaign.

CUTS SHORT VISIT

It was reported here that a group of Southern Christian Leadership Conference staff organizers were arrested in that Mississippi Delta town yesterday and that violence broke out when state troopers moved in to force demonstrating students away from the jail where the organizers were held.

Abernathy, who heads the SCLC, was told of the incident while meeting in Washington with Interior Secretary Stewart Udall. Abernathy [redacted]sed his unverified report to the secretary, and asked to be excused.

Abernathy was accompanied on his visit to Udall by two members of the National Indian Youth Council, Victor A. Charlo, of Missoula, Mont., and Melvin D. Thom, of Berkeley, Calif., who presented several "demands" to the cabinet officers.

These included separate but equal Indian communities, a guaranteed income, and teachers and counselors responsive to Indian community needs.

"We need jobs, housing, economic development. We want these things on our own terms," Thom said.

SEES "RACIST SYSTEM"

He said that as the chief spokesman for Indians in the American government, the Department of Interior" has been failing us."

"It is built and operates under a racist and paternalistic and colonialist system," he said.

Udall reacted immediately after one of the Indians, Tillie Walker, who works for the United Scholarship Fund for Indians in Denver, Colo., told him that members of the Bureau of Indian Affairs are telling Indians not to join the Poor People's Campaign.

Miss Walker said that the implication to at least two Indian reservations—at Fort Berthold, N.D., and Standing Rock Reservation in South Dakota is that "Indians don't work with black people."

Udall immediately turned to Robert L. Bennett, his commissioner of Indian Affairs and told him to investigate the charge.

"If anyone in the Indian Bureau is attempting to discourage people . . . (from joining the campaign) . . . they are going far beyond their proper right," Udall said.

WELCOMED BY UDALL

Before Abernathey left, Udall told him: "I don't resent your coming. I welcome your coming. I hope your visit is productive," and warmly shook Abernathy's hand.

Earlier yesterday, Abernathy had met with Secretary of State Dean Rusk, who said "it is too late in our history for our country to accept discrimination in American society."

But Rusk said of campaign demands that money for the Vietnam war be channeled instead toward helping the poor that "the entire human race faces an overriding prob-

lem—how to organize a decent peace in the world."

Abernathy said later that he was "pleased" with his three-day meetings with cabinet officials, congressmen and other government officers.

"I am pleased because the poor people themselves spoke up in the most profound and eloquent terms and expressed discontent and dissatisfaction with this government," he said. But he said kindness and sympathy are not enough. "We demand our God-given and Constitutional rights," he said.

"They have made no guarantees or any promises," Abernathy said after meeting with congressional leaders. "I have detected a sympathy on the part of people with whom I have met, but that sympathy alone will not solve the problem—we want action."

Considerable concern is felt here that violence could break out in Marks tonight when several hundred demonstrators from Memphis move into the Quitman County community to prepare for the trip to Washington.

In Marks the marchers will make up a "freedom train" and a mule-drawn train, both leaving for Washington next Tuesday.

The freedom train riders will build the shack and tent city to be called "The New City of Hope," the day after the train arrives May 12.

Marks has also been SCLC's symbol of extreme poverty and Abernathy said that it was there he saw King cry over children who had no food.

When he arrived at the airport in Memphis, Abernathy said the incident in Marks proves "we live in a sick and racist nation."

SOME 5,000 AT RALLY

At a massive rally here last night of more than 5,000 persons at the Mason Temple Church of God in Christ, several of the speakers referred to Marks and the violence that had broken out there.

Speaking in the arched, gymnasium-size room with bare steel support rods crisscrossing the roof Abernathy told the shouting, waving, applauding audience:

"No violent acts or threats against us in Marks or in Boston or anywhere else will keep us from going on with the poor people's campaign. It is on and it is going to stay on."

The Rev. James Bevel, SCLC's organizer here, angrily told the audience in reference to the Marks incident that when America can beat black children, "it's time to go to the king (Washington)."

Bevel, who reportedly has been having trouble finding volunteers to stay in Washington indefinitely, possibly through the summer, demanded:

"When I ask you to send your children with me, you look at me and tell me about a damn high school diploma. But you will send your children when (President) Johnson will come and ask your children to go to Vietnam."

MRS. KING CHEERED

The rally's most emotional moment came when Mrs. King walked to the speakers' platform, the site of her husband's last public address, on the spot where he stood that night on April 3. She said, "It doesn't really matter what happens now. I've been to the mountaintop." He was murdered the following day.

Mrs. King, her eyes sparkling at the huge ovation she received, told the audience that she had returned to Memphis to see "that my husband's dream will be realized."

She related her decision to stand behind him during his years as a civil rights leader and the bombings of their home and said she was thankful to God for being able to know him.

Then Mrs. King, who had once been a concert singer, said she wanted to sing an old spiritual King had loved, "Sing, Sweet Little Jesus Boy."

With her eyes closed and her hands pressed tightly, she stood back from the microphones and sang in a strong, clear soprano. Her voice carried through the massive arena-church and the audience women wept and whispered softly, "Yes, . . . Oh yes . . . Oh yes."

GOES TO MOTEL

It was shortly after midnight here when a limousine brought Mrs. King to the Lorraine Motel, her first visit to the place where her husband died nearly a month ago.

Abernathy took her to the balcony in front of King's room, 306. He pointed to the balcony floor where her husband fell and then leaned over the railing to show the way King had been talking to his driver.

"Then he (King) straightened up," Abernathy continued, pointing to the building across the parking lot and through the trees, now thick with leaves, to the window, where the assassin stood to fire.

Meanwhile in Winston-Salem, N.C., Georgia Gov. Lester Maddox today urged the federal government to "issue a restraining order" to stop the campaign, which he said was not for poor people but "for and by the punks." His prepared remarks were for a speech at Wake Forest University.

In Washington, city officials and a representative of the National Capital Parks Service met with members of the Senate District Committee yesterday behind closed doors to brief them on plans for the campaign.

Among those attending were Mayor Walter E. Washington, Deputy Mayor Thomas Fletcher, District Public Safety Director Patrick V. Murphy, Chief John B. Layton and Asst. Fire Chief William C. Weitzel acting for Chief Henry Galotta.

SEVEN ORGANIZERS OF MARCH ARRESTED IN MISSISSIPPI

MARKS, MISS.—Seven organizers of the Poor Peoples March on Washington were arrested yesterday during a tense confrontation stemming from their efforts to recruit high school students for the Washington demonstration.

State troopers rushed to the aid of local authorities when about 500 students gathered outside the Quitman County Jail to demand the release of one of the march organizers.

The troopers, formed a flying wedge with riot guns held across their chests, waded into the students when they ignored orders to disperse. The students broke and ran.

A camera crew that was on the scene at the time said the troopers put aside their rifles at the last minute and routed the students with billy clubs, but the highway patrol and local police denied that clubs were used.

No shots were fired.

APPEARS AT SCHOOL

Authorities said the trouble started when Willie Bolden, long a leader of the Southern Christian Leadership Conference, sponsor of the campaign, appeared at all-Negro Quitman High School during the noon recess and urged students to join the Washington march.

When the students refused to return to classes after the recess, Sheriff L. V. Harrison arrested Bolden and charged him with trespassing and disturbing the peace.

This, officials said, touched off a spontaneous march on the jail, where officials conferred with student leaders and informed them that Bolden could be released only if bond were posted.

When this failed to satisfy the demonstrators, state troopers were summoned and the students were told they had two minutes to leave or they would be arrested.

SIX REPORTED TREATED

The nearest hospital, at Clarksdale, about 20 miles southwest of Marks, reported that six persons from the demonstration had turned up seeking treatment. Officials said none was admitted and none appeared seriously hurt.

In addition to Bolden, those taken into custody were identified as Chester Thomas Jr., Canton, Miss.; Major Wright, Grenada; Jimmy L. Wells, Atlanta; Marjorie Hyatt, Atlanta; Andrew Marrisett, Atlanta, and Doris S. Baker of Marks.

All were taken before a justice of the peace and their bonds set at $500 each.

MARCHERS WIND UP LOBBYING—DELEGATIONS OF POOR VISIT RUSK, UDALL

(By Willard Clopton Jr. and Bernadette Carey)

Leaders of the Poor People's Campaign yesterday ended three days of buttonholing high Federal officials with their demands and predicted that "constructive results" will flow from the effort.

The Rev. Ralph David Abernathy and about 70 of his followers voiced their grievances to Secretary of State Dean Rusk and Interior Secretary Stewart L. Udall, making a total of seven Cabinet members visited during the Campaign's opening phase.

Mr. Abernathy last night flew to Memphis, where on Thursday he will begin organizing the first of nine regional caravans that are expected to bring several thousand demonstrators to Washington during the week of May 12.

"SHANTYTOWN" PLANNED

The plan is for them to set up a "shantytown" here and remain camped in the city until Congress approves a massive program of aid for the Nation's poor.

Before leaving the city, Mr. Abernathy said that the congressi[redacted]s and agency heads he visited had been polite and generally sympathetic to his program.

But he warned: "We don't just want sympathy. We want action."

The visit to Udall yesterday afternoon was thrown into confusion when, midway in the meeting, Mr. Abernathy suddenly said he had received a report that six persons sympathetic to the Campaign had been shot at Marks, Miss., one of the planned assembly points for the protest marchers.

Reporters scrambled for telephones and Mr. Abernathy left the meeting briefly for a press conference at which he said that the report "only goes to show that we live in a racist society in a very sick nation . . ."

REPORT ERRONEOUS

A few minutes later, however, he announced he had been told by telephone that the report was erroneous.

It was subsequently learned that seven persons were arrested in Marks in connection with a disturbance at a local school. Mississippi authorities said the arrests stemmed from a demonstration led by an official of the Southern Christian Leadership Conference of which Mr. Abernathy is president.

In an action related to the County Council President William W. Greenhalgh yesterday called for regional cooperation to prepare for the arrival of the protest marchers in the Washington area.

He disclosed that a meeting "to discuss the lack of regional planning on civil disturbances" will be held at 10:30 a.m. Friday between Assistant U.S. Attorney General Fred M. Vinson Jr. and representatives of suburban area jurisdictions.

At his press conference in Rockville, Greenhalgh said he had arranged for up to 200 Maryland State policemen and Maryland National Guardsmen to be available on a standby basis when marchers from the Great Lakes region enter the County—sometime between May 11 and May 15.

A spokesman for the organization Greenhalgh set up to cope with the details of the march said food and shelter for the marchers would be contributed by churches. The marchers would be housed in the churches and parish halls, nearly a dozen of which had volunteered their facilities.

In another development, Assistant District Corporation Counsel Richard W. Barton told the U.S. Supreme Court that because of a recent Federal court decision, the city theoretically would have to provide welfare benefits to any of the demonstrators who say they intend to stay here indefinitely.

The city is appealing the ruling and is seeking the restoration of its one-year residence requirement for welfare applicants.

SPEAKS TO RUSK

Mr. Abernathy and his group told Secretary Rusk during an 80-minute visit that the United States should withdraw from Vietnam and use the money saved to stamp out poverty at home.

Mrs. Martha Grass, a mother of 11 from Ponca City, Okla., said: "I feel we have no business in other countries' affairs, when we have enough trouble of our own."

Sanford Gottlieb, an official of the Committee for a Sane Nuclear Policy, observed that "the Book of Matthew says that where your treasury is, your heart is also.

"Seventy-nine per cent of our budget goes for defense and the space program, while only 10.7 per cent, goes for health, education and welfare. One has to conclude . . . that this is not a welfare state but a warfare state."

Albert Foyles, 25, of Baltimore, said it is "completely unfair that we of the poor masses should be beaten, kicked, harassed and jailed and then be asked to go to fight a war that we have no reason to go to . . . The draft is one good way to get rid of us."

Rusk thanked the group for coming and promised a later response to the demands.

"TIME HAS COME"

He added, "I think we all agree the time has come to make good on the great commitments of our Constitution" and to act to assure all persons of their basic rights.

He added that "both as an official and in private life I am doing everything I can to move promptly in that direction."

At the Interior Department, where Secretary Udall was accompanied by John Bennett, commissioner of Indian Affairs, testimony focused on the plight of the American Indian.

Melvin Thom, a member of the Painte tribe from Nevada, said the Nation's system for dealing with Indian needs "is sick, the disease is paternalism and the Department of Interior is the carrier." He said Indians want a "separate but equal" community, free of the white man's cultural influence.

Udall told a reporter after the meeting that no decision has been reached regarding the Campaign demonstrators' use of Federal parkland here as a campsite.

ROWDY GROUP OF AREA YOUTHS SEVERELY BEAT DISTRICT OF COLUMBIA POLICEMAN

(By Michael Drosnin)

On Saturday night, Marshall E. Lohr, 37, a District of Columbia policeman attached to the canine squad, was walking his police dog near his home in the Prince Georges community of West Lanham.

He approached a group of teen-agers who had tried to crash a birthday party in his block, and, who, he said, were shouting obscenities. Lohr told them to "tone down."

According to Lohr, the youths retorted, "We know you're a cop and we know that's a police dog."

Lohr said he then took the dog back to his house because he "wasn't looking for any trouble" and returned to the group of teenagers, repeating his request.

"The next thing I knew," said Lohr, "I was lying on the ground and a neighbor told me to hold still. Then the ambulance came."

Lohr was taken to Prince Georges General Hospital where he was in satisfactory condition yesterday with a broken nose, a fractured jaw and a concussion.

According to Prince Georges police, he was attacked by two of the teen-agers he had told to quiet down, a 16-year-old and a 17-year-old from nearby Woodlawn. Both have been charged with assault with intent to maim and have been released to their parents.

The youths were arrested at Prince Georges Hospital where the 16-year-old, a 6-footer who weighs 245 pounds, had gone to get a cut hand treated.

Lohr's wife, Elizabeth, was standing in the hospital hallway outside an emergency room where her husband lay unconscious.

Two youths, she said, were sitting a short distance away laughing. Then one looked into the room where Lohr was awaiting treatment and said, "Oh, boy, he's really hurting, isn't he."

When Mrs. Lohr identified herself to the teen-agers she said they answered, "We're going to get your house next." A few minutes later Prince George's police arrived and took the youths into custody, acting on information supplied by neighbors.

According to Sgt. Lohr's Metropolitan Police superiors, he was out of uniform and unarmed when he confronted a group of five youths near his home at 5405 76th ave. The group, four boys and one girl, ranged in age from 15 to 17.

Lt. George Greggs of the Metropolitan police said that the youths told Lohr, "You wouldn't be so big without that dog," and then called him a "nigger-lover."

Wanting to avoid trouble, Lohr according to Greggs, gave the dog to his wife who had come out to see what was happening.

When he returned to the teen-agers, Greggs said that one of the youths hit Lohr and knocked him to the ground and then kicked him while he was down. Neighbors said the girl screamed "You've killed him."

As the youths ran back to their car, neighbors began to converge on the scene. The car, they said, sped away into a dead end street and then came back without its headlights on toward Lohr, who was lying in the intersection. Several neighbors pulled Lohr onto the sidewalk as the car sped away, the youths shouting obscenities out of the windows.

Lohr has served in the District Police Department for 14 years and has lived in the West Lanham neighborhood for seven. Neighbors described him as "an easy-going guy who doesn't bother anyone."

One neighbor, John Moye, 5406 76th ave., said that Lohr walks his police dog through the area every night. "He's like our security patrol," said Moye.

From his hospital bed Lohr commented to a reporter, "I made it through the war and got injured in the peace."

He was referring to the fact he came through the Washington riot without a scratch only to be attacked and beaten in front of his Prince George's home in what his wife describes as a "quiet, quiet section of very nice families."

PROTESTS BY STUDENTS CONTINUE TO SPREAD

Student demonstrations spreading from colleges to high schools combined to keep thousands of young Americans from their classrooms yesterday.

Twenty-two students of the Stony Brook, N.Y., State University began a sit-in at the school business office, protesting the presence of county police on the campus. The police moved in after arresting 33 students on charges of possession and sale of drugs in a January raid.

Defying a threat of wholesale suspensions, pupils—mostly Negroes—renewed sit-in demonstrations at four Cincinnati public high schools to protest disciplinary regulations. Police arrested about 100 for ignoring orders to disperse. School Supt. Paul Miller had already announced that 1400 pupils involved in sit-ins at six high schools Tuesday would be suspended at least 10 days.

HOUSE ARREST

Judge Benjamin Schwartz of the Hamilton County Juvenile Court backed Miller with an order placing all suspended pupils under house arrest. He said they could go out in public only if accompanied by a parent, and must be home by 9 p.m. A 12-hour sit-in at the South Bend, Ind., school administration building Tuesday ended with the arrest of 72 adults and 59 juveniles on trespass charges. The demonstrators were protesting the presence of armed guards in three high schools, one predominantly Negro and two predominantly white, where there had been recent disorder in the halls.

At Columbus, trustees of Ohio State University voted for a disciplinary hearing for 75 Negro students who seized the school's administration building last Friday, complaining of "black student problems."

PRINCETON LAYS PLANS

[At Princeton, N.J., the United Press International reported, the president of Princeton University warned a student group which plans a massive Columbia-style sit-in today that police will be brought in if "the regular and essential" operations of the college are interrupted.

[Robert F. Goheen, responding to reports that the Princeton chapter of Students for a Democratic Society (SDS) has scheduled a sit-in at Nassau Hall, outlined steps the university will take if trouble breaks out.

[The SDS wants the university to sever its connections with the Institute of Defense Analysis and provide campus draft counseling for [redacted]]

FALSE REPORT OF SHOOTINGS IN MARKS—STAGE 1 OF POOR MARCH OVER

(By David Holmberg)

Rev. Ralph Abernathy took advantage of the arrest of seven Poor People's Campaign workers in Marks, Miss., yesterday and ended the first phase of the campaign here with a moving plea for a non-violent revolution.

The successor to Dr. Martin Luther King interrupted the final session of testimony before Interior Secretary Stewart Udall by poor people from thruout the nation to tell a stunned crowd of newsmen and onlookers at the Interior Department that several campaign workers in Marks had been arrested, and "six have just been shot." He said a school teacher had also apparently been shot.

The report of the shooting was later proven false, altho the arrest in Marks of seven student organizers of the campaign for "disturbing the peace" was confirmed. The arrests came after a tense confrontation between state troopers and police.

(This is the report by United Press International from Marks.

(State troopers rushed to the aid of Marks' authorities when about 50 students gathered outside the jail to demand the release of one of the seven march organizers.

(The troopers, forming a flying wedge with riot guns held across their chests, waded into the students when they ignored orders to disperse. The students broke and ran. No shots were fired.

(Authorities said the trouble started when Willie Bolden, a longtime leader of the Southern Christian Leadership Conference, turned up at the school during the noon recess and urged students to join the Washington march.

(When the students refused to return to classes after the recess, sheriff L. V. Harrison arrested Mr. Bolden and charged him with trespassing and disturbing the peace.

(This, officials said, touched off a spontaneous march on the jail, where officials conferred with student leaders and informed them that Bolden could be released only if bond were posted. When this failed to satisfy the demonstrators, state troopers were summoned and the students were told they had two minutes to leave or they would be ar-

rested. The flying wedge followed when they didn't.)

The meeting at Interior here was quickly adjourned after a brief statement by Mr. Udall, and Rev. Abernathy and telling a crush of reporters that the "shootings" showed "we live in a racist society, a very, very sick society. It may be that sickness so acute that it is unto death."

"We realized this," he added, "and this is why we dreamed the dream (of the Poor People's Campaign) of Dr. Martin Luther King."

He said, "We will not let this (the "shootings") deter us, just as we did not let the death of Dr. King deter us. We are not going to call the campaign off. All we want them to do is to call off their violence. We will give all we have. We are ready to join right now with Martin Luther King and Medgar Evers and the others who died for justice."

Pleading with his followers "not to turn to violence," Rev. Abernathy said, "they must arm themselves with the sword of truth and put on the breastplate of righteousness; we must put on the whole armor of nonviolence and stand up against this evil system seeking to destroy us."

Rev. Abernathy begins the march today from the site of Dr. King's assassination. He said he was "highly pleased" with the three days of meetings with Cabinet members and the Congress that climaxed with the news from Marks.

The minister said the officials had received the poor people with "kindness and sympathy" but added that "we don't need sympathy and we need more than kindness."

He said earlier, following testimony before Secretary of State Dean Rusk, "We have discovered a new power. It is not white power, it is not black power, it is poor people power."

Sanford Gottlieb, director of SANE, told the Secretary—who took notes thru most of the testimony—that "the ICBM has not been invented yet to parry the Molotov cocktail." He said there is "one America for people who are comfortable and one for the poor."

Responding to the hour-long testimony, Secretary Rusk said, "The entire human race faces the overriding problem of how to organize a decent peace in the world. Within that framework of historical necessity we could have our debate on how it could be achieved."

He said, "Every citizen must be given the rights and privileges and opportunities that go with citizenship in our society."

At Interior, the speakers concentrated on the problems of the Indian. One of them, Melvin D. Thom, of the American Indian Council, said, "The system and the power structure serving us is a sickness . . . paternalism is a vice and the Secretary of Interior is a cancer."

The speakers also rapped what they called "tokenism" on the part of the government.

Secretary Udall told them that "non-violent protest is an essential part of democracy," and that he had had "some success" in his seven and a half years in the job "but I don't think we've had enough."

MEMPHIS PREPARES POOR PEOPLE'S DRIVE

(By Robert C. Maynard)

MEMPHIS, May 1.—An emotional, sometimes weeping, sometimes chanting rally of 6000 persons prepared tonight for the launching of the Poor People's Campaign caravan to Washington.

Mrs. Martin Luther King Jr., wife of the murdered civil rights leader, sang to the hushed and weeping audience a spiritual that had been her husband's favorite, "Sing, Sing, Little Jesus Boy, We Didn't Know Who You Was."

But Mrs. King, a former professional singer, made it clear in a speech that she wished for no one to become preoccupied with her husband's death but instead she wanted Negroes to fight ever harder for their freedom.

The Rev. Ralph D. Abernathy, successor to Dr. King as president of the Southern Christian Leadership Conference, said:

"For any of you who would linger in the cemetery and tarry around the grave, I have news for you. We have business on the road to freedom."

"We must prove to white America that you can kill the leader, but you cannot kill his dream."

Mrs. King told the audience, which included many of the sanitation workers whose strike Dr. King was assisting when he was slain on April 4, "It's not going to be easy on the road to Washington or on the road to freedom. Some more people are going to pay the supreme sacrifice."

After the rally, Mrs. King made a pilgrimage to the Lorraine Hotel and visited the room where Dr. King was staying the night he was shot.

The Poor People's Campaign will begin its march from Memphis to Marks, Miss., Thursday morning, after Mr. Abernathy sets a star into the cement outside the motel room where Dr. King was killed, in honor of the slain Nobel Peace Prize winner.

The Rev. James Bevel, a close King aide and a top SCLC official, told the rally tonight, "There is a conspiracy against black people in America. Unless we change the definition of a black man, white America will liquidate black people."

Mr. Bevel, quoting from the Biblical reference, "His knees hold their peace, the very stones will cry out," told the audience that black Americans may have no opportunities beyond the present to make their voices heard for their freedom.

"When you see the cities burning," Mr. Bevel said, "the stones are crying out." But he said white America will not much longer tolerate rioting among Negroes.

The rally was held in the enormous sanctuary of the Church of God in Christ, the last place at which Dr. King gave a public address, on the evening of April 3.

PERMISSIVENESS GONE MAD IN THE UNIVERSITIES

(By James J. Kilpatrick)

NEW YORK.—The trustees of Columbia University were ten days late in calling in the cops. By their spineless unwillingness to act at the very outset of the insurrection, they made their own miserable contribution to the anarchy that is spreading a typhus contagion across American campuses this spring.

The student revolutionaries should have been warned, then arrested, then expelled, at their first defiance of university rules. Instead, the administration vacillated. It was willing to negotiate; it would treat with the invaders; it would suspend construction of a controversial gymnasium as a gesture of appeasement. This was foam-rubber firmness and no wonder the students hooted the trustees down.

What in the name of heaven has happened to our college and university administrations? The series of outrages began at Howard University in Washington on March 19, when student insurrectionists seized the administration building and held it for five days.

Thus inspired, students at Bowie State University in Maryland went on a similar rampage; they blocked driveways, seized the university switchboard, banned President Samuel L. Myers from the grounds, and began deliberately wasting water and electricity. Someone had taught them, presumably, that this was free speech.

The contagion spread to Virginia Union University in Richmond; to Virginia State College in Petersburg; on April 7 to Tuskegee Institute in Alabama, where students chained the doors of an administration building and kept trustees captive for 13 hours. In other manifestations, student insurrection hit Colgate, Western Michigan, the University of Georgia, Long Island College.

At Barnard College in Manhattan, the administration groped abjectly with the problem of young Linda LeClair, a student who had lied—lied brazenly and willfully—in order to deceive the college as to her place of residence. The case caused serious embarrassment to Barnard. Linda had to be punished; the college denied her access to the snack bar.

Here and there, it is true, a few public officials have reacted with firmness. Maryland's Gov. Spiro Agnew closed Bowie State. The Tuskegee trustees moved decisively against offenders. Generally, the pattern has been a pattern of administrative surrender. It has been a pattern of permissiveness gone mad, of tolerance turned inside out. In the process, the whole meaning of a university has been lost.

If a university fails to maintain conditions of free inquiry, it fails in its primary function. But freedom demands order. It demands discipline. It demands a sense of hierarchy, in which the students are inferior to their masters. What kind of free inquiry was possible at Columbia with the insurrectionists in charge? The zoo has been surrendered to the gibbons, the asylum yielded to the inmates. Students who wanted to pursue their education were effectively prevented from doing so. This was an exercise in healthy dissent? In free speech? In peaceable assembly and petition? Nonsense. This was anarchy; it cannot be condoned.

An explanation may be sought, perhaps, in the perverted emphasis our society has placed upon "youth" and upon "equality." In our fatuous exaltation of the immature, we have tended to destroy the meaning of maturity. The notion that students are somehow equal to professors has undermined the whole of the academic relationship.

This is a case, if there ever were one, of "teaching bloody instructions, which, being taught, return to plague the inventor." The college administrators who have condoned, capitulated, and made concessions to student insubordination have asked for the chains on their doors. The trustees' decision to build this Columbia gym was not reached capriciously; it was the result of prolonged and serious deliberation. To suspend that decision in deference to the militants is to invite attack on other university policies. It is to destroy order and to abdicate responsibility. No institution, so governed, deserves to survive.

SUBSCRIPTION TELEVISION

Mr. MURPHY. Mr. President, in remarks before this body the distinguished senior Senator from Indiana, has given a progress report on an exciting new dimension in communication.

As Senator HARTKE has told us, subscription television is today on the threshold of becoming a reality. Refreshingly, it is not asking for special protection; it is not asking for Government subsidy; it is not asking for economic privileges. Subscription television is asking only for the opportunity to add to the choices available to the viewing public, to create something additional to what now exists.

I find it difficult to believe that subscription television will have the slightest effect on the number of free advertising-sponsored programs available to the viewer. As long as there are products to sell and advertisers eager to sell them, programs paid for by advertising will continue to be fully available.

In my opinion, subscription TV will strengthen the television industry by giving the public new options of programs to be seen. In so broadening the appeal of

the medium, the entire industry should profit, rather than suffer, as is often feared.

These fears are similar to those expressed, when television first entered the arena by members of the motion picture industry who predicted "a battle to the death of two giants." I recall saying then to these skeptics that, rather than such a battle, the industry would unite in a productive marriage from which would emerge a beautiful child in the form of an improved product and a thriving business for all concerned. This has been the case—and I predict now that the entire television industry will similarly thrive with the introduction of pay TV.

I particularly hope for early action by the Federal Communications Commission to permit pay TV because of a very important additional benefit. Subscription television today offers the best hope for relieving unemployment which has reached the crisis stage in one of our most important industries in California.

Motion picture making is one of the original American businesses. Along with related and dependent industries it has provided jobs for hundreds of thousands of Americans; it has given entertainment and enlightenment both to our citizens and to those around the globe; and it has contributed as much as a quarter-billion dollars to our balance of payments in a single year.

Senators will agree that I do not misuse the term "crisis" when I relate the current unemployment picture in the motion picture industry.

According to the Hollywood AFL Film Council, 31 percent of the industry's labor pool is currently unemployed. This compares with a national unemployment rate of 3.7 percent. These figures do not include actors, extras or musicians whose rate of unemployment is much higher.

Today less than 6 percent of the Hollywood members of the Screen Actors Guild are working. Also unemployed are 51 percent of the makeup artists, 75 percent of the electrical technicians, 40 percent of the sound technicians and cameramen, 51 percent of the property craftsmen, 35 percent of the transportation drivers, 75 percent of the grips.

Movie industry workers today are suffering a payroll loss of nearly $200,000 a day. And the loss is not theirs alone. The State of California, which is paying these unemployed more than $400,000 a week in unemployment benefits, is losing an estimated $53,000 a week which would go into the State unemployment and disability funds if employment were normal, and an additional $40,000 which these workers would pay in State income taxes if they were employed.

These are direct, tangible, accountable losses. How much more is lost in sales taxes, in taxes paid by businesses whose customers must tighten their purse strings, and in total economic effect of reduced employment would be impossible to compute.

Today, the rapid rise in unemployment in the industry is challenging Hollywood's title as the "Film Capital of the World." In an attempt to avoid the squeeze between limited markets and ever-rising costs, film makers and film making have gone abroad in search of natural settings and cheap labor.

In December 1967, American film companies were shooting 32 films abroad, 21 in the United States. In January, the number of films produced domestically dropped to 11.

We do not delude ourselves that subscription television will cure all of the industry's ills. But it would open for the industry a vast additional market with significant new sources of revenue.

Rosalind Russell put it very well in an interview when she said:

> Hollywood has changed, as everything has changed, as the world has changed. But it doesn't mean it is finished. I think pay television is just around the corner, and then this town will be prosperous as it never has been before. It won't be the same business we knew, but it will be very exciting.

Olivia de Havilland, Charlton Heston, Richard Boone, and Dana Andrews are among the solid citizens of cinema who look to subscription television as a means to assure the survival of Hollywood.

Ralph Bellamy looks for the movie industry to be "stimulated economically and artistically by the increased revenue and competition of premiering new films on subscription television."

Subscription television will make it financially possible for Hollywood to employ the best of talent in the finest of productions. Cultural and classical films which cannot now be justified at the box offices can become moneymakers for the film makers when that special portion of the viewing public which would enjoy such productions is gathered together into one audience.

All that the proponents of pay TV ask is the opportunity for their product to compete in the free marketplace; and I find it difficult, as one who believes in the free enterprise system and the value of competition, and of the consumer's right of choice, to justify denying them that right.

I join with others in Congress in expressing the hope that the Federal Communications Commission will act quickly to approve subscription television. In addition to the many compelling reasons which have been advanced, I urge this action because of the economic benefits subscription television will bring to an industry so vital to my State and to this Nation, an industry in great need of and most deserving of our consideration.

ORDER OF BUSINESS

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

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The clerk will call the roll.

The bill 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.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow.

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

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Mr. MORSE. Mr. President, I rise to oppose the pending measure. What began as a measure to extend Federal financial and technical assistance to State and municipal law-enforcement agencies has become a catchall for a variety of questionable proposals. I refer to the anti-Supreme Court measures, the proposed wiretapping legislation which has been lying around for over 15 years that I know of, and probably longer, and the gun restriction, which have been added to the original bill.

One might well call this another Christmas tree bill or an Easter basket of grievance legislation in the field of law enforcement. It has everybody's pet theories in it.

We need legislation to promote and maintain a government of law and order. My record for 23 years and more in the Senate leaves no room for doubt as to my position on that thesis. My speeches last year—two of them given upon the invitation of the President of the United States because he knows my position in regard to the enforcement of the law—relating to Newark, Detroit, and other riot-torn areas of the country, leave no room for doubt, as I think, that our government cannot be maintained by law unless the law is enforced.

But it is also important, Mr. President, to see to it that, in enforcing the law, the precious constitutional guarantees are carried out. A system of government by law is not helped by resort to what I consider police state tactics in the name of government by law.

My great concern, Mr. President, is that some of the procedures involved in this bill will do great damage to the perpetuation of a system of government by law and start us down the road toward government by police state procedures.

I hope that before we finish with this bill, it can be so modified that we can join hands in support of a measure that will keep within the framework what I believe are precious constitutional guarantees in writing.

Furthermore, Mr. President, it is in the hours of crises, and we are in a crisis, that we should be particularly jealous to see to it that our constitutional system of government by law remains inviolate.

Mr. President, if you believe it is the courts that cause crime, there is something in S. 917 for you. If you believe crime can be prevented—some kind of crime, anyway, if not crime on the streets—by tapping wires and picking up private conversations down the block, there is something in this bill for you.

If you believe that possession of guns by the wrong people can be prevented if there were no mail-order sales, there is something in this bill for you.

I do not say that because these measures do not stop crime absolutely they are not worthy of consideration, or that because Congress cannot do everything in the field of law enforcement it should do nothing. But I do question a procedure that brings to the Senate floor under the name of "safe streets," a whole series of unrelated proposals concerning court rulings, court jurisdiction, police eavesdropping, interstate sale of guns, all of which are heavily suspect first in their effectiveness and second in their constitutionality.

I doubt that any of these added committee provisions could stand on its own merits either within the committee or on the Senate floor. I doubt they could get a Presidential signature. But they are all getting a free ride on a short title of "Safe Streets."

The only part of this measure that is likely to do anything to make the streets safer is title I. It is designed to increase the manpower and improve the skills of local police forces. That is what the Federal Government can best contribute to safer streets.

Not the least of the problems with S. 917 is the scarcity of information about what is in it that is available to Senators who are not members of the Judiciary Committee. The only summary of its provisions that I have to go on is the one put together by the Justice Department. The bill was made the pending business yesterday, though my office was told the printed report would not be available until the afternoon. I obtained a copy of the text of the committee bill only in the morning.

The variety of subject matter and its complex legal and constitutional implications are not easy to follow under these circumstances. In my opinion, the Senate leadership would be well advised to put this measure over until after the Memorial Day holiday, so Members can have the time to give it the consideration it deserves, and to communicate with recognized constitutional authorities in this country.

Do not forget that in this legislation, we are overturning more than one Supreme Court decision in the area of the Bill of Rights. We are also entering the area of gun control legislation, on which the Supreme Court has only recently rendered an opinion that throws into doubt much of what is sought to be accomplished by gun control measures at any level: municipal, State, or Federal.

In the absence of adequate time to study this bill, to weigh the effectiveness of its various titles in dealing with any specific area of criminal activity or potential criminal activity, to compare its provisions particularly in title II with Supreme Court and other Federal court rulings and jurisdictions with what the Federal courts have decided on these criminal procedures and why, I certainly will vote against action by the Senate at this time.

The burden of proof for any legislation lies with its advocates. The advocates of this measure have not even given the Senate a chance to read the bill and to read a committee report on the bill before bringing it to the Senate floor. That is no way to sustain a burden of proof. That is no way to convince this Senator that what the Supreme Court has done to make the protection of the Bill of Rights meaningful in specific stages of law enforcement should be undone. It is no way to establish, indeed, that Congress can modify or repeal or change by legislation the Bill of Rights.

For the Bill of Rights, like the rest of the Constitution, is what the Supreme Court says it is until the Constitution is changed by amendment. That is elementary in constitutional law, as set forth in Marbury against Madison, that great American constitutional decision, handed down by the incomparable John Marshall, the Chief Justice of the United States.

I am well aware of the fact that there are many people in this country and in the Congress who would that the Supreme Court did not have the power to protect our constitutional rights. But we are a free people because that right was clearly vested in the Constitution to be administered, decided, and applied by the Supreme Court as Chief Justice John Marshall so clearly pointed out in the celebrated case of Marbury against Madison.

We are not going to change the fifth and sixth amendments with title II of this bill. We are not going to change, either, what the Supreme Court says about where and how the amendments apply to the details of criminal procedure, unless we deny jurisdiction over such cases to the Federal courts. Of course, the bill provides for that, too.

First, let me touch upon the efforts title II makes to change the Bill of Rights. Again, I draw from the summary of the provisions of title II of S. 917 as prepared by the Justice Department:

First. Confessions: makes voluntariness the sole criterion of admissibility of a confession in evidence in a Federal court, whether or not a defendant was advised of his right to silence or to counsel—section 3501(a)(b). This provision would overrule the Supreme Court's decision in *Miranda* v. *Arizona*, 834 U.S. 436 (1966). Section 3501(c) provides that a confession shall not be inadmissible in a Federal court solely because of delay between arrest and arraignment of the defendant. This provision would overrule the Supreme Court's decision in *Mallory* v. *United States*, 354 U.S. 449 (1957).

I have discussed both cases, Miranda against Arizona and Mallory against United States, on various occasions on the floor of the Senate.

I repeat that, in my judgment, the Supreme Court not only was right in both cases, but the decisions are also precious to the perpetuation of the civil liberties and the freedom of the American people.

I hope, Mr. President, that the time will not come when a Federal police officer can put his hand on your shoulder and say, "Come with me," and when you say "What for?" he replies, "We will tell you when we get you to the police station." He then takes you down to the police station and has unlimited time to so-call cross-examine you, Mr. President, which means, in police parlance, the third degree.

There are many varieties of the third degree, but anyone who thinks that they are passe in police departments across the country could not be more wrong.

We must maintain constant vigilance to see to it that police departments stay within the constitutional restrictions under which they must be made to function in order to keep a free society and not have a police society.

As chairman of the Subcommittee on the District of Columbia Committee, I yield to no Member of the Senate in the support I have given to provide the Police Department in Washington, D.C., for example, with every bit of help to which it is entitled under the Constitution. I do not propose to give it any extra constitutional prerogatives. I am not going to support the attempt to do away with Mallory against United States because it is particularly in times of crisis such as this that we need to have those protections made available to every citizen.

Do not forget that our whole system of criminal jurisprudence is based upon the presumption of innocence, the old Anglo-Saxon requirement that the State must establish guilt and not the arrested party his innocence. The presumption applies to the guilty as well as to the innocent. That is one of the principal ways we maintain in a free society a system of government by law rather than a government by police duress.

It is unfortunate that the pending bill contains this provision which I am presently criticizing.

Second. Eyewitness testimony: Makes eyewitness testimony that a defendant participated in a crime admissible in evidence in a Federal court, whether or not the defendant was previously identified at a lineup in the absence of counsel—section 3503. This provision would overrule the Supreme Court's decision in *United States* v. *Wade*, 388, U.S. 218 (1967).

It is easy for people to forget that very often we deal with people who get themselves into a position of arrest or detention for investigation which, of course, is the provision of the bill passed by the Senate last year with two of us, as the RECORD will show, expressing our opposition—the Senator from New York [Mr. KENNEDY] and myself. We could not even get a rollcall vote on that one. It had to go through by a voice vote. The Senator from New York [Mr. KENNEDY] and I made our record in opposition to the bill. No matter what semantics my colleagues may seek out to try to describe the provision in that bill, it did provide for arrest for investigation. When we give, as that bill did, the right to take a person to a police station and not arrest him, but merely hold him for investigation, that amounts to arrest for investigation.

When the police take a person into custody and hold him, the fact is, they are arresting him in his activities. They have no right to do it under the basic protection of criminal jurisprudence unless they have probable cause to do so. If they do have probable cause, then their duty is to arrest him. If they arrest him, then their duty is to take him forthwith

before a committing magistrate and let a judicial opinion pass upon the judgment of the police. That is a pretty precious right if we are going to remain free. That is a pretty precious right if we are going to have any liberties left. That is a pretty precious right if we are going to live in a free society and not a police state.

Oh, Mr. President, as one who for many years taught criminal law and criminal procedure, I am shocked by the bill in what it would do to free men in a supposedly free society, if it becomes the law of the land. Once again, I warn the American people, "Do not let the crisis of the hour cause us to create a greater crisis. A greater crisis to free society would be the denial of the precious civil and constitutional rights of free people."

Once again, I wish to be heard to say that we never can justify an expediency in order to accomplish an effect and a result.

An expediency is without principle, and an expediency cannot be reconciled with moral obligations.

I also want to make perfectly clear, as I have been heard so many times to say, that when you come to administer a law, you either administer it consonant with and consistent with accepted moral principles, or you cease to have a government by law. You cannot compromise the basic principles that I am talking about this afternoon and have a government with character left. A government without character is as reprehensible as is an individual without character.

Let me interpose here again to point out that the Senate is kidding itself if it thinks it can amend the Constitution or the Bill of Rights with this legislation.

Of course, it is not easy to find out, either, why these provisions are in the bill at all.

My office called the Senate Judiciary Committee yesterday, and was referred to its Subcommittee on Criminal Procedures. There, my office was told that copies of the hearings were not available except from the Government Printing Office. Senators have only their copies here on our desks in the Senate.

It is obvious to me that the bill is being moved under a procedure which says, the less anyone knows about its contents, the better.

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

Mr. MORSE. Yes; I am glad to yield.

Mr. McCLELLAN. I share the Senator's concern about the hearings not having been printed or being here, or the report of the bill, but that is no fault of the subcommittee. I wanted that made clear. I did not insist that this bill, contrary to some editorial publication, come up at this time. I am perfectly willing to wait a week or a month.

Mr. MORSE. I hope the Senator understands that I do not allege that he had anything to do with the speed with which it came up.

Mr. McCLELLAN. I thank the Senator. We all know that we are under pressure to move at this session of Congress. As far as I am concerned, I will try to cooperate with the leadership in trying to expedite the business of the Senate, but I am not moving the bill under any conditions or manner or purpose to keep anybody from knowing everything that is in it.

Mr. MORSE. I want to assure the Senator that I am making no ad hominem argument which involves the Senator from Arkansas, the majority leader, or anyone else in the Senate. I do not argue that way. I am simply saying that, in my judgment, the bill should not be before us at this time. That is my judgment. In my judgment, as I said in the earlier part of my speech, it should have gone over until after Memorial Day. We need time to study the bill, with the great consequences involved in the bill, as individual Senators. I think we have the duty to our constituents to have the time to do our bookwork on a bill such as this. In my judgment, the pending bill calls for hours and hours of study on the part of each and every Senator if he is going to carry out his responsibilities to his State.

As far as I am concerned, it calls not only for that, but it calls for interviewing many experts in the field of constitutional law and other aspects of legal matters involved in the bill.

I am merely making the record to show that the Senator from Oregon disapproves of the time for scheduling the bill, without reference to individuals as individuals. I am protesting the particular procedure we are following, in what I think is obviously an attempt to dispose of this bill at the earliest possible time. So much is involved that it should not be disposed of at an early date. Any final bill that is passed should avoid the pitfalls that I think are involved in the bill before us. That is all I seek to point out.

The testimony of the Attorney General, Ramsey Clark, appears three times in the hearing record. On all three occasions, his remarks went to the provisions of S. 917, as introduced, which concerned aid to local law agencies. The reports of the Justice Department on the bills pending before the Judiciary Committee relating to confessions are adverse. I quote from the Attorney General's written report on S. 674, appearing on page 82 of the hearings:

> Prompt arraignment of arrested persons is necessary in a free society which values the fair administration of criminal justice. The decision in *Mallory* excluding confessions obtained during a period of unnecessary delay between arrest and arrignment is designed to withdraw the incentive which law enforcement officers may have to delay arraignment. It is intended to encourage them to bring an arrested person promptly before a judicial officer. It discourages prolonged incarceration and interrogation of suspects without giving them the opportunity to consult with friends, family, or counsel.
>
> An outright repeal of *Mallory* would withdraw the encouragement for law enforcement officers to arraign suspects promptly. It would leave the "without unnecessary delay" provision of Rule 5(a) of the Federal Rules of Criminal Procedure as a rule without any remedy.

It goes without saying that if the Mallory principle can be repealed, it would also leave without remedy that portion of the fifth amendment which guarantees that no person shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law. But I think it is evident from subsequent decisions that the confessions standard is based upon the language of the Bill of Rights, as well as upon rule 5(a) of the Federal Rules of Criminal Procedure, and we are not going to repeal the Bill of Rights or alter it in any way with language like this. Let us face up to it, no matter what Congress passes, if, in fact, it is unconstitutional, it will be thrown out by the Supreme Court. I do not think we should be passing legislation with the grave doubts as to its constitutionality that this bill contains without giving it much more consideration than it is planned to give to it, unless the debate goes on for quite some time in the Senate.

In reporting on S. 1333, the Attorney General said in a statement appearing on page 109 of the hearing record:

> S. 1333 would authorize a state trial judge, in the exercise of his discretion, to admit into evidence items seized in violation of the Fourth Amendment as well as "voluntary" confessions obtained without Fifth and Sixth Amendment safeguards, if the trial judge determines that the exclusion of the evidence would result in a miscarriage of justice.
>
> The Department of Justice considers this legislation of doubtful constitutional validity. The authority granted Congress by Section 5 of the Fourteenth Amendment, the assumed co[redacted] basis for this bill, does not appear to permit Congress to pass legislation which grants state judges authority for avoiding constitutional standards.

This view of the Attorney General applies both to State and Federal proceedings. We cannot pass legislation which grants Federal courts authority for avoiding constitutional standards.

What Attorney General Clark wrote about S. 1333 applies to Congress both in its efforts to legislate a new Bill of Rights for Federal courts, and in its efforts to allow the States to avoid constitutional standards, which this bill also seeks to do in another section.

Section 3503 is another direct effort to changes the Bill of Rights. It makes eyewitness testimony that a defendant participated in a crime admissible in evidence in any Federal court. The language is designed to reverse the Wade decision, in which the Supreme Court held that a police lineup, in which a defendant is picked by a witness, is a critical stage of a criminal prosecution, and that a suspect is constitutionally entitled to the assistance of counsel at the lineup. Section 3503 seeks to write a statutory limitation upon the sixth amendment, which guarantees that "in all criminal prosecutions, the accused shall have the assistance of counsel for his defense."

Now, there is nothing new about the argument, as old as the Constitution, of who is to say what these guarantees mean. Does Congress decide when the right to counsel begins, or do the Federal courts decide, or does the President decide? There are some constitutional meanings that Congress decides, and there are some the President decides, but when it comes to a justiciable issue, and especially one of personal guarantees or due process of law in court proceedings, it is the courts that decide—not the Congress, not the President.

That issue was settled early in our

constitutional history in Marbury against Madison.

All these sections of which I have spoken are going to run afoul of the case to which I have already referred, Marbury against Madison, that famous constitutional decision by Marshall in 1803.

EFFORT TO WITHDRAW CONSTITUTIONAL RIGHTS BY WITHDRAWING JURISDICTION

It is evident to me that the subsequent sections of title II are a recognition by the majority who reported this bill from the Judiciary Committee that Congress would be unsuccessful in trying to limit by law the guarantees of the Constitution.

So we find in the bill additional sections that withdraw jurisdiction over several of these issues from the Federal courts. I must say that I find these the most repugnant sections of the whole bill. Section 3502 of title II abolishes the jurisdiction of the Supreme Court and other Federal courts to review a State court determination admitting a confession in evidence as voluntarily made. Section 3503 removes the jurisdiction of the Supreme Court and other Federal courts to review either a State or a Federal court determination admitting eyewitness testimony in evidence.

These sections seek to prevent the Supreme Court from acting on State criminal prosecution, just as the provisions I described earlier sought to change the nature of the protection in Federal prosecutions. It is interesting how many of them are aimed at specific stages in the legal process on which the Supreme Court has made recent extensions in the protection of the fifth and sixth amendments. It is certainly rare to find Congress trying to require the admissibility of testimony about a police lineup in which the defendant did not have counsel. In fact, it is incredible. But that is what Congress seeks to do in these provisions. Even if we could do it, I doubt that many Members really desire to intrude so far into the real business of the Federal courts as this measure intrudes.

It makes me wonder if Senators are aware that this bill contains such backdoor—I will even say legislatively underhanded—means of restricting the protection of the Bill of Rights for American citizens.

I say that if there is sufficient disagreement with the interpretation of the Bill of Rights and its application to the everyday procedures of police and courts, let it be proposed that there be a change in the language of the Bill of Rights. Let those who disapprove of the Mallory rule, the Miranda rule, and the Wade rule express their views directly by proposing a new version of the fifth and sixth amendments that will eliminate the requirement of counsel at the lineup and eliminate the necessity for prompt arraignment of an accused person, and permit lengthy and indefinite police interrogation under conditions of isolation or any other conditions they wish to prescribe. Let them introduce and recommend to the Senate a constitutional amendment repealing the fifth and sixth amendments, or altering them in any way they choose.

Long before I came to the Senate, Mr. President, I served in the Criminal Division of the U.S. Department of Justice. While there, I prepared a very detailed research study for the Department of Justice, at the direction of the Attorney General, dealing with police problems, release procedure problems, and prison administration. Before that, I had participated in a series of crime surveys in this country. Out of those experiences, Mr. President, I had an opportunity to learn a great deal about police practices, about third degree tactics and the type of procedures that some police are prone to follow unless they are under proper surveillance at all times.

Many people seem to forget about certain characteristics of prisoners or people who are arrested or detained. A good many tend to be hysterical. A good many are retarded—people who just are not smart mentally—and many are emotionally unbalanced. Interestingly enough, they have those referred to by psychologists as the psychological malingerers. You would be surprised. These, of course, represent a classic type of person who gets a certain abnormal psychological satisfaction out of self-punishment, such as confessing to things that he or she did not do.

They also have the type of person who, for psychological reasons or from emotional motivations, confesses to things to cover up for someone else—a loved one, a brother or sister, parent, son or daughter, or grandson or granddaughter.

Mr. President, if Senators will read the decisions of our courts and the research that goes into these decisions, they will find that the courts are aware of this human behavior problem. We just cannot have the kind of rules of thumb that are set out in parts of this bill, and have the result be justice. And justice is essential; without it, this whole system of government by law will totter and fall.

That is why I say if we want to change the sixth amendment, let us do it by constitutional amendment; let us not propose legislation of the questionable nature which, in my judgment, this legislation is, from the standpoint of constitutionality and sound public policy.

Then let us discuss some of the new versions. That is the way this matter ought to be handled, not by a return to this mechanism of rather odious repute, consisting of withdrawing the jurisdiction of the courts whenever someone in Congress does not like the nature of the court decisions.

Mr. President, I was a very young law dean at the time of the famous, or shall I say notorious court-packing scheme of the thirties. It should surprise no one in the Senate that I not only taught against it, but spoke against it and lectured against it across this country, because in my judgment that was simply another example of weakening the very foundation of government by law—substituting, in that instance with the hope of legislative backing, executive discretion; to have executive discretion, arbitrary and capricious as it may be, become a substitute for the juridical judgment of the men in the robes who have the solemn responsibility of being the trustees and the guardians of this system of constitutional government by law.

I speak out against this bill for somewhat the same reasons. In part, Mr. President, I think it smacks of a court-packing scheme: When you do not like the decision, change the judges. Or when you do not like the decision, withdraw the jurisdiction.

I thought we had disposed of back-door measures of this kind once and for all in 1957, 1958, and 1959, when a spate of them also reached the Senate floor.

HABEAS CORPUS JURISDICTION IN STATE CRIMINAL CASES

I refer, for instance, to section 2256 of S. 917, which abolishes the habeas corpus jurisdiction of the Federal courts over State criminal convictions, except upon appeal or writ of certiorari from the highest State court. We had a bill like this in 1958. I spoke at some length on that bill on August 23, 1958, and I made it clear that I would talk a lot longer if the need arose.

Among the exhibits I offered on that date was a memorandum from the legal counsel to the Industrial Union Department of the AFL–CIO, named Arthur Goldberg—later a justice of the U.S. Supreme Court, and then Ambassador to the United Nations. As I reread the Goldberg memorandum, which I placed in the CONGRESSIONAL RECORD on that date, I find it just as impressive an affirmation of the importance of habeas corpus now—May 2, 1968—as I found it to be in 1958, and just as relevant to the pending bill as it was relevant to H.R. 8361 in 1958.

I read in full the covering letter Mr. Goldberg addressed to chairman Olin Johnston of the Judiciary Committee, enclosing his full memorandum:

There is pending before your subcommittee, H.R. 8361, a bill recently approved by the House, which is designed to deprive the federal courts of the authority they have exercised for nearly 100 years to determine by writ of habeas corpus whether persons imprisoned pursuant to state proceedings have been denied their constitutional rights.

The undersigned directs your attention to the enclosed memorandum on the pending bill, which demonstrates that there has been no showing of need for elimination of this traditional habeas corpus remedy in the federal courts; that, on the contrary, the existence of the habeas corpus remedy has promoted greater solicitude in state proceedings for observance of constitutional guarantees and on occasion, where those constitutional guarantees have been evaded, has even saved the lives of persons unjustly convicted; and that by eliminating the time-honored habeas corpus remedy, the bill would deny persons imprisoned pursuant to state proceedings any effective hearing in any federal court for the vindication of their federal rights.

If your committee is considering taking any action on the pending bill, we request full public hearings at which we may express our most serious opposition to legislation depriving federal courts of the habeas corpus power which serves as a foremost federal safeguard of the constitutional rights of our citizens.

Sincerely yours,

ARTHUR GOLDBERG,
Industrial Union Department, AFL–CIO.

In his accompanying memorandum, Mr. Goldberg describes cases in which men in State prisons who had been unable to obtain consideration of their

cases at the State level were able to do so through the habeas corpus proceeding in the Federal courts. Under this legislation, too, we would abolish that right, except upon appeal from or writ of certiorari granted to review a determination made by the highest court of the State.

As nearly as I can make out, the language in section 2256 of the committee bill would effectively restrict review of State criminal cases to the route of appeal or certiorari from the highest State court. We all know that for all practical purposes, this provision would restrict all such review to the Supreme Court of the United States by effectively preventing lower Federal courts from considering State cases through the habeas corpus procedure.

It was the Supreme Court itself that said, as quoted in the Goldberg memorandum:

> The uniqueness of habeas corpus in the procedural armory of our law cannot be too often emphasized. It differs from all other remedies in that it is available to bring into question the legality of a person's restraint, and to require justification for such detention. It is not the boasting of empty rhetoric that has treated the writ of habeas corpus as the basic safeguard of freedom in the Anglo-American world. The great writ of habeas corpus has been for centuries esteemed the best and only sufficient defense of personal freedom.

Under section 2256 of the bill, we are asked to deny Federal use of this same tool to individuals convicted in State courts. I call that a retrogression of jurisprudence and a turning back of the clock of legal process and progress.

Do Senators know that among many lawyers in the Anglo-Saxon world, including many American lawyers, there is an effort being made to internationalize the habeas corpus principle? It is being suggested that one of the human rights that should be established by the United Nations for all the world's people is the right of habeas corpus; no matter what country, no matter what juridical system is in effect, this legal protection that the Supreme Court rightly calls "the best and only sufficient defense of personal freedom" should be available to all human beings everywhere.

At least, we should not retrogress. We should not retreat to limiting its application by the Federal courts in this day of great crises. I repeat again, and throughout my speech this afternoon I shall repeat, that it is when a country reaches a great crisis that it is more important than ever that all of its constitutional guarantees remain inviolate so that people can remain free.

We must not let the crises of the times cause us to adopt police state tactics. We have mob law, whether we have it by insurrectionists who must be brought within the framework of the law or whether we have it by way of police state tactics. Both groups can—and do—practice mob law. There is no place for mobsters in this country who seek to impose upon us mob law, whether they are civilians or police officers, civilians or politicians, or civilians or representatives of the executive branch of the Government.

The greatest guarantee of our freedom is that we shall see to it that there shall remain inviolate our system of government based upon three coordinate and coequal branches of the Government, with each branch having a check on the other two—the legislative, the executive, and the judiciary.

One of the great checks that, in my judgment, the pending bill would undermine and weaken is the check of the judiciary finally speaking out in regard to the constitutional rights of the American people.

As a lawyer, as a teacher, as a Senator, and as a citizen, I do not intend to leave a record when I come to vote on the pending bill that undermines that precious check that the Constitution gives to the U.S. Supreme Court.

Unless my colleagues understand not only this thesis of my views on the pending bill, but also my legal philosophy that I have held throughout my professional career, I recognize that they cannot understand my reasons for opposing the bill.

Certainly there is no legal doctrine that is more needed in Communist countries or in military junta governments or in any other form of totalitarian governments than the doctrine of habeas corpus. The demand that a police state show cause why a man should be detained or else release him would do more to undermine the police states of the Communist world than anything else that could be devised that I can think of—economic, political, or military.

To make it possible through habeas corpus for a man to have his freedom and liberty restored is to strike a body blow procedurally against the perpetuation of totalitarianism in any of its ugly forms.

Every time Rumania or Czechoslovakia or some similar Communist state changes hands enough to reveal the crimes of the recent past, I reflect again upon their lack of juridical processes that can protect the personal liberty of the innocent and the legal rights of innocent and guilty alike.

What shame and despotism these countries could have avoided, had their judicial systems provided for the habeas corpus proceeding. I mean, provided for it in reality—in practice—in the specific cases where it was needed—and not just on paper.

Through legislation such as this we are on the way to reducing our own right of habeas corpus to a theoretical but not a practical right.

Let me point out, moreover, that once we deny the Federal habeas corpus proceeding in State cases, then on top of that deny to the Supreme Court the power to consider issues of a defendant being picked out of a lineup without counsel being present, and deny the power to consider the voluntariness of confessions in these State cases, the rights of American citizens, too, have been greatly reduced toward the level of theoretical rights.

Is the writ abused? Is it sought and used indiscriminately to get around State court proceedings? I call the attention of the Senate again to the material in the minority views and used in the Extensions of Remarks in the Senate on April 25 by the Senator from Maryland [Mr. TYDINGS]:

> In *Townsend* v. *Sain* (372 U.S. 293 (1963)) the Supreme Court held unequivocally that State court findings of fact, arrived at after full and fair hearings, must be accepted by the Federal courts. A Federal habeas corpus hearing is not available merely because a state prisoner has been convicted of a serious offense. . . . Under the specific doctrine of Townsend against Sain, Federal habeas corpus is available only when the state trier of fact has not afforded the habeas applicant a full and fair hearing.

I believe it is reasonable to ask proponents of this bill why they want to deny the Federal writ when it is available, anyway, only where the State court can be shown not to have allowed a full and fair hearing.

Why, indeed?

I submit, Mr. President (Mr. BURDICK in the chair), that, if our Bill of Rights is to be meaningful, remedies must be afforded to secure its protections in specific instances where such protections are needed. We do not need paper rights. I hope the Senate will reject the many sections of S. 917 that reduce the Bill of Rights to paper rights.

WIRETAP SECTIONS

The best short description I can give of the wiretap section of the bill is that it is the pr[redacted]galization of electronic spying at all levels of government. This does not deal with authorized wiretapping by Federal agents for national security cases, or Presidential assassinations, or the other heinous crimes for which an effort has been made in recent years to legalize wiretapping. Read the summary of the uses for which it is legalized at the Federal level:

> Espionage, sabotage, treason, murder, kidnaping, robbery, extortion, counterfeiting, bribery, sports bribery, gambling, bankruptcy fraud, narcotics, marijuana, dangerous drugs, obstruction of justice, presidential assassination, assault, labor racketeering, labor embezzlement, interstate transportation in aid of racketeering, interstate transportation of stolen property, and conspiracy to commit any of the foregoing offenses.

For any of these situations, an Assistant Attorney General may seek from a Federal judge authority not only to put a wiretap on a telephone to intercept telephone conversations, but also to intercept what the bill calls "oral communications" as distinguished from "wire communications." That means bugging, even from a long distance away. Do not forget that in this field there is no selectivity. The tapper hears all. The tapper destroys all privacy. The tapper gains information that can be used for a variety of purposes, good and bad. The entire procedure is bad, for reasons that I shall amplify later.

I only wish to point out that when we accept the language of this bill, the precious right of privacy, the precious right to be protected from this type of intervention, which amounts to an unfair "search and seizure"—I put it in quotation marks, but it is analogous—it strikes a serious blow, in my judgment, in the protecting of the civil liberties of free men and women.

Section 2510 defines "wire communications" as "any communication made

in whole or in part through the use of facilities for the transmissions of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception furnished or operated by any person engaged as a common carrier in providing or operating such facilities for the transmission of interstate or foreign communications."

The section goes on to define "oral communication" as "any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under cirstances justifying such expectations."

This is not simply what we used to call a wiretap provision. It is a title that authorizes electronic surveillance, in which wiretapping of telephones is only a small part.

It authorizes this surveillance at the Federal level in such cases, for example, as stolen cars, or conspiracy to move stolen cars across State lines.

But that is only the beginning. The bill authorizes the same kind of surveillance by State and local law agencies, upon enactment of corresponding State law to authorize the same thing. This bill extends the authority to "the principal prosecuting attorney of any State, or the principal prosecuting attorney of any political subdivision thereof, if such attorney is authorized by a statute of that State to make application to a State court judge or competent jurisdiction for an order authorizing or approving the interception of wire or oral communications."

There is no Federal control here by Federal judges. Under this language every State and every local prosecuting attorney is freed to use bugging devices and procedures in a whole series of crimes enumerated, including "other crime dangerous to life, limb, or property, and punishable by imprisonment for more than 1 year."

Another section authorizes the use and disclosure of the information so obtained in court.

Moreover, it authorizes the information so obtained to be disclosed by one law enforcement officer to another, largely within his discretion, for the bill says only that it shall be in connection with "official duties."

I can only say of this proposed legislation, Mr. President, that it leaves me aghast. It is the open and clear invitation to a virtually universal bugging and electronic spying upon the American people by Federal, State, and municipal police. Although the section purports to put a 30-day limitation upon the bugging of any individual, that, too, is riddled with holes. The biggest one is paragraph 7 of section 2518, which provides that "notwithstanding any other provision of this chapter, any investigative or law enforcement officer who reasonably determines that an emergency situation exists that requires a wire or oral communication to be intercepted before an order authorizing such interception can with due diligence be obtained, and there are grounds upon which an order could be entered under this chapter to authorize such interception, may intercept such wire or oral communication" for 48 hours without an order. That is his discretion. It is up to his judgment.

The present occupant of the chair [Mr. BURDICK] is a great lawyer. Does he believe there would be much of a chance—avoiding for a moment reference to constitutionality, but assuming it for a moment—to set aside in court the exercise of such judgment on the part of such a law-enforcement officer, on the ground that it violates the legal test that the discretion must be exercised without arbitrary discretion and caprice? Of course not. The list of cases dealing with the difficulties of showing exercise of arbitrary and capricious discretion is longer than my arm.

Next, the bill calls for the contents of any of these intercepts to be recorded on a tape recording "in such a way as will protect the recording from editing or other alterations." It is then to be "made available" to the judge who issued the order, presumably for safekeeping, although if it is only "made available" it is hard to see what protection that is going to afford the individual whose conversations have been surreptitiously tape recorded.

Duplicate recordings may be made for use or disclosure pursuant to the provisions of subsections (1) and (2) of this chapter for investigations.

The most intimate of conversations can be and are recorded; conversations between husband and wife, between lover and sweetheart, between the closest of personal relationships, and between any human beings. Many evils would flow from it. It is full of blackmail possibilities.

Mr. President, you are dealing with basic human rights in this matter; you are dealing with the most precious possessions free men and women can have. That is one of the reasons I think it is such a bad bill.

THRUST OF BUGGING AUTHORITY GOES TO STATES, NOT FEDERAL LAW ENFORCEMENT

Mr. President, were there any testimony whatever from the Department of Justice showing need for this wiretap and electronic surveillance authority for the broad spectrum of criminal activity, one would have to give serious consideration to the need for it as against the invasion of privacy which it constitutes.

But the testimony of the Attorney General is exactly to the contrary. Attorney General Clark testified on March 20, 1967, to the Administrative Practice and Procedure Subcommittee of the Judiciary Committee as follows:

We cared enough for our privacy to prohibit unreasonable searches and seizures and unrestricted warrants in the Bill of Rights. For privacy is after all the foundation of freedom and the source of individualism and personality. But as Justice Brandeis observed nearly four decades ago . . . "general warrants are but puny instruments of tyranny and oppression when compared to wiretapping". Still, we permit the most insidious invasion of privacy—the electronic surveillance.

Quoting again from the same testimony by the Attorney General:

Public safety will not be found in wiretapping. Security is to be found in excellence in law enforcement, in courts and in corrections. That excellence has not been found to include wiretapping.

Nothing so mocks privacy as the wiretap and the electronic surveillance. They are incompatible with a free society and justified only when that society must protect itself from those who seek to destroy it.

I applaud the Attorney General. This has been his consistent position on the issue of wiretapping.

Did the Attorney General ask for this authority, or deem it essential to the operation of the Department of Justice? Quite the contrary:

Only the most urgent need can justify wiretapping and other electronic surveillance, he said. Proponents of authorization have failed to make a case—much less meet the heavy burden of proof our values require. Where is the evidence that this is an efficient police technique? Might not more crime be prevented and detected by other uses of the same manpower without the large scale, unfocussed intrusions on personal privacy that electronic surveillance involve?

Far from seeking more authority to use these techniques, the Attorney General testified in support of legislation to restrict it, not provide for it.

Mr. President, if the physical invasion of homes in 1775 was enough to cause the Founding Fathers to prohibit unwarranted searches and seizures then, surely we are not ready now to surrender to the total invasion of our homes through the electronic spying authorized in this bill.

I know that elaborate efforts are made to distinguish between a real wiretap, or bug, which requires someone to intrude upon private premises to install. That kind of invasion is truly a search, requiring a warrant under conditions set forth in article 4. But electronic surveillance, whereby conversations can be picked up from scores of feet away, without any physical intrusion upon the premises involved, is a far more insidious invasion of privacy, and one which I do not believe should be tolerated at all.

Least of all should the Congress be opening the door wide to the extensive use of eavesdropping devices without showing that they are vital to law enforcement. The Attorney General denies that they are. Undoubtedly, they are an easy shortcut for many local agencies, and I surmise that this is the reason for the pending language in the legislation.

At least, some people think they are a shortcut to law enforcement. Not all the testimony is to that effect. In fact, there is a good deal of opinion among law enforcement agencies that a great deal of time is wasted on electronic surveillance that could be used to better advantage.

CONSTITUTIONAL OBJECTIONS TO EAVESDROPPING

Basically, I submit, all these proposals, as well as what is already authorized in Federal law, runs afoul of the fourth amendment restriction upon "unreasonable searches and seizures."

First, no request for a warrant to eavesdrop can truly specify in advance the "person or things to be seized" as stipulated in the fourth amendment.

In some cases, there has been a showing that only the desired conversations were overheard and that when a party not connected with the case used the telephone being tapped, the officer did

not listen. But there are far more instances of eavesdropping overhearing conversations—and sometimes using or repeating them—having nothing to do with a matter under investigation.

Electronic eavesdropping of any kind has rightly been called an electronic dragnet. I think this is borne out by the fact some proponents of it point to cases where information has been uncovered inadvertently that led to the solution of a case not connected in any way with the purpose of the surveillance.

Second, I submit that the history of the fourth amendment searches and seizures has been that a valid search warrant requires the search to be conducted for articles involved in the commission of the crime, fruits of the crime, contraband, or item on which duties should have been paid. As pointed out by the American Civil Liberties Union, these requirements are reflected in rule 41(b) of the Federal Rules of Criminal Procedure.

Wiretap and surveillance measures, on the other hand, seek permission to search for evidentiary matter—pieces of evidence to assist in prosecution and conviction. In 1960, the Supreme Court held that "private papers desired by the Government merely for use as evidence may not be seized, no matter how lawful the search that discovers them." Abel against United States, 1960.

That the electronic devices are used for obtaining "evidence" is unquestionable, for the courts have so referred to it.

I may say that I personally concur heartily with the view expressed by Justice Brennan in 1963 that whether they use trespass or any other means of surveillance, all such devices should be considered under the conditions imposed by the fourth amendment. I think they are subject, also, to the fifth amendment protection against self-incrimination and the sixth amendment guarantee to right to counsel, depending on the stage at which they are used. The use of secret eavesdropping in the law enforcement process cuts across not just one, but many of our personal freedoms. The Supreme Court has scarcely begun to explore the ominous implications of electronic spying upon law enforcement and the personal liberties protected by the various amendments in the Bill of Rights.

Suffice it to summarize my own view by saying I think the fourth amendment, as interpreted and applied to searches for articles, should at least be applied to searches for verbal evidence, conducted by these electronic devices. There is so much evidence as to the lack of selectivity in this kind of search that it ought to be banned altogether under the fourth amendment.

Yet we are confronted here with a cascade of wiretapping and eavesdropping by county deputies, municipal police, as well as Federal agents, for crimes with penalties of as little as 1 year in jail and for 48 hours before a court order is so much as sought.

The invasion of personal privacy this bill allows is the most shocking and damaging piece of legislation I can remember being presented to the Senate. It goes further and is more threatening to personal privacy than any other mere wiretap proposal I can recall, and I have fought them all here in the Senate.

I hope that the Senate will recover its judgment and reject titles II and III of this bill.

GUN CONTROL SECTIONS

Still another title in the bill in which I think the Senate is walking on thin constitutional ice is that dealing with gun controls. I am one Member of the Senate who had no strong opinions on this matter, largely because the availability of weapons to those who wanted them seems to be unaffected by banning mail-order sales. Yet I recognize that the purpose of the ban was to protect State and municipal laws that require registration or prohibit the purchase of guns by certain people.

Yet here, too, the Supreme Court has just recently ruled on gun registration in such a way that casts serious doubt upon these State and local registration laws. Its January decision in Hayes against United States, seems, at least, to make self-incrimination a defense against failure to register a gun, or possession of an unregistered gun. If so, then the State and local laws that the mail-order ban seeks to protect are rather meaningless.

Unquestionably, there will have to be further litigation of State laws to determine whether the Supreme Court did mean to strike down registration per se as a violation of the fifth amendment. But those of us who had assumed that because the Court did not find registration a limitation upon the right to bear arms that, therefore, we were free to proceed in this area, now must reconsider the usefulness of banning mail-order sales.

Certainly we can ban mail-order sales under the commerce clause. But the question of its effectiveness is something else. It appears to me that a ban on mail-order sales would soon affect no one but the legitimate purchaser, if the various State or municipal registration laws are successfully challenged in court.

Here again, I think the effectiveness of legislation on mail order sale of guns is vastly overrated as a means of curtailing the use of guns in the commission of crimes.

I speak respectfully, but as I have listened to the discussion on the subject now for many months—and over the past several years—I have moved further and further away from gun-banning legislation. As of now, I would not vote for any of it. I believe that there are too many legal questions which need to be cleared up. There is also the question of personal liberty involved here.

We are rushing into a field of personal liberty protected by the Constitution where the rights of individuals to own weapons are still undefined by the courts. It is true that there are other types of local gun control laws that do not appear to be subject to the same challenges that registration is subject to. But are they sufficiently important to deny the mail order privilege to the citizens of many States that do not have any gun controls at all?

I very much regret that title IV, title III, and title II have been brought into the debate on what began as a clearly limited program of Federal assistance to State and local law-enforcement agencies. We are being asked in these titles to swim in a sea of murky law and much murkier effectiveness in combating crime. I certainly shall not help make title IV worse by adding rifles and shotguns to it.

In regard to this matter of personal liberty, there is no question about the fact that there are millions of Americans across this land who believe they have a personal right to own guns and that their ownership of guns should not be subject to surveillance by the Government.

After all, there is a basic philosophy involved here, too. Many do not share that philosophy; but, nevertheless, the feeling is that they have a right to own guns without the surveillance of the Government for their own protection, for their own use, for lawful purposes.

Mr. President, there is also a growing fear in this country as to what road we are heading down. There is a growing feeling that the Government should not dictate to them what weapons of self-protection they can possess. I am inclined to believe that there will be stronger confidence in a government on the part of these missions of people, if an attempt to invade this area of privacy and personal liberty is not made.

We can be sure that Americans, as long as they remain Americans, will insist on the right to defend themselves against tyranny, whether it is tyranny sought to be practiced upon them by insurrectionists, whether it is tyranny which is sought to be practiced upon them by a mob, or whether it is the tyranny of a government that has become tyrannical.

I pray to my God that no American will ever live to see our Government become tyrannical.

We all know the unanswerable tenet of Thomas Jefferson, one put into application which gave birth to our Republic; namely, the basic right of free men to revolt. Our Constitutional Fathers used their weapons to resist tyranny.

I do not share the fear of many that they may need weapons to put down tyranny. But there is no answer to their right to follow a course of action in respect to their personal liberties to possess weapons, and to put down tyranny if it should arise.

Mr. President, this is the first of a series of speeches that I shall probably make from time to time on this subject, because I do not know in all my years of service in the Senate of a bill that would undermine more the preservation and perpetuation of the liberties and freedoms of the American people. If these arbitrary powers are turned over to men and given the right to exercise what would amount to capricious and arbitrary discretion, then, in my judgment, great damage will be done to the health of the body politic of this Republic.

Furthermore, as I have stated in my speech, I think that the bill is honeycombed with unconstitutionality. Therefore, I consider it my duty to continue, from time to time, to make my record in opposition to the bill.

Mr. McCLELLAN. Mr. President, I merely rise to compliment the distin-

guished Senator from Oregon, most sincerely, upon the able presentation he has made of his viewpoint. I share with him what I know must be a measure of disappointment that he has presented his eloquent appeal for his position to empty seats, as I did yesterday when I tried to present the affirmative side of this bill and arguments in support of it.

While I may agree with some conclusions the Senator reached, particularly when he referred to this measure as one of the most important measures that has been before this body in a long time, because we agree as to what makes it important, I truly believe that the real destiny with respect to whether or not we will have law and order and law enforcement in this country may well turn upon the disposition of this bill, and particularly some important aspects of it.

For that reason, I observe that the distinguished Senator said he expected to speak on the bill from time to time. I assume by that that we are to have lengthy debate. Since that is to be the course we must follow, I do not feel it incumbent upon me as manager of the bill to answer each speech which is made or to attempt to do so; but, in due course, as the debate proceeds, we will reply to some of the arguments made in opposition to the provisions of the bill.

Other Members of this body are the primary authors or sponsors of different sections or titles of the bill. Therefore, I suppose they will assume the primary burden of speaking in opposition to the arguments against them and in advocacy of the features of the bill which they have offered and are sponsoring.

Mr. President, as I have said, from time to time we will answer attacks made on the bill, in an endeavor to demonstrate the urgency of its enactment and the necessity, at this critical period in American history, in this time of crisis, for us to act, and to act affirmatively, to take positive action, to do something about it.

Yes, there is a crisis; but, Mr. President, the crisis did not arise by reason of the quality of law enforcement we had under the old interpretation of the Constitution, as the Constitution was interpreted down to these late 5-to-4 decisions. We had better law and order; we had better observance up to that time. It is the liberalization of the meaning of the Constitution today that is giving encouragement and a measure of protection to the law violator. That is what we undertake to change by some of the provisions of the bill. We attempt to go back to the law and the Constitution as they were before the Court undertook to liberalize them to the point that today it is becoming almost a rule of the Court that it find some technicality to release back on society, habitual, confirmed, and confessed criminals.

That is what we hope we may find the Congress has the power to curb. We may not succeed, but we are going to make the most sincere, dedicated, and consistent effort that our strength, intellect, and minds will permit us to make.

Mr. President, I ask unanimous consent to insert in the RECORD at this point—and these deal with problems related to crime in America today and what is causing it—an article that appeared in today's Washington Evening Star, by James J. Kilpatrick, entitled "Permissiveness Gone Mad in the Universities," and an editorial which appeared in today's Philadelphia Inquirer, which is directly related to this problem, entitled "Fighting Crime and Injustice."

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

[From the Washington (D.C.) Evening Star, May 2, 1968]

PERMISSIVENESS GONE MAD IN THE UNIVERSITIES

(By James J. Kilpatrick)

NEW YORK.—The trustees of Columbia University were ten days late in calling in the cops. By their spineless unwillingness to act at the very outset of the insurrection, they made their own miserable contribution to the anarchy that is spreading a typhus contagion across American campuses this spring.

The student revolutionaries should have been warned, then arrested, then expelled, at their first defiance of university rules. Instead, the administration vacillated. It was willing to negotiate; it would treat with the invaders; it would suspend construction of a controversial gymnasium as a gesture of appeasement. This was foam-rubber firmness and no wonder the students hooted the trustees down.

What in the name of heaven has happened to our college and university administrations? The series of outrages began at Howard University in Washington on March 19, when student insurrectionists seized the administration building and held it for five days.

Thus inspired, students at Bowie State University in Maryland went on a similar rampage; they blocked driveways, seized the university switchboard, banned President Samuel L. Myers from the grounds, and began deliberately wasting water and electricity. Someone had taught them, presumably, that this was free speech.

The contagion spead to Virginia Union University in Richmond; to Virginia State College in Petersburg; on April 7 to Tuskegee Institute in Alabama, where students chained the doors of an administration building and kept trustees captive for 13 hours. In other manifestations, student insurrection hit Colgate, Western Michigan, the University of Georgia, Long Island College.

At Barnard College in Manhattan, the administration groped abjectly with the problem of young Linda LeClair, a student who had lied—lied brazenly and willfully—in order to deceive the college as to her place of residence. The case caused serious embarrassment to Barnard. Linda had to be punished; the college denied her access to the snack bar.

Here and there, it is true, a few public officials have reacted with firmness. Maryland's Gov. Spiro Agnew closed Bowie State. The Tuskegee trustees moved decisively against offenders. Generally, the pattern has been a pattern of administrative surrender. It has been a pattern of permissiveness gone mad, of tolerance turned inside out. In the process, the whole meaning of a university has been lost.

If a university fails to maintain conditions of free inquiry, it fails in its primary function. But freedom demands order. It demands discipline. It demands a sense of hierarchy, in which the students are inferior to their masters. What kind of free inquiry was possible at Columbia with the insurrectionists in charge? The zoo has been surrendered to the gibbons, the asylum yielded to the inmates. Students who wanted to pursue their education were effectively prevented from doing so. This was an exercise in healthy dissent? In free speech? In peaceable assembly and petition? Nonsense. This was anarchy; it cannot be condoned.

An explanation may be sought, perhaps, in the perverted emphasis our society has placed upon "youth" and upon "equality." In our fatuous exaltation of the immature, we have tended to destroy the meaning of maturity. The notion that students are somehow equal to professors has undermined the whole of the academic relationship.

This is a case, if there ever were one, of "teaching bloody instructions, which, being taught, return to plague the inventor." The college administrators who have condoned, capitulated, and made concessions to student insubordination have asked for the chains on their doors. The trustees' decision to build this Columbia gym was not reached capriciously; it was the result of prolonged and serious deliberation. To suspend that decision in deference to the militants is to invite attack on other university policies. It is to destroy order and to abdicate responsibility. No institution, so governed, deserves to survive.

[From the Philadelphia Enquirer, May 2, 1968]

FIGHTING CRIME AND INJUSTICE

Philadelphia Police Commissioner Frank Rizzo has made a strong case for State-wide riot control legislation, including restrictions on the storage and transportation of firearms and explosives, in testimony before the Senate Judiciary Committee in Harrisburg.

Even though Philadelphia has ordinances along this line already on the law books, they are of limited value if persons plotting trouble in the city can establish their arsenals of weapons in suburb [redacted], just outside the city limits, where they can be immediately available when an occasion arises.

Commissioner Rizzo reached the nub of the issue when he told the Judiciary Committee: "We must have laws in order to enforce laws, and these are preventive. We are putting as much emphasis on prevention as on enforcement."

Senator Clarence D. Bell, the committee chairman, served the public interest in inviting Mr. Rizzo to testify. As a legislator from Delaware county, Senator Bell is in a position to know first-hand the need for urban, suburban and rural cooperation on crime-prevention measures and should take the lead in pushing for enactment of the riot-control bills by the Legislature.

By appropriate coincidence, Commissioner Rizzo is beginning his second quarter-century of service as a law-enforcement officer in Philadelphia and was honored at the Police Athletic League's 20th anniversary dinner in this city a few hours after his testimony to the Senate committee in Harrisburg.

In an address at the dinner he made a number of timely comments on the war against crime.

Urging news media to expand their coverage of crime, instead of sharply curtailing such coverage as advocated in some quarters, Commissioner Rizzo emphasized the need for greater public awareness and concern about problems of lawlessness and disorder and violence.

U.S. District Court Judge A. Leon Higginbotham, Jr., also speaking at the PAL dinner, warned of the need not only to combat crime but to remedy injustices.

Wars against crime and injustice are inseparable.

Philadelphia police, in the performance of their duty and in community service projects beyond the call of duty, as exemplified in the Police Athletic League, are doing law-enforcement and crime-prevention work worthy of vigorous public support. They also deserve cooperation from the Legislature through prompt enactment of bills such as those indorsed in the testimony of Commissioner Rizzo.

PRIVILEGE OF THE FLOOR

Mr. McCLELLAN. Mr. President, at the request of the distinguished Senator from Pennsylvania [Mr. SCOTT], I ask

unanimous consent that the privilege of the floor be given to Mr. Barton Hertzbach, of the staff of the Subcommittee on Improvement in Judicial Machinery, during consideration of S. 917. I make that request at the instance of the distinguished Senator from Pennsylvania.

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

CONSERVATION OF OUR FISH AND GAME

Mr. FANNIN. Mr. President, on March 21, 1968, I introduced a bill confirming the authority of the States to control, regulate, and manage fish and wildlife within their territorial boundaries.

At this time I would like to explain its purpose. This proposed legislation would end the Federal-State dispute over the ownership of fish and wildlife on Federal lands and, with certain exceptions, reaffirm the States' ownership of these resident species. My bill restates the established law that Federal ownership of land does not carry with it Federal ownership of the resident species of fish and game on that land.

Not in issue here and therefore exempted from the bill are first, hunting and fishing rights of Indians and Alaskan natives protected under treaty or Federal statute; second, the authority of the Federal Government to control and regulate fish and wildlife under treaty or on lands to which a State has ceded exclusive jurisdiction; or, third, the right of the Federal Government under article IV, section 3, clause 2 of the U.S. Constitution to protect its lands from damage by wildlife. Nor will my bill infringe upon existing Federal laws, such as the Rare and Endangered Species Act and the Bald Eagle Act, enacted for the protection of certain species of wildlife. My bill in no way dilutes the authority of the Federal Government to restrict or prohibit hunting and fishing on its lands in the interest of public safety or protection of its property.

This bill does meet, however, a very specific issue. The Federal Government, through the Department of the Interior, is claiming ownership of all resident species of fish and wildlife found on Federal lands. This assertion is without constitutional authority and defies the long precedent of the U.S. Supreme Court, other Federal and State court decisions which clearly establishes that resident species of fish and wildlife located within the boundaries of a State, whether on Federal, State, or private land, are owned by that respective State in trust for its citizens. The legal arguments are presented in two briefs submitted by the International Association of Game, Fish, and Conservation Commissioners and the Solicitor of the Department of the Interior, copies of which I ask unanimous consent to have printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. FANNIN. Essentially, the Solicitor argues that the Federal Government possesses unquestioned jurisdiction over resident fish and wildlife by virtue of the property and supremacy clauses of the U.S. Constitution and that any Federal rules and regulations promulgated in exercise of this alleged jurisdiction are subject only to the test of reasonableness and appropriateness. The flaw in this analysis is the lack of constitutional authority to claim ownership of resident species of fish and game just because they happen to be located on Federal lands. It is elemental constitutional law that Federal authority over anything arises only from enumerated powers in the Constitution. And although from time to time the extent of those powers has been given elastic proportions by the U.S. Supreme Court, the property clause in the Constitution has never and cannot now be so stretched by a department of the Federal Government.

It is true that the property clause does empower the Federal Government to control, and in fact eradicate, wildlife when these species are damaging or destroying Federal land. The U.S. Supreme Court so held in *U.S.* v. *Hunt* (278 U.S. 96, (1928)). To that extent, but, I emphasize, to that extent only, the Federal Government can exercise control over resident species of fish and wildlife. Protection of Federal property is one thing but the claim of Federal ownership and control over all game just because they happen to be found on Federal lands is an entirely different question.

The authority of the States in this field has been clearly defined throughout the years since initially spelled out by the U.S. Supreme Court in 1896. *Geer* v. *Conn* (161, U.S. 519).

Congress did attempt to assume control over migratory waterfowl early in this century but the statute was struck down by the Federal courts as an unconstitutional exercise of Federal power. *U.S.* v. *Shauver* (214 Fed. Rep. 154); and *U.S.* v. *McCullagh* (2211 Fed. Rep. 288). Only after consummation of a treaty between the United States and Great Britain was Congress empowered to so legislate, and a careful reading of Justice Holmes decision in the case of *Missouri* v. *Holland* (252 U.S. 416), which upheld this later Migratory Bird Treaty Act, evidences that absent the treaty the statute would have lacked constitutional life.

I do not wish, however, to leave the impression that this is merely a legal dispute. It is much more. For unless Congress acts to pass this bill, we will see the demise of many State wildlife conservation programs, the possible establishment of a Federal hunting and fishing license, and the senseless fracturing of uniform fish and game management within the borders of each State. If the Interior's position is permitted to stand, it is not hard to imagine what would happen, for example, in the State of Arizona, where over 70 percent of our land is in some form of Federal ownership or control. The sound conservation practices of Arizona's Game and Fish Department could well be eviscerated and replaced by a myriad of different hunting and fishing regulations issued by the Department of Agriculture, the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries, the U.S. Air Force, the U.S. Army, or any other Federal department, agency, or bureau encouraged by Interior's position to assume like powers.

Mr. President, the wise management of fish and game, particularly within those States with large Federal land holdings, depends on cooperation, not competition, between the State and Federal Governments. Over the years, the States, through their fine International Association of Game, Fish, and Conservation Commissioners, have tried unsuccessfully to reach accord with the Department of the Interior. The obstacle has been the Solicitor's opinion of 1964 and the rigid insistence of the Department of the Interior on the validity of that wide-ranging opinion.

Relying on that opinion, the Department of the Interior has now acted to enforce it. In December of last year, the Superintendent of Carlsbad National Park, N. Mex., initiated a program in the park to kill some 50 deer over a 2-year period in order to study the contents of their stomachs. The Park Service admitted the deer were not posing a present threat to the park lands, and that the purpose of the killings was to gather information for future studies. The State of New Mexico requested that in accordance with New Mexico law all personnel involved in the killing of these deer acquire the necessary State permit. The Park S[redacted]sed, claiming that this was a Federal project on Federal lands and therefore not subject to State law. The State of New Mexico filed suit in Federal district court to enjoin the Park Service, who by then had killed 15 deer in violation of State law. On March 12, 1968, the court enjoined the defendants from further killing of deer for the purpose of conducting the research study.

This decision, even if affirmed on appeal, however, cannot settle the overall dispute between the State and Federal Governments, for the trial judge decided the case on the narrow grounds of statutory construction, thereby avoiding the substantive question of constitutional authority. The text of the court's opinion will follow my remarks.

The proposed legislation I have introduced is in no way a criticism of those conservationists and wildlife biologists working for the Bureau of Sport Fisheries and Wildlife. Their efforts within the proper limits of Federal responsibility, particularly the preservation and propogation of endangered species and migratory waterfowl, mirror the dedication of our contemporary wildlife conservationists.

But the actions of the National Park Service in New Mexico should leave little doubt about the consequences of permitting this dispute to continue. At stake here is an irreplaceable resource, threatened by administrative flexing of the Federal Government. The bill I have introduced will put an end to this controversy and permit the States to continue their fine efforts toward uniform fish and game conservation.

I urge the support of my colleagues for this bill.

Mr. President, I express my thanks and appreciation to the distinguished Senator from South Carolina for permitting me to present this statement at this time.

EXHIBIT 1

BRIEF OF THE LEGAL COMMITTEE, INTERNATIONAL ASSOCIATION OF GAME, FISH AND CONSERVATION COMMISSIONERS IN OPPOSITION TO MEMORANDUM OPINION NO. 36672 ISSUED BY SOLICITOR FOR THE DEPARTMENT OF THE INTERIOR

Re: Authority of the Secretary of the Interior to manage and control resident species of wildlife which inhabit wildlife refuges, game ranges, wildlife ranges, and other Federally-owned property under the administration of the Secretary.

1. STATEMENT OF QUESTION INVOLVED

The Solicitor for the United States Department of the Interior has recently issued an opinion on the subject of "authority of the Secretary of Interior to manage and control resident species of wildlife which inhabit wildlife refuges, game ranges, wildlife ranges, and other Federally-owned property under the administration of the Secretary."

The specific question asked by the United States Fish and Wildlife Service is:

"Does the Secretary of the Interior have the *authority to promulgate regulations which control the hunting and fishing activities of the general public on land within the refuge system,* when such regulations are more restrictive than State fish and game laws?"

This question, as submitted to the Solicitor, grew out of the position taken by various State fish and game departments and the ad hoc committee of the International Association of Game, Fish and Conservation Commissioners. As set forth in the Solicitor's opinion, this position is:

"That the Secretary may issue *only* hunting and fishing regulations for resident species of wildlife that incorporate completely State law, because all resident species of wildlife, other than migratory birds, are subject to the *exclusive* jurisdiction and control of the several States, and the States have some semblance of title to the resident species of wildlife."

The Solicitor affirmatively answered the specific question asked by the United States Fish and Wildlife Service, and concluded:

"It is our conclusion that the Secretary has ample legal authority to make hunting and fishing regulations for particular areas within the National Wildlife Refuge System that prohibit activities authorized and permitted by State law. The regulation of the wildlife populations on Federally-owned land is an appropriate and necessary function of the Federal government when the regulations are designed to protect and conserve the wildlife as well as the land."

But the most ominous contention made by the Solicitor is to be found in the following all-inclusive statement (page 5) of his opinion:

"From the foregoing authorities it is apparent that the United States constitutionally empowered as it is, may gain a proprietary interest in land within a State and, in the exercise of this proprietary interest, has constitutional power to enact laws and regulations controlling and protecting that land, including the persons, inanimate articles of value, and resident species of wildlife situated on such land, and that this authority is superior to that of a State."

It is the considered opinion of the legal committee of the International Association of Game, Fish and Conservation Commissioners that the Solicitor's opinion is erroneous.

II. EFFECT OF SOLICITOR'S OPINION ON STATES' CONSERVATION PROGRAMS

If the opinion of the Solicitor prevails, the States will suffer serious consequences with respect to their conservation programs. A tabulation annexed hereto indicates the extensive ownership of lands by the Federal government within the States. If the courts uphold the sweeping contention made in the Solicitor's opinion, the States would lose their regulatory power over resident game and fish on Federally-owned lands within their jurisdiction and also a considerable revenue derived from licenses since such licensing power would be displaced by Federal licensing structure as a result.

III. HISTORICAL DOCTRINE—STATE OWNERSHIP OF GAME AND FISH

The historical doctrine of ownership of game and fish by the several States is still basically the law of the land, as decided in *Geer* v. *Connecticut,* 161 U.S. 519 (1896).

It must be conceded in this day that whatever doubts may have existed as to the ownership of game and fish by the several States, that doubt was finally put at rest by the United States Supreme Court decision in the *Geer* case. The issue here was whether a statute passed by the Connecticut legislature prohibiting the transportation of game outside State boundaries violated the Commerce Clause of the Constitution. The Supreme Court went to great lengths researching the law which had been extant in many countries and through several centuries of history. The conclusion was that the States had inherited from the Crown and Parliament of England all the rights, both of property and sovereignty, which were exercised in England over game and fish.

In the majority opinion of Mr. Justice White, this transfer of sovereignty and proprietary right over game and fish is succinctly stated:

"Undoubtedly this attribute of government to control the taking of animals *ferae naturae,* which was thus recognized and enforced by the common law of England, was vested in the colonial governments, where not denied by their charters, or in conflict with grants of the royal prerogative. It is also certain that the power which the colonies thus possessed passed to the States with the separation from the mother country, and remains in them at the present day, in so far as its exercise may be not incompatible with, or restrained by the rights conveyed to the Federal government by the Constitution."

In discussing the issue involved, namely, whether a State violated the Commerce Clause in prohibiting the transportation of game outside its borders, Mr. Justice White made the following salient observations:

"The foregoing analysis of the principles upon which alone rests the right of an individual to acquire a qualified ownership in game, and the power of the State, deduced therefrom, to control such ownership for the common benefit, clearly demonstrates the validity of the statute of the State of Connecticut here in controversy. The sole consequence of the provision forbidding the transportation of game, killed within the State, beyond the State, is to confine the use of such game to those who own it, the people of that State. The proposition that the State may not forbid carrying it beyond her limits involves, therefore, the contention that a State cannot allow its own people the enjoyment of the benefits of the property belonging to them in common, without at the same time permitting the citizens of other States to participate in that which they do not own. It was said in the discussion at bar, although it be conceded that the State has an absolute right to control and regulate the killing of game as its judgment deems best in the interest of its people, inasmuch as the State has here chosen to allow the people within her borders to take game, to dispose of it, and thus cause it to become an object of State commerce, as a resulting necessity such property has become the subject of interstate commerce, and is hence controlled by the provisions of article 1, section 8, of the Constitution of the United States. But the errors which this argument involves are manifest. It presupposes that where the killing of game and its sale within the State is allowed, that it thereby becomes commerce in the legal meaning of that word. In view of the authority of the State to affix conditions to the killing and sale of game, predicated is this power on the peculiar nature of such property and its common ownership by all the citizens of the State, it may well be doubted whether commerce is created by an authority given by a State to reduce game within its borders to possession, provided such game be not taken, when killed without the jurisdiction of the State. The common ownership imports the right to keep the property, if the sovereign so chooses, always within its jurisdiction for every purpose. The qualification which forbids its removal from the State necessarily entered into and formed part of every transaction on the subject, and deprived the mere sale or exchange of these articles of that element of freedom of contract and of full ownership which is an essential attribute of commerce. Passing, however, as we do, the decision of this question, and granting that the dealing in game killed within the State, under the provision in question, created internal State commerce, it does not follow that such internal commerce became necessarily the subject-matter of interstate commerce, and therefore under the control of the Constitution of the United States. The distinction between internal and external commerce and interstate commerce is marked, and has always been recognized by this court."

That the United States government is not the owner of game and fish, despite its superior treaty-making power, was decided in *Sickman* v. *United States* (1950), 184 F 2d. 616. In this case, pl[redacted]owners located adjacent to a game preserve brought action under the Federal Tort Claims Act to recover damages to their crops claimed to have been destroyed by migratory waterfowl. The landowners alleged that the United States by having wild geese in its possession and control is responsible for any depredations which such geese may commit; and that the United States, when geese are in this country, is the owner of said geese, or is trustee for the high contracting parties to the treaties governing these migratory birds, and by reason of said trust owes the duty to protect innocent persons from damage which they may cause.

As to the ownership claim, the Court said:

"In the oral argument before this court, plaintiffs' counsel insisted that the United States government was the owner of the wild geese, at least while they were within the geographical confines of this nation. If counsel's theory is correct, presumably as such geese passed the Canadian boundary on their northern flight, and the Rio Grande River if they flew that far south, their ownership passed then to the governments of Canada and Mexico respectively. Plaintiffs' theory as to the ownership of migratory wild fowl which have not been reduced to possession is without merit and cannot be sustained. * * *

"The United States, *considered as a private person,* did not have any ownership, control or possession of these wild geese which imposed liability for their trespasses. * * *"

IV. U.S. SUPREME COURT DECISIONS MODIFYING STATE OWNERSHIP DOCTRINE

The doctrine of State ownership of game and fish has been only slightly modified by the United States Supreme Court in three cases. These are:

(1) *Missouri* v. *Holland,* 252 U.S. 416 (64 L. Ed. 641), held that the treaty-making power of the United States is supreme and thus the Migratory Bird Treaty and the Migratory Bird Treaty Act passed pursuant thereto are the supreme laws of the land. Previously there had been an act of Congress regulating migratory birds which had been declared unconstitutional in *United States* v. *Shauver,* 214 Fed. 154, and *United States* v. *McCullagh,* 221 Fed. 288. This decision was based on the concept that the States owned migratory birds and that they could

not be the subject of Congressional exercise of power. However, since the treaty-making power vested in the United States is part of the Supremacy Clause, the Supreme Court speaking through Justice Holmes held that a treaty on the subject of migratory birds supervenes all Federal and State constitutions and laws and creates rights superior to those previously exercised either by the States or their citizens. There is nothing in this decision which otherwise negates the holding in the *Geer* case that the States are owners of resident game and fish.

(2) *Toomer* v. *Witsell*, 334 U.S. 385, (92 L. Ed. 1460), held that when a State permits and encourages fish to enter the stream of interstate commerce, it cannot discriminate by imposing licensing fees and taxes on nonresidents greater than those imposed on residents. This case involved the constitutionality of South Carolina statutes governing commercial shrimp fishing in the three-mile maritime belt off the coast of that State. The statutes in question permitted transportation of shrimp out of South Carolina but imposed a tax considerably higher than that paid by a resident of the State. They also imposed a fee on the shrimp boat—$25 if owned by a resident, and $2500 if owned by a non-resident.

Chief Justice Vinson in distinguishing this situation from that in *McCready* v. *Virginia*, 94 U.S. 391 (24 L. Ed. 248), pointed out that the *McCready* case related to a non-migratory fish species. It was also observed in the opinion that although the *Geer* case involved a statute prohibiting the transportation of game out of the State, these statutes of South Carolina not only permitted the shrimp to be placed in interstate commerce but even encouraged the citizens of South Carolina to do so.

In applying the Commerce Clause the Court said (p. 402):

"The whole ownership theory, in fact, is now generally regarded as but a fiction expressive in legal shorthand of the importance to its people that a State have power to preserve and regulate the exploitation of an important resource. And there is no necessary conflict between that vital policy consideration and the constitutional command that the State exercise that power, like its other powers, so as not to discriminate without reason against citizens of other States."

Thus the fullest import of this decision is that even though a State may have plenary authority over its game and fish, it cannot avoid or circumvent the command of the Commerce Clause when it permits its game and fish to be placed in the stream of interstate commerce.

(3) *Takahashi* v. *Fish and Game Commission*, 334 U.S. 410, (92 L. Ed. 1478), held that a State could not discriminate in the granting of fishing licenses as between aliens and citizens since under the Federal Constitution the power to regulate the activities of aliens is vested in the Congress.

Torao Takahashi, an alien of Japanese origin, was denied a license to engage in commercial fishing in the coastal waters of the State of California under a statute passed in 1943 prohibiting the issuance of such licenses to aliens ineligible for United States citizenship. Japanese fell within that class. Having been denied a license, Takahashi filed an action in mandamus in the State court to compel the Commission to issue him a license. The Supreme Court of California, 30 Cal. (2d) 719, 185 P. (2d) 805, validated the statute chiefly on the ground that California had a proprietary interest in the fish found in the three-mile belt and thus could bar aliens from participating in the taking of this species of State property.

Justice Black, writing the majority opinion, referred to *Truax* v. *Raich*, 239 U.S. 33, which involved the validity of an Arizona law militating against employers hiring alien employees. He stated:

"This court, in upholding Raich's contention that the Arizona law was invalid, declared that Raich, having been lawfully admitted into the country under federal law, had a federal privilege to enter and abide in 'any State in the Union' and thereafter under the Fourteenth Amendment to enjoy the equal protection of the laws of the state in which he abided; that this privilege to enter in and abide in any state carried with it the 'right to work for a living in the common occupations of the community,' a denial of which right would make of the Amendment 'a barren form of words.'"

The holding in this case of course must be limited to the issue involved, namely, whether a State can discriminate against an alien who apparently was making his livelihood from fishing in the waters of that State. The holding merely is to the effect that even though the State may have plenary authority over its resources such as game and fish, it cannot in the exercise of that authority deny aliens the same rights that it accords to its citizens because under the Federal Constitution the rights and immunities of aliens is a subject which has been vested in the Congress.

This again in no way upset or militated against the basic doctrine that the States not only are the owners of but exercise plenary authority over game and fish located within their boundaries.

Consequently, it is still the law of the land as can be garnered from decisions of both State and Federal courts that irrespective of the ownership of the land itself, the States still possess the primary proprietary and sovereign power to regulate and control the resident game and fish within their respective boundaries.

V. ANALYSIS OF SOLICITOR'S OPINION

A. Bases of Solicitor's contention

The Solicitor premises Federal power in the Congress to authorize the Secretary of the Interior to make the limited hunting and fishing regulations here specified upon:

1. Article IV, Sec. 3, clause 2 of the Federal Constitution, which provides:

"The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States * * *."

2. The authority of the Federal government to acquire lands within a State by eminent domain for purposes within the ambit of its constitutional powers.

3. Article VI, clause 2 of the Federal Constitution, which provides:

"This Constitution, and the laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; * * *."

4. The sovereign proprietary interest of the United States as a landowner.

Based upon the cases cited, the Solicitor concludes:

"* * * it is apparent that the United States constitutionally empowered as it is, may gain a proprietary interest in land within a State and, *in the exercise of this proprietary interest*, has constitutional power to enact laws and regulations controlling and protecting that land, including * * * resident species of wildlife situated on such land, and that this authority is superior to that of a state."

B. Analysis of cases cited by Solicitor

It is the purpose here to analyze critically the cases cited in the Solicitor's opinion, as well as others, to test the validity of the Solicitor's interpretation of the scope of Federal power under Art. IV, Sec. 3, clause 2 of the Federal Constitution to include the regulation by the United States of resident species of game upon Federally-owned lands.

None of the cases cited expressly support the Solicitor's broad conclusion.

1. *Hunt* v. *United States*, 278, U.S. 96 (1928)

This case involves the killing of deer on the Grand Canyon National Game Preserve by the District Forester under the direction of the Secretary of Agriculture. It arose because officers of the State of Arizona threatened to arrest and prosecute any person attempting to kill or possess or transport such deer for violation of the game laws of Arizona. Three persons who had killed deer under the authority of the United States officials were arrested. The United States brought suit against the Governor and Game Warden of the State of Arizona to enjoin them from continuing or threatening such proceedings. From a lower court decree in favor of the United States, the Governor and Game Warden appealed to the United States Supreme Court.

The Kaibab National Forest and the Grand Canyon National Game Preserve covered practically the same area in the State of Arizona. They were created by proclamations of the President under authority of Congress.

The Supreme Court found that the evidence made clear that the deer had injured the lands in the reserves by overbrowsing upon and killing young trees, shrubs, bushes, and forage plants; that thousands of deer had died because of insufficient forage; and that the direction given by the Secretary of Agriculture to kill large numbers of the deer and ship the carcasses outside the reserve limits was necessary to protect from injury *the lands* of the United States within the reserve. The [redacted] fically mentioned the fact that observance of the State game laws "would have so restricted the number of deer to be killed as to render futile the attempt *to protect the reserves*." (Emphasis supplied.)

The Court said:

"The direction given by the Secretary of Agriculture was within the authority conferred upon him by act of Congress. And the power of the United States *to thus protect its lands and property* does not admit of doubt (citing the Camfield case, the Utah Power and Light case, the McKelvey case and the Alford case), the game laws or any other statute of the state to the contrary notwithstanding."

The Supreme Court did not disturb or review a provision in the decree of the lower court that it "should not be construed to permit *the licensing* of hunters to kill deer within the reserve in violation of the state game laws." The decree of the lower court was modified by requiring all carcasses of deer and parts shipped outside the boundaries of the reserves to be marked to show that the deer were killed under the authority of the United States officials within the limits of the reserves.

2. *Camfield* v. *United States*, 167 U.S. 518 (1897)

Before analyzing the portion of the Solicitor's opinion which touches upon the constitutional powers of Congress to acquire, presumably without cession, the lands within the National Wildlife Refuge System for the various purposes of wildlife conservation, (1) we shall examine the early and often cited case of *Camfield* v. *United States*, 167 U.S. 518 (1897), from which the Solicitor has quoted as follows:

(1) The portion of the opinion referred to is that which reads: "There can be no doubt that the Federal Government may acquire lands within a State for purposes within the ambit of its constitutional powers, and that it may do so by virtue of the power of eminent domain. *Fort Leavenworth R.R.* v. *Lowe*, 114 U.S. 525, 531 (1885). In the exercise of this power the United States has acquired land for many purposes, including wildlife refuges, game ranges, preserves, parks, and reservations, to name a few."

"The general Government doubtless has a

power *over its own property* analogous to the police power of the several States, and the extent to which it may go in the exercise of such power is measured by the exigencies of the particular case." (Emphasis supplied.)

This quotation, while accurate, is taken out of context and does not accurately reflect the Court's own words of limitation contained in that opinion.

The *Camfield* case involved the construction and application of an act of Congress to prevent unlawful occupancy of public lands by making unlawful all fencing of public lands by persons having no claim of title. Defendants had fenced their own alternate odd numbered sections of land so as to enclose 20,000 acres of public land. The United States proceeded under this act to compel defendants to remove their fences. With respect to public domain land, the Court there said:

"While the lands in question are all within the state of Colorado, the Government has with respect to its own lands, the rights of an ordinary proprietor, to maintain its possession and to prosecute trespassers. It may deal with such lands precisely as a private individual may deal with his farming property. It may sell or withhold from sale. It may grant them in aid of railways or other public enterprises. It may open them to preemption or homestead settlement but it would be recreant to its duties as a trustee for the people of the United States to permit any individual or private corporation *to monopolize them for private gain,* and *thereby practically drive intending settlers from the market.* * * * (Emphasis supplied)

The Court there held the statute before it applicable to defendants' lands, and said:

"Considering the obvious purposes of this structure (fencing the specific odd numbered sections) and *the necessities* of preventing the inclosure of public lands, we think the fence is clearly a nuisance, and that it is within the constitutional power of Congress to order its abatement, notwithstanding such action may involve an entry upon the lands of a *private individual.* The government doubtless has a power over its own property analogous to the police power of the several States, and the extent it may go in the exercise of such power is measured by the exigencies of the particular case. *If it be found necessary for the protection of the public, or of intending settlers, to forbid all inclosures of public lands, the government may do so,* though the alternate sections of private lands are thereby rendered less available for pasturage. * * *

"While we do not undertake to say that Congress has the unlimited power to legislate against nuisances within a state, which it would have within a territory, we do not think the admission of a territory as a state deprives it of the power of legislating *for the protection of the public lands,* though it may thereby involve the exercise of what is ordinarily known as the police power, *so long as such power is directed solely to its own protection.* A different rule would place the public domain of the United States completely at the mercy of state legislation." (Emphasis supplied.)

3. *Utah Power and Light Co.* v. *United States* 243 U.S. 389 (1917)

The Solicitor quotes the following from the *Utah Power and Light Co.* case:

"True, for many purposes a State has civil and criminal jurisdiction over lands within its limits belonging to the United States, but this jurisdiction does not extend to any matter that is not consistent *with full power in the United States* to protect its lands, *to control their use,* and to prescribe in what manner others may acquire rights in them." (Emphasis supplied.)

From this quotation the Solicitor seems to read into that case a determination that the ownership of land by the United States carries with it plenary power "to control the use of its land." There is the implication that this power extends to establishing a refuge for game other than such as is the subject of treaty. (2) It is submitted that this case must be read within the framework of the facts and claims of the parties.

(2) See U.S. Attorney General Opinion, Vol. XXIII, page 589 (Nov. 29, 1901) attached hereto.

The *Utah Power and Light Co.* case involved suits brought by the United States to enjoin the continued occupancy and use, without permission, of certain lands in forest reservations in Utah as sites for works employed in generating electric power. Almost all the lands in the reservation belonged to the United States and before reservation by executive order with the express sanction of Congress were public lands subject to disposal under the general land laws.

The defendants (among them the Utah Power and Light Company) contended that their claims to the right to occupy such land must be tested by the laws of the State in which the lands were situated rather than by legislation of Congress.

Defendants also claimed that some of the regulations promulgated by the Secretary of the Interior under the Congressional act empowering the Secretary to make general regulations to permit the use of rights of way through public lands, forest reservations and others go beyond what is appropriate for the protection of the inteerst of the United States and are unconstitutional, unauthorized and unreasonable.

To this the Court said:

"If any of the regulations go beyond what Congress can authorize, or beyond what is authorized, those regulations are void and may be disregarded; but not so of such as are thought merely to be illiberal, inequitable, or not conducive to the best results."

It should be noted that the Court supported only the position of the government that under Congressional authorization it had the constitutional power to protect government lands against trespass and injury. This is the right of every property owner whether public or private. There is no support in this case for the unfounded proposition in the Solicitor's opinion that this holding accords to the United States government rights in the game and fish on such lands—rights which belong to the States and cannot be taken away from them by mere ownership of lands even by the United States.

4. *United States* v. *Alford,* 274 U.S. 264, 267 (1927)

The Solicitor has made the following statement, citing in support thereof the cases of *United States* v. *Alford* and *Camfield* v. *United States,* supra:

"The authority of the proprietary interest is so substantial that it has been protected by holding enforceable Congressional statutes forbidding the acts on land adjoining Federally-owned lands that might endanger the latter."

Although this statement may be true, nevertheless the *Alford* case fails to support the proposition that by mere ownership of lands with its concomitant right to protect such lands against injury, the government of the United States ipso facto become the regulatory owner of resident game and fish.

5. *Chalk* v. *United States,* 114 F 2d 207 (4th Cir., 1940)

The Solicitor's opinion concludes with the following declaration:

"The basic constitutional authority appertaining to the proprietary interest in land owned by the United States has sustained the killing of game on Federally-owned land by Federal officials while acting within the scope of their authority, although acting in violation of the game laws of the State in which the land was located. *Hunt* v. *United States,* 278 U.S. 96 (1928); *Chalk* v. *United States,* 114 F 2d 207 (4th Cir., 1940).

"From the foregoing authorities it is apparent that the United States constitutionally empowered as it is, may gain a proprietary interest land within a State and, in the exercise of this proprietary interest, has constitutional power to enact laws and regulations controlling and protecting that land, *including* the persons, inanimate articles of value, and *resident species of wildlife situated on such land,* and that this authority is superior to that of a State."

We totally disagree with these broad and unqualified conclusions and we submit the cases cited do not support them.

The *Hunt* case did not decide that there was Constitutional power under Art. IV to regulate and protect game *as a part* of the land in the exercise of Federal power to protect the land and property thereon.

The *Chalk* case planted decision on two grounds, namely, the protection of forest land itself from damage by an overabundance of game without sufficient pasturage and upon cession of the exclusive jurisdiction over wild game on the game preserve.

The *Chalk* case was a suit brought by the United States against the Commissioner of Game and Inland Fisheries of North Carolina and State officials under his direction and supervision to enjoin and restrain them from enforcing state-wide game laws respecting game, birds and fish on lands of the United States known as Pisgah National Forest and the Pisgah National Game Preserve.

The case arose out of a determination by the United States Secretary of Agriculture that the deer herd in the Game Preserve was damaging and injuring the land and forest and authorizing th[redacted]ng of the herd by hunting and trapping under conditions as the Chief of the Forest Service might find necessary.

On authority of *Hunt* v. *United States,* supra, the Court held that the United States had the undoubted right to protect its lands and property from severe damage. But the controlling issue upon which the Court planted its decision was that the land constituting the national forest had been acquired by the United States *with the consent of the State of North Carolina; and that there had been a cession of exclusive jurisdiction over the control of wildlife in the Pisgah Game Preserve by North Carolina to the United States under a 1915 act of the North Carolina legislature* (3) which was accepted by subsequent amendments to the Weeks Act under which the game preserve was established within the boundaries of the National Forest. (4)

(3) "An act to give the consent of the State of North Carolina to the making by the Congress of the United States, or under its authority, of all such rules and regulations as in the opinion of the Federal Government may be needful in respect to game animals, game and non-game birds, and fish on lands, and in or on the waters thereon, acquired by the Federal Government in the western part of North Carolina for the conservation of the navigability of navigable rivers."

(4) The amendment prohibited the taking of wildlife on such Preserves except under rules and regulations made by the Secretary of Agriculture.

Concerning this power, the Court stated:

"In addition to the inherent power of the Government to protect its property we have the power expressly ceded to the plaintiff by the State of North Carolina in the Act of 1915 * * *. In this Act the State ceded exclusive jurisdiction over the control of wildlife in the Pisgah Game Preserve to the Federal Government and such cession of jurisdiction for a limited purpose is exclusive as to that purpose, while not necessarily a cession of the right to legislate for all purposes.* * *

"The State of North Carolina having granted to the plaintiff exclusive jurisdiction over the wild life in the Game Preserve, the State could not, by the passage of any General Game Law, in any way affect the right

of the plaintiff under the cession." (Emphasis supplied.)

Again we say that these decisions in no manner support the magisterial but tenuous propositions and conclusions of the Solicitor that the United States government as the result of mere ownership of lands thereby acquires regulatory power over resident game and fish to the exclusion of the State in which the lands are located.

VI—BASIC FALLACY OF SOLICITOR'S OPINION

Failure to recognize the rule governing determination of rights accruing to the United States out of ownership of property (not public domain land, but property acquired by purchase or condemnation)

The fallacy of the Solicitor's broad and sweeping conclusions stems from his failure to recognize the elementary premise that the United States, despite its awesome sovereignty, in purchasing or acquiring lands in the several States secures only those muniments of title possessed by the owner in the role of seller.

Concededly, under the law of every State the prior private owner did not own any rights in the game and fish found on such lands as against the State, or at most he had a very limited and qualified right in the game and fish. By purchasing or acquiring lands from such prior private owner, the United States did not and could not secure the proprietary and sovereign rights which the State possessed in the resident game and fish involved.

That the United States government in acquiring land in the several States gets only such rights therein as are prescribed by State law is a proposition well supported by many court decisions. Among these decisions are the following:

(1) *United States* v. *Fallbrook Public Utility District, 165, F. Supp 806 (1958):* In this case the United States sought to claim certain water rights arising out of government ownership of land in California by reason of its sovereign status in spite of its prior stipulation disclaiminig that for such reason it had "rights to a greater quantity of water than a person not a sovereign would have, standing in the position of the United States."

The District Court in ruling on a pre-trial motion refused to allow this claim and restricted the government's claim to that made stipulation, which the Court stated to be:

"The rights to the use of water which the United States acquired when it purchased the Rancho Santa Margarita. Such rights are the same rights, no more and no less, than the Rancho had, and hence the United States acquired the same rights as any private party who might have purchased the Rancho."

In the memorandum opinion, the Court said:

"Finally, we believe that *the stipulation accords with the law* in the matter (1) as to the rights claimed by the United States and (2) that state law controls. The stipulation recognized well-established law—that when the United States contracts or acquires property within a state, the law of that state controls what rights in the United Sates arise therefrom. (*United States* v. *Burinson,* 1950, 339 U.S. 87, 90, 70 S. Ct. 503, 94 L. Ed. 675; *Reading Steel Casting Co.* v. *United States,* 1925, 268 U.S. 186, 188, 45 S. Ct. 469, 69 L.Ed. 907; *United States* v. *Fox,* 1876, 94 U.S. 315, 320, 24 L.Ed. 192; *United States* v. *Nebo Oil Co.,* 5 Cir., 1951, 190 F.2d 1003, 1010; *United States* v. *Williams,* 5 Cir., 1947, 164 F.2d 989, 993; *Los Angeles & Salt Lake R. Co.* v. *United States,* 9 Cir., 1944, 140 F.2d 436, 437, certiorari denied 1944, 332 U.S. 757, 64 S. Ct. 1264, 88 L.Ed. 1586; *Werner* v. *United States* D.S.C.D. Cal. 1950, 10 F.R.D. 245, 247. All that Mr. Veeder has done is to stipulate in accordance with applicable law."

(2) *United States* v. *Nebo Oil Co., 190 Fed. 2d 1003 (1951):* The doctrine that the law of the State where United States property is located governs determination of specific property rights in such land was upheld in the case of *United States* v. *Nebo Oil Co.,* supra. This was a suit brought by the United States for a declaratory judgment that it was the owner of minerals in 800 acres of land in Louisiana purchased for national forest subject to the prior sale of minerals under the land under statutory prescription. The Louisiana State Supreme Court had held a subsequent Louisiana statute which made mineral rights in lands sold to the United States subject to reservation or prior sale of such rights imprescriptible applicable to sales made to the United States prior to the effective date of the Act. This opinion was based upon a holding that, under Louisiana law, laws of prescription are retrospective in operation. The Federal Circuit Court of Appeals held it was bound by the State Court's interpretation of the subsequent statute. In disposing of the United States' contention that the latter statute as construed was unconstitutional as disposing of property belonging to the United States in violation of Art. IV, Section 3, Cl. 2 of the United States Constitution, the Court held that under Louisiana law the United States acquired no vested interest in the minerals protected by the Constitution.

(3) *United States* v. *Fox (1876), 94 U.S. 315, 320:* In this case the Court held that a devise of land in New York to the United States was void under a New York statute of wills which provided that a devise of lands in that State could be made only to natural persons and to corporations created under the laws of the State which were authorized to take by devise. It also held that it was bound by the holding of the New York Court of Appeals construing the state statute.

In arriving at its decision, the Court said:

"The power of the State to regulate the tenure of real property within her limits, and the modes of its acquisition and transfer, and the rules of its descent, and the extent to which a testamentary disposition of it may be exercised by its owners, is undoubted. It is an established principle of law, everywhere recognized arising from the necessity of the case, that the *disposition of immovable property, whether by deed, descent, or any other mode, is exclusively subject to the government within whose jurisdiction of the property is situated.* McCormick v. Sullivan, 10 Wheat. 202. The power of the State in this respect follows from her sovereignty within her limits, as to all matters over which jurisdiction has not been expressly or by necessary implication transferred to the Federal government. *The title and modes of disposition of real property within the State whether inter vivos or testamentary, are not matters placed under the control of Federal authority.* Such control would be foreign to the purposes for which the Federal Government was created, and would seriously embarrass the landed interests of the State."

The principle of *United States* v. *Fox,* supra, was reaffirmed in *United States* v. *Burnison* (1950), 339 U.S. 87.

(4) *United States* v. *Williams, 5 Cir. (1947), 164 Fed. 2d 989; and Los Angeles & Salt Lake R. Co.* v. *United States, 9 Cir. (1944), 140 Fed. 2d 436:* State law controlled construction of the rights acquired by the United States as a purchaser at a judicial sale in *United States* v. *Williams,* supra; and in *Los Angeles & Salt Lake R. Co.* v. *United States,* supra, a deed conveying California land to the United States was interpreted by California law.

(5) *Werner* v. *United States, D.C.S.D. Cal. (1950), 10 F.R.D. 245:* The *Werner* case involved a lease of land in California to the United States. The Court there said:

"Validity of the lease and option to renew in controversy here and the rights of the parties derived therefrom are governed by the law of California where the land is situated and the lease was made. (Citations)".

(6) *Reading Steel Casting Co.* v. *United States (1925), 286, U.S. 186:* It is a basic legal doctrine that the rights of the United States in its property are determined by the same principles as govern conveyances between individuals. Such was the holding in *Reading Steel Casting Co.* v. *United States,* supra. This case involved rights in chattels. The Court there said:

"The contract is to be construed and rights of the parties are to be determined by the application of the same principle as if the contract were between individuals. *Smoot's Case,* 15 Wall. 36, 47; *Manufacturing Co.* v. *United States,* 17 Wall. 592, 595; *United States* v. *Smith,* 94 U.S. 214, 217."

(7) *United States* v. *Smith, 94 U.S. 214, 217:* The above doctrine was also delineated in *United States* v. *Smith,* supra, where the Court through Mr. Justice Waite said:

"* * * it was decided in *Smoot's Case,* 15 Wall. 546, that the principles which govern inquiries as to the conduct of individuals, in respect to contracts, are equally applicable where the United States is a party."

But the Solicitor attempts to overcome this hurdle by arrogating to the United States rights and powers beyond that of a mere individual land owner by stating:

"These broad powers arise out of the proprietary interest of the United States to control the use of its land *and they exceed the powers of an ordinary land owner in the respect that the interest is held by a sovereign and carries with it enforcement powers, referred to as police powers.*"

It is clear that this statement of the Solicitor is not supp[redacted]e cases, above cited and discussed.

VII. REGULATION OF MIGRATORY SPECIES

In United States v. Shauver, 214 Fed. 154, 156, the proposition that the United States government had inherent sovereign powers over migratory birds was rejected by the courts. In this case the constitutionality of the Act of March 4, 1913, c. 145, 37 Stat. at L. 847, protecting migratory birds and game, was before the District Court of the Eastern District of Arkansas. It was there contended by the United States that the Congress possessed the power to regulate migratory birds and game as an "implied attribute of sovereignty in which the national government has concurrent jurisdiction with the States."

The court disposed of this contention as follows:

"A similar argument was presented to the court in Kansas v. Colorado, 206 U.S., 46, 89, 27 Sup. Ct. 655, 664 (51 L. Ed. 956), but held untenable. Mr. Justice Brewer, speaking for the court, disposed of it by saying:

" 'But the proposition that there are legislative powers affecting the nation as a whole, which belong to, although not expressed in, the grant of powers, is in direct conflict with the doctrine that this is a government of enumerated powers. That this is such a government clearly appears from the Constitution, independently of the amendment, for otherwise there would be an instrument granting certain specified things made operative to grant other and distinct things. This natural construction of the original body of the Constitution is made absolutely certain by the tenth amendment. This amendment, which was seemingly adopted with prescience of just such a contention as the present, disclosed the wide-spread fear that the national government might, under the pressure of a supposed general welfare, attempt to exercise powers which had not been granted. With equal determination the framers intended that no such assumption should ever find justification in the organic act, and that, if in the future further powers seemed necessary, they should be granted by the people in the manner they had provided for amending that act. * * * Its principal purpose was not the distribution of power between the United States and the states,

but a reservation of the people of all powers not granted.' "

Apparently the soundness of this decision was accepted by the United States officials and it was succeeded by the negotiation of the Migratory Bird Treaty and adoption of the Migratory Bird Treaty Act, both sanctioned by the Supreme Court in *Missouri* v. *Holland*, supra.

Consequently, the rights and powers acquired by the United States when it secures title to lands by purchase or condemnation cannot be tested by any nebulous or farfetched assertion of inherent sovereignty. The true test is similar to that applicable to lands owned by a private owner, namely, the doing of those things or the taking of such action as may be necessary to preserve and protect the muniments of title which the government received from the former private owner. The extent of these muniments of title must be tested by the laws of the States in which the land is situated. Since game and fish are not part of the muniments of title, and since the United States does not have any inherent sovereignty over game and fish as such, this contention of the Solicitor must necessarily fall because it cannot be sustained by its own bootstraps.

VIII. SCOPE OF FEDERAL POWER DEFINED

The correct approach to the problem of the Federal government's power to regulate resident species of wildlife on Federally-owned land in the National Wildlife Refuge System is developed by the Court in *United States* v. *2,271.29 Acres, More or Less, of Land in LaCross, Trempeleau, Vernon and Grant Counties, Wis., et al.*, 31 F 2d 617 (1923). This was a condemnation proceeding for lands in the Upper Mississippi Wild Life and Fish Refuge, provided for by Act of Congress of June 7, 1924. The Attorney General of Wisconsin appeared and contended that the legislative consent involved in the case violated the State Constitution. He argued

"* * * the state holds and controls navigable waters in trust for its people, and may not delegate such trust to another sovereignty, and it is under similar nondelegable obligation to its people with respect to game animals, fowl, and fish.

"It is not to be denied that the national government may acquire lands necessary or convenient for the exercise of its powers, within any of the states, and that neither the consent of the states nor of individuals is necessary. Kohl v. United States, 91 U.S. 367, 23 L. Ed. 449.

The court found that no navigable waters were involved so that no question of unlawful abdication of the State's obligation to the people in that respect was considered.

On the question of Federal power to regulate game in connection with refuges established under the Migratory Bird Treaty Act, the court said:

"But it is clear, also, that the right to regulate the taking and use of game and fish is, generally speaking, in the state as an attribute of its sovereignty, subject only to valid exercise of authority under the provisions of the Federal Constitution. Geer v. Connecticut, 161 U.S. 519, 16 S. Ct. 600, 40 L. Ed. 793; Ward v. Racehorse, 163 U.S. 504, 16 S. Ct. 1076, 41 L. Ed. 244; Kennedy v. Becker, 241 U.S. 556, 564, 36 S. Ct. 705, 60 L. Ed. 1106; Carey v. South Dakota, 250 U.S. 118, 120, 39 S. Ct. 403, 63 L. Ed. 886.

"In so far as the 'Refuge Act' relates to migratory birds within the terms of the treaty with Great Britain (39 Stat. 1702) and the Migratory Bird Act (40 Stat. 755 (16 USCA Sec. 703 et seq.)), the state's power to consent to the acquisition of land for the purpose of conserving migratory bird life is not open to question. The national government's power to regulate the taking and use of such birds was upheld in Missouri v. Holland, 252 U.S. 416, 40 S. Ct. 382, 64 L. Ed. 641, 11 A.L.R. 984, and there can exist in the State of Wisconsin no trust or obligation to its people requiring it to refuse consent that the national government carry out the latter's constitutional powers. On this branch of the case there remains only the question of the validity of the state's consent relating to game animals, birds (other than migratory), and fish.

"In this connection it may be well to note that the 'Refuge' Act contemplates no general regulation of the game and fish within the state but merely that the United States shall acquire and own a limited tract or tracts of land to be used as a refuge and breeding place for such game. Manifestly the purpose is conservation by an approved and effective method, providing a place of limited area where such game may resort, thrive, and multiply, and to that end hunters and fishermen may be excluded under regulations of the Secretaries of Agriculture and Commerce, and prosecuted by the federal authorities in federal courts for violation of such regulations. * * *

"As I view the so-called 'Refuge' Act, it establishes primarily a refuge for migratory birds. Congress apparently recognized the fact that, as a necessary and natural result of establishing such a refuge, nonmigratory birds, game generally, and insofar as the lands were overflowed, fish, would resort thereto and breed therein, so that incidentally the area would become a refuge for many kinds of game. Their increase in the area might or might not become inimical to the welfare of migratory birds. On the other hand, the pressure of some varieties of other game and fish, and the conservation of aquatic plants, etc., will undoubtedly be of great value to the area as a refuge for migratory fowl. So it seems quite essential that as an incident to the maintenance of the refuge for migratory birds, those in charge have some power of regulation over the number and kinds of other game present, and also, in order that the migratory birds may be secure in their refuge that hunters and fishermen be at times excluded. Thus as an incident to the main purposes arises the necessity of regulation of game which ordinarily is subject to regulation by the state alone. *United States* v. *Shauver* (D.C.) 214 F. 154; *U.S.* v. *McCullaugh* (D.C.) 221 F. 288. This intent of Congress to give to the Secretaries of Agriculture and Commerce the right of regulation of game other than migratory birds, as an incident merely to the main purpose, is clearly and definitely indicated by the phrases 'to such intent', as they are used in section 3 of the act. * * *

"What has been said goes far to solve the other questions raised by the challenge of the validity of the 'Refuge' Act as beyond the power of Congress. *The power of Congress to establish a refuge for game, other than such as is the subject of treaty, may well be seriously doubted.* See *Missouri* v. *Holland, U.S.* v. *Shauver* and *U.S.* v. *McCullaugh, supra.* It may be assumed that it has no such power. Nevertheless it may conserve migratory birds, and do what is reasonably necessary to carry out that power.

"It has long been settled that Congress may select the means to carry out a federal function, without interference from the courts. Granting the power to establish a refuge for migratory birds, it follows that it is well within the power of Congress to authorize the Secretary of Agriculture to acquire lands within a state for that purpose, and to authorize the Secretaries of Agriculture and Commerce to make such regulations relating to wild life generally including nonmigratory game and fish, as becomes reasonably necessary to maintain a proper and efficient migratory bird refuge, and such other regulations as may attend the proprietary ownership of the area by the government under subsection 2, sec. 3, Art. 4 of the Constitution. Thus viewed, no lack of power in Congress to enact the 'Refuge' Act is perceived." (Emphasis supplied.)

Although the Solicitor recognizes the general power of the States to protect fish and game within their territorial limits as an attribute of the States' sovereignty, nevertheless he infers that it is open to question whether the States' sovereign power over hunting and fishing extends to any Federally-owned land. This inference is not consistent with prior decisions of the Solicitor for the Department of the Interior, or the Attorney General of the United States.

In an opinion by Attorney General John W. Griggs to the Secretary of State dated September 20, 1898 (Opinions of U.S. Attorney General, vol. 22, page 214 et seq.) pertaining to the power of the United States to enter into treaty stipulations with Great Britain for the regulation of the fisheries in waters of the United States and Canada along the international boundary, he said:

"The regulation of fisheries in navigable waters within the territorial limits of the several States, in the absence of a Federal treaty, is a subject of State rather than of Federal jurisdiction. Congress has the paramount right to regulate navigation in the navigable waters of the United States, but Congress has no authority, in the absence of treaty regulations, to pass laws to regulate or protect fisheries within the territorial jurisdiction of the States. (McCready v. Virginia, 94 U.S. 391; Lawton v. Steele, 152 U.S. 133.)"

In an opinion of the Department of the Interior dated April 15, 1931 (Vol. 53, page 349), on the applicability of State fish and game laws to lands alloted to Indians from the public domain it is said (page 361):

"* * * and on the public domain 'The power of all the Stat[redacted]te the killing of game within their borders will not be gainsaid.' (Ward v. Race Horse, 163 U.S. 504)."

In another opinion of the Department of the Interior dated February 12, 1943 (Vol. 58, page 331), the following was expressed relating to regulations of hunting and fishing on land ceded by the Shoshone and Arapahoe to the United States under treaty for disposition as provided by Congressional Act (33 Stat. 1016):

"But it is still necessary to determine whether the United States had any interest in the ceded lands that the State was barred from exercising its police power over them. Although the tribal councils no longer could regulate hunting and fishing on the ceded lands, such a power, it might be argued, was vested in the Secretary of the Interior as conservator of the public domain.

"There is no doubt, however, that the State can enforce its conservation laws on public lands. The Federal Government, to be sure, if necessary to protect its interests in such lands, may disregard State conservation laws, but in the absence of an overriding *Federal interest*, they remain applicable. Although it has been held that, under authority conferred by statute, Federal administrative officers could proceed to exterminate deer committing depredations in a national forest despite inhibitions of State conservation laws, it is implicit in this decision that the State conservation laws would normally have governed (Hunt v. United States, 278 U.S. 96). Federal jurisdiction over game in a national forest was based on an express cession of State jurisdiction in Chalk v. United States, 114 F (2d) 207 (C.C.A. 4, 1940). As said by Mr. Justice Brandeis in Omaechevarria v. Idaho, 246 U.S. 343, 346:

"'* * * The police power of the State extends over the federal public domain, at least when there is no legislation by Congress on the subject. * * *'

"The crucial question in determining the applicability of State conservation laws to ceded Indian lands is whether the exercise of this jurisdiction will interfere with or embarrass the Federal Government in the execution of *the purpose for which it holds the lands.* Even if State jurisdiction over such lands be conceded, still it does not extend as the court said in the Utah Power and Light Co. v. United States, 243 U.S. 389, 404:

"' * * * to any matter that is not consistent with full power in the United States to protect its lands, to control their use and to prescribe in what manner others may acquire rights in them.'

See also Fort Leavenworth R.R. Co. v. Lowe, 114 U.S. 525; Arlington Hotel Company v. Fant, 278 U.S. 439; Surplus Trading Company v. Cook, 281 U.S. 647; James v. Dravo Contracting Co., 302 U.S. 134; Stewart & Co. v. Sadrakula, 309 U.S. 94.* * *

"I fail to perceive, however, any overriding Federal interest which would justify regulation by the Secretary of Interior of hunting and fishing on the ceded lands."

IX. CONCLUSIONS

Therefore, in view of the well-established and historical concept that all fish and wildlife found within the territorial limits of the States are the property of the several States and thus subject to their primary and sovereign control and regulation, various situations and relationships have to be considered in determining what authority the Federal government may exercise over fish and wildlife found on Federally-owned lands. These are outlined below:

1. Lands owned by the Federal government concerning which the State has made no cession of jurisdiction

(a) The State can regulate resident species of game and require persons to secure State licenses in order to hunt on such lands.

(b) Within the limits of Congressional authority, the Federal government through its duly authorized agency can prohibit hunting and impose restrictions on hunting which are more restrictive in their nature than those provided by State law. This it does in the exercise of its prerogatives and rights as a proprietor of the land it owns.

(c) When it becomes necessary to protect Federally-owned property from injury or destruction caused by depredations of resident species of wildlife, within the limits of Congressional authority the Federal agency in charge of such lands may reduce by its own agents the species involved. This the Federal government does as an ordinary proprietor of such lands for their protection against destruction by wildlife. This authority is no different from the right exercised by a private land owner, although many State laws require that he secure a permit for the killing of such wildlife.

(d) The Federal lands referrd to in the Solicitor's opinion are designated as "wildlife refuges, game ranges, wildlife ranges and other Federally-owned property under the administration of the Secretary." So long as there has been no cession of jurisdiction by the State to the Federal government with respect to any lands, it is of no importance what they are called or what uses the Federal government intends to make of them.

2. Federal enclaves

(a) In many States there exist areas known as Federal enclaves. These are areas containing Federally-owned lands concerning which there has been an unconditional cession of jurisdiction to the United States government. By this act of cession the State has relinquished its authority and jurisdiction excepting as to such matters which it might have reserved in the cession of jurisdiction. In effect, the lands of such Federal enclaves revert to their status of Federal territory. Consequently, assuming that in such unconditional cession of jurisdiction the State has not reserved the right to regulate and control hunting and fishing, the Federal government and not the State in such instance would have the authority to regulate these activities and the species of wildlife found upon such lands.

(b) Federal enclaves of course do not encompass the entire area of any State, and consequently the State can regulate and license the possession and transportation of wildlife occurring within the territory over which it still has jurisdiction. Therefore any person who either hunts or fishes on such enclaves nevertheless must comply with State laws regulating licensing, possession and transportation of game and fish taken in the enclave upon leaving the enclave and setting foot on the area under State jurisdiction.

3. Principles applicable to fisheries

The principles applicable to the fisheries and fishing are different from those applicable to resident game. In some States the riparian owner is given title to the bottomland of such waters; but even in those States, such as in Michigan, the State has a paramount and perpetual trust in all of its waters for the maintenance and preservation of the fish life therein. Consequently, whenever the Federal government purchases or condemns privately owned lands riparian to a body of water, it acquires only those rights which the private owner possesses. Therefore, whatever rights and authority States exercise over such waters and the bottom lands thereunder (except such rights as the Federal government exercises under the Commerce Clause), States may continue to exercise despite Federal ownership of such riparian lands.

The result is that the Federal government, even though it owns riparian lands, has no authority to regulate or control in any way either the fishery or the right of fishing in waters under State jurisdiction. Of course, should the State make an unconditional cession of jurisdiction to the Federal government of an area which includes lakes or rivers without reserving its authority over the fisheries, then the State has lost its authority to regulate or manage such fisheries.

4. The effect of treaties on wildlife and fish

A treaty negotiated under the treaty-making power of the United States becomes the supreme law of the land and all State or Federal laws become subordinate to the provisions of such a treaty. The Migratory Bird Treaty implemented by the Migratory Bird Treaty Act supervenes any State or Federal law. The government of the United States exercises the powers granted under the treaty, not as a land owner, but as a sovereign. The provisions of a treaty vesting authority in the Federal government to regulate certain species of migratory wildlife supersedes State authority and consequently any State laws in contravention of a treaty are null and void.

At the present time there is no treaty vesting the Federal government with authority to regulate the fisheries found within the States of the United States. Thus it cannot regulate any of the fisheries, even those found within the Great Lakes.

MEMORANDUM 36672 OF THE U.S. DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DECEMBER 1, 1964

To: Assistant Secretary for Fish and Wildlife.

From: Deputy Solicitor.

Subject: Authority of the Secretary of the Interior to manage and control resident species of wildlife which inhabit wildlife refuges, game ranges, wildlife ranges, and other Federally-owned property under the administration of the Secretary.

The Secretary of the Interior has promulgated general regulations, contained in Title 50 of the Code of Federal Regulations, and special regulations,[1] published annually in the Federal Register, that control the hunting and fishing activities of the general public upon those lands within the National Wildlife Refuge System (i.e., game ranges, wildlife ranges, wildlife refuges, and waterfowl production areas). These hunting and fishing regulations have taken one of two forms. Either the regulations incorporate by reference all the hunting and fishing laws of the States in which the refuge, range, or area is located, or the regulations expressly prohibit certain hunting and fishing activities which are permitted by State law. For example, if the State law authorizes the killing of two deer of either sex during a fixed season, the Secretary has either expressly adopted the State's season and bag limit for a particular refuge or has authorized only the killing of one deer of the male sex during a time period which is less than the deer hunting season prescribed by the State. The latter type of regulation is specifically designed to be more restrictive than the State hunting and fishing laws.

During the past several years Commissioners and Directors of the various State fish and game departments have questioned the authority of the Secretary to promulgate hunting and fishing regulations for lands within the National Wildlife Refuge System, when the regulations prohibit those activities which the State fish and game laws permit. These State officials have argued that the Secretary of the Interior does not have the authority to manage and control resident species of wildlife (i.e., all species of fish and game), which inhabit Federally-owned land under the administration of the Secretary. These State fish and game departments and the Ad Hoc Committee of the International Association of Fish and Game Commissioners, through conferences and correspondence with this Department, have maintained that the Secretary may issue *only* hunting and fishing regulations for resident species of wildlife that incorporate completely State law, because all resident specie of wildlife, other than migratory birds, are subject to the *exclusive* jurisdiction and control of the several States, and the States have some semblance of title to the resident species of wildlife. Accordingly, the U.S. Fish and Wildlife Service has raised the following question: Does the Secretary of the Interior have the authority to promulgate regulations which control the hunting and fishing activities of the general public on lands within the refuge system, when such regulations are more restrictive than State fish and game laws?

In order to analyze and answer this question it is necessary to eliminate certain collateral issues. When the States have ceded exclusive jurisdiction over land to the Federal Government, pursuant to Article I, Section 8 of the Federal Constitution and Section 355 of the Revised Statutes, as amended, 40 U.S.C. § 255 (1958), there is no question, in our opinion, that State fish and game laws have no application to the Federally-owned land. In those areas where there has been a cession of exclusive jurisdiction to the Federal Government, by definition, a State has no jurisdiction or control over the area.

Similarly, we do not feel that it is necessary to give extensive analysis to the problem of the States controlling the hunting and fishing activities of the general public on nonfederally-owned land. There is no question that the States have control and jurisdiction over the hunting and taking of resident species of wildlife, provided that such hunting activity occurs *only* upon land which is not owned by the Federal Government. The general power of a State to protect fish and game has always been considered an attribute of the sovereign power of the State. This proposition is supported by a long line of precedents. *Geer* v. *Connecticut*, 161 U.S. 519 (1896); *Ward* v. *Race Horse*, 163 U.S. 504 (1896); *LaCoste et al.* v. *Department of Conservation of the State of Louisiana*, 263 U.S. 545, 552 (1925); *Foster Packing Company* v.

[1] The authority of the Secretary to promulgate special hunting and fishing regulations for particular refuges, ranges, or areas has been delegated to the Regional Directors of the Bureau of Sport Fisheries and Wildlife. See 25 F.R. 8524, 4 AM 4.9C, Administrative Manual of the Bureau of Sport Fisheries and Wildlife, as amended by 28 F.R. 12834.

Haydel, 278 U.S. 1, 11 (1928); *State* v. *McCoy*, 387 P. 2d 942 (1963).

It is important to recognize that in all the above-cited cases the relationship involved was between a State and an individual, not between a State and the Federal Government. Therefore, when hunting activities occur on Federally-owned land, an entirely different analysis and approach is required, since the relationship would then involve a State and the Federal Government.

There can be no doubt that the Federal Government may acquire lands within a State for purposes within the ambit of its constitutional powers, and that it may do so by virtue of the power of eminent domain. *Fort Leavenworth R.R.* v. *Lowe*, 114 U.S. 525, 531 (1885). In the exercise of this power the United States has acquired land for many purposes, including wildlife refuges, game ranges, preserves, parks, and reservations, to name a few. Furthermore, the property clause of the Constitution, Article IV, Section 3, states, "The Congress shall have the Power to dispose of and *make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States* . . .". (Emphasis added). Finally, there is the supremacy clause of the Constitution, Article VI, which reads, "This Constitution, and the laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme law of the land . . .". The powers contained in the property and supremacy clauses of the Constitution extend not only to the public domain but also to property acquired by purchase or eminent domain. *McKelvey* v. *United States*, 260 U.S. 353 (1922); *Utah Power and Light Company* v. *United States*, 243 U.S. 389 (1917). It is the exercise of this power under the property and supremacy clauses which is dispositive of the question of the authority of the Federal Government, acting through the Secretary of the Interior, to manage and control resident species of wildlife, on Federal lands under his jurisdiction, through regulations which prohibit what State law permits.

The exercise of this constitutional authority to make rules and regulations for Federally-owned lands has often been challenged, but just as often upheld by the Courts. "The States and the public have almost uniformly accepted this [Federal] legislation as controlling, and in instances where it has been questioned in this Court *its validity has been upheld and its supremacy over State enactments sustained.*" (Emphasis added). *Utah Power and Light Company* v. *United States*, *supra*, at 404, and cases cited therein.

"The general Government doubtless has a power over its own property analogous to the police power of the several States, and the extent to which it may go in the exercise of such power is measured by the exigencies of the particular case." *Camfield* v. *United States*, 167 U.S. 518, 525 (1897).

These broad powers arise out of the proprietary interest of the United States to control the use of its land, and they exceed the powers of an ordinary landowner in the respect that the interest is held by a Sovereign and carries with it enforcement powers, referred to as police powers. *Utah Power and Light Company* v. *United States*, *supra*, at 405.

Even the property interest of an ordinary landowner is protected to the extent that: "The State cannot, within constitutional limits, by the issuance of hunting licenses which purport to give a hunter the right to invade the private hunting grounds owned by another person, or by any other means, authorize one to enter another's premises, for the purpose of taking game, without the latter's permission." 24 AM. Jur., *Game and Game Laws*, § 5. (See cases cited).

A fortiori, the Sovereign's proprietary interest includes that of an ordinary landowner. It too may protect its holding and forbid trespass and control people on the land whether they be hunting, fishing, or just visiting. In addition, articles of value on the land—timber, hay, water, resident game and wildlife—may also be protected by control over the land and persons on the land. "True, for many purposes a State has civil and criminal jurisdiction over lands within its limits belonging to the United States, but this jurisdiction does not extend to any matter that is not consistent with full power in the United States to protect its lands, to control their use, and to prescribe in what manner others may acquire rights in them." *Utah Power and Light Company* v. *United States*, *supra*, at 404.

The authority of the proprietary interest is so substantial that it has been protected by holding enforceable Congressional statutes forbidding acts on lands adjoining Federally-owned lands that might endanger the latter. *United States* v. *Alford*, 274 U.S. 264, 267 (1927); *Camfield* v. *United States*, *supra*.

The basic constitutional authority appertaining to the proprietary interest in land owned by the United States has sustained the killing of game on Federally-owned land by Federal officials while acting within the scope of their authority, although acting in violation of the game laws of the State in which the land was located. *Hunt* v. *United States*, 278 U.S. 96 (1928); *Chalk* v. *United States*, 114 F. 2d 207 (4th Cir., 1940). See also *Arizona* v. *California*, 283 U.S. 423 (1931) and *Johnson* v. *Maryland*, 254 U.S. 51, 56 (1920).

From the foregoing authorities it is apparent that the United States constitutionally empowered as it is, may gain a proprietary interest in land within a State and, in the exercise of this proprietary interest, has constitutional power to enact laws and regulations controlling and protecting that land, including the persons, inanimate articles of value, and resident species of wildlife situated on such land, and that this authority is superior to that of a State.

This broad Federal power to regulate and manage resident species of wildlife on Federally-owned land, which is derived from the Federal Constitution and the inherent powers of the Federal Government as a landowner, has been vested in the Secretary of the Interior with respect to those land and water areas which comprise the National Wildlife Refuge System by the regulatory sections of the following legislation:

Section 4 of the Act of September 28, 1962, 76 Stat. 653, 654 (1962); 16 U.S.C. § 460k–3 (Supp. V, 1959–63).

Section 4 of the Fish and Wildlife Coordination Act, 48 Stat. 401, 402 (1934), as amended, 16 U.S.C. §§ 661, 664 (1958).

Section 10 of the Migratory Bird Conservation Act, 45 Stat. 1222, 1224 (1929), as amended, 16 U.S.C. §§ 661, 664 (1958).

Section 4 of the Duck Stamp Act, 48 Stat. 451 (1934), as amended, 16 U.S.C. § 718d(b) (1958).

Furthermore, this authority to regulate and manage resident species of wildlife, which has been delegated to the Secretary by the above legislation, has been supplemented by *specific* legislation for the administration of particular areas. Examples of the regulatory sections of this specific legislation are as follows:

Bear River Migratory Bird Refuge, Section 5 of the Act of April 23, 1928, 45 Stat. 449, 16 U.S.C. § 690d (1958).

Lea Act Refuges, Section 3 of the Act of May 18, 1948, 62 Stat. 239, 16 U.S.C. § 695b (1958).

National Key Deer Refuge, Section 1 of the Act of August 22, 1957, 71 Stat. 412, 16 U.S.C. § 696 (1958).

Upper Mississippi River Wildlife and Fish Refuge, Section 3 of the Act of June 7, 1924, 43 Stat. 650, 16 U.S.C. § 723 (1958).

We interpret the regulatory sections of these statutes as containing sufficient legal authority for the Secretary to make all appropriate rules and regulations which are necessary for the effective administration of these lands within the National Wildlife Refuge System, including the authority to regulate such activities as public use, access, recreation, hunting and fishing, provided the regulations are (1) reasonable and appropriate (i.e., "needful"); (2) not inconsistent with the statutory source of the regulatory authority; and (3) consistent with the purposes for which the area was placed under the administration of the Secretary.

Concerning the restrictions that the regulations must not be inconsistent with the statutory source of the regulatory power, it is to be noted that the language contained in the regulatory sections of these statutes (*supra*) is broad in both scope and intent. An examination of the regulatory sections will show that sweeping, general language was used by Congress to authorize the Secretary to make rules and regulations which are necessary for the effective administration of refuge areas. This statutory source of regulatory authority is, in our opinon, sufficiently broad to permit the Secretary to prohibit all forms of public access, entry, and use of any portion of a refuge area. A fortiori, the statutory source necessarily includes the lesser power to permit the access and use of a refuge for limited purposes and upon such conditions as the Secretary may prescribe.

". . . we think the sound construction of the Constitution must allow to the national legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body [redacted] the high duties assigned to it, in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adopted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional." *McCulloch* v. *Maryland*, 4 U.S. (4 Wheat.) 415, 431 (1819).

Accordingly, the only meaningful legal issue to be discussed is whether the regulations governing fishing and hunting of resident species of wildlife within a refuge area are reasonable and appropriate, as well as related to the purpose for which the refuge area was acquired or established. Although these issues are primarily questions of fact, a discussion of the principles involved is in order.

Many areas within the National Wildlife Refuge System were acquired primarily for the protection and development of the migratory bird populations; however, some areas, such as the Desert Game Range, were established for the primary purpose of protecting an endangered species. It should also be noted that the Secretary, by law, is required to protect and manage resident species of wildlife which inhabit areas primarily acquired for migratory waterfowl. 48 Stat. 451 (1934), as amended, 16 U.S.C. § 718d (1958). Regardless of the particular species of wildlife for which the refuge area was primarily acquired, the Secretary must use sound conservation principles which are designed to prevent the overpopulation of wildlife, prevent the destruction of food supplies, and protect the general ecology, in administering all refuge areas.

In addition, the Secretary is now required to manage all areas within the National Wildlife Refuge System in such a manner as to allow various forms of recreational activity, which includes hunting and fishing, that are not inconsistent with the purposes for which the area was established. 76 Stat. 653 (1962), 16 U.S.C. § 460k (Supp. V, 1959–63). In managing areas within the refuge system, the Secretary must, out of necessity to preserve the area, control hunting and fishing pressures. Any regulation concerning hunting and fishing which has as its focal point sound conservation principles is not only reason-

able and proper but is also related to the purpose for which the area was acquired. To argue otherwise is to say that the Secretary is helpless to properly manage Federally-owned land and the public use of that land.

Inevitably, out of any discussion concerning the control of resident species of wildlife it is not surprising to have the questions of title to wild animals raised by the States.

With respect to game and wildlife generally, the Supreme Court has said that the power to control lodged in the State is to be exercised as a *trust for the benefit of the people* and not as a prerogative for the advantage of the Government. *Geer* v. *Connecticut, supra; Foster Packing Company* v. *Haydel, supra; State* v. *Rodman*, 58 Minn. 393 (1894); *Magner* v. *People*, 97 Ill. 320 (1881); *In Re Eberle*, 98 Fed. 295 (1899).

It is the law that he who claims title to game must first reduce it to possession. This proposition is supported by State court decisions too numerous to recite which enunciate that principle. These decisions extend from *Pierson* v. *Post*, 3 Caines 175 (New York, 1805), to *Koop* v. *United States*, 296 F. 2d 53 (8th Cir., 1961).

"The statutes declaring the title to game and fish as being in the State *speak only in aid of the State's power of regulations; leaving the landowner's interest what it is.*" (Emphasis added). *McKee* v. *Gratz*, 260 U.S. 127, 135 (1922).

It is clear that the "ownership" of wildlife by a State is a trust interest, and not a possessory title. *McKee* v. *Gratz, supra; Missouri* v. *Holland*, 252 U.S. 416 (1920); *Sickman et al.* v. *United States*, 184 F. 2d 616 (7th Cir., 1950). Further, the Supreme Court states that as between a State and its inhabitants, the State may regulate the killing and sale of migratory birds, "but it does not follow that its authority is exclusive of paramount powers. To put the claim of the State upon title is to lean upon a slender reed". *Missouri* v. *Holland, supra*, at 434. This authority of the State to regulate the killing of wildlife is based upon a trust concept, not upon ownership of or title in the wild animals. Under basic constitutional doctrine the trust or police power (i.e., regulatory jurisdiction) of a State yields to the exercise by the national government of its powers under the property clause of the constitution.

In this memorandum we have attempted to set out the broad authority of the Federal Government, *as a landowner*, to make needful rules and regulations for the management of its property. We have set forth some of the more pertinent legislation which delegated this broad power to the Secretary of the Interior. It is our conclusion that the Secretary has ample legal authority to make hunting and fishing regulations for particular areas within the National Wildlife Refuge System that prohibit activities authorized and permitted by State law. The regulation of the wildlife populations on Federally-owned land is an appropriate and necessary function of the Federal Government when the regulations are designed *to protect and conserve the wildlife as well as the land.*

EDWARD WEINBERG,
Deputy Solicitor.

[No. 7373—Civil action in the U.S. District Court for the District of New Mexico]

THE NEW MEXICO STATE GAME COMMISSION, PLAINTIFF, *v.* STEWART L. UDALL, SECRETARY OF THE INTERIOR; STANLEY A. CAIN, ASSISTANT SECRETARY OF THE INTERIOR; GEORGE HARTZOG, JR., DIRECTOR OF NATIONAL PARK SERVICE; NEAL G. GUSE, SUPERINTENDENT OF CARLSBAD CAVERNS NATIONAL PARK; R. R. MABERY, CHIEF RANGER; AND ROBERT J. SCHUMERTH, NEAL R. BULLINGTON, WILLIAM J. WILSON, ROBERT M. TURNER, WALTER B. O'NEAL, WALTER H. KITTAM, DERRICK C. COOKE, PARK RANGERS, DEFENDANTS

OPINION

This is a contest between the New Mexico State Game Commission and the Secretary of the Interior and his delegates. Ostensibly, the issue presented concerns the Secretary's authority to order the destruction of wildlife in the Carlsbad Caverns National Park, in violation of New Mexico law, for the purpose of conducting a scientific research study. The broader issue presented relates to the role of the States in the activity of wildlife management. Because federal lands located in states other than New Mexico might be effected by the outcome of this dispute, a number of states have appeared as *amicus curiae*.

Plaintiff has requested (1) a declaratory judgment pursuant to 28 U.S.C. § 2201, and (2) that the defendants be enjoined from killing any more wildlife on the park. Defendants contend that they are acting within their authority, and that this is in reality a suit, without consent, against the United States. They have responded with a motion for summary judgment.

The parties have filed herein a stipulation of the facts, and the case is being decided on its merits and not on the defendants' motion for summary judgment. Both parties desire that the Court decide the case on the stipulation as though a trial had been held.

When the parties signed and filed the stipulation of facts, the Court inquired whether the deer in question were to be killed to prevent injury to the park lands, or to permit a study to determine the likelihood of future depredation. The Court was informed that the Government did not intend to kill the deer because of present knowledge of depredation, but merely to gather information as the basis for a study. It has been stipulated that the State of New Mexico has offered to provide the defendants with state permits authorizing the killing of the deer, and that the defendants have refused the offer.

As mentioned, defendants contend this is, in reality, an unconsented-to suit against the United States. In this regard, the Court is cognizant of the rule that an officer of the United States, such as the Secretary of the Interior, is immune to suit in his official capacity when the suit is, in effect, one against the United States. However, there exists an exception to the rule where there are allegations that the officer's actions exceeded his statutory authority. Actions of an official that exceed his authority are not actions of the United States, and in such case, the doctrine of sovereign immunity does not apply. *Malone* v. *Bowdoin, 369 U.S. 643; Pan American Petroleum Corp. v. Pierson, 234 F. 2d 649 (10 Cir., 1960); Frost v. Garrison, 201 F. Supp. 389 (D. Wyo., 1962)*. In the instant case, plaintiff alleges that defendants are without authority to do the arts complained of, and the Court concludes that the doctrine of sovereign immunity does not preclude this action.

In the alternative to the contention that the defendants have exceeded their authority, plaintiff alleges that any such authority found to exist is clearly unconstitutional. Should it be determined that defendants were acting within their statutory authority, and that a substantial question of constitutionality with respect to the statute, or statutes, challenged exists, the Court would initiate the convening of a three-judge panel to hear the matter. *Ex parte Poresky, 290 U.S. 30, and cases following.* However, insofar as the problem is one of statutory construction, and the constitutional question is not reached, the parties and the Court are in agreement that the case is not one appropriate for adjudication by a three-judge court.

The parties are apparently in agreement that the United States has not acquired exclusive jurisdiction over the Carlsbad Caverns National Park. If the Federal Government possessed exclusive jurisdiction over this area, a different problem would be presented. See, for example, Chalk v. United States, 114 F. 2d 207 (4 Cir., 1940), Cert. denied, 312 U.S. 679. No evidence to the contrary having been introduced, the Court concludes that the land in question was not acquired under circumstances which authorize the United States to exercise exclusive jurisdiction, and that New Mexico has not ceded exclusive jurisdiction over the area to the Federal Government. From this conclusion, it follows that the authority of the Federal Government upon the Carlsbad National Park is not absolute. The question then remains whether Congress has provided the Secretary with the authority that he now asserts. If the asserted authority exists, State Law that is inconsistent therewith must fall.

According to the law of the State of New Mexico, the State Game Commission is charged with the responsibility of managing, controlling, and of regulating the hunting of all resident species of wildlife within the state. The defendants are charged by federal law with the responsibility of managing and controlling federal lands in the state, including the area known as Carlsbad Caverns National Park.

In accordance with a program planned by the National Park Service, the defendants notified the New Mexico State Game Commission that they intended to issue federal permits to persons selected by them authorizing the killing of fifty deer in the Carlsbad Caverns National Park. The killing would take place out of the New Mexico deer hunting season, and the consent and cooperation of the Game Commission would not be obtained. Thereafter, certain of the defendants were issued such permits by another of the [redacted] and fifteen deer were killed. Pending a determination of their rights to continue, defendants have temporarily abandoned the program.

The parties' stipulation includes facts already recited, and makes reference to an affidavit filed in this case by the Director of the National Park Service in describing the program which is underway on Carlsbad Caverns National Park. The Director states that the federal officers are conducting studies concerning the "Dry Season Food Habits of Deer" within the Carlsbad Caverns National Park, and he concludes that—

"(T)hese research programs are absolutely necessary for proper management and administration of Carlsbad Caverns National Park in order to fulfill the responsibilities and obligations of the Secretary of the Interior and his delegated agents to conserve the scenery, natural and historic objects, and wildlife of the park; and that this research project is required in order that reliable scientific information may be gathered and used as a basis for other decisions affecting the management and administration of the area for the purpose of preserving and protecting the park lands from injury or damage."

The responsibility of administering, protecting, and developing Carlsbad Caverns National Park is placed with the National Park Service, subject to the provisions of Title 16, Sections 1 and 2–4 of the United States Code. 16 U.S.C. § 407a. By the terms of Section 1 of Title 16, the National Park Service is obligated to implement the fundamental purpose of the national parks. This fundamental purpose is "to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." 16 U.S.C. § 1. The defendants assert they are conforming with this directive in conducting their present study. They rely for their authority, as well, upon Section 3 of Title 16, which authorizes the Secretary to "provide in his discretion for the destruction of such animals and of such plant life as may be detrimental to the use of any of said parks. . . ."

Section 3 of Title 16 is clearly inapplicable in the present situation. No showing has been made that the deer involved are detrimental to the use of the park, and indeed, defendants

make no such claims. It is the opinion of the Court that the Secretary's authority under this section must be predicated upon such a finding.

The question remains whether the board mandate contained in Section 1 includes the authority the defendants have asserted. The Court has concluded that this section does not include such authority. Reading Section 1 of Title 16 as broadly as defendants contend it should be read would render Section 3 unnecessary, as the authority to order the destruction of wildlife "as may be detrimental to the use" of national parks would be provided without the specific authorization found in Section 3. It seems to the Court an unreasonable conclusion that Congress authorized an activity in Section 3 that was already permitted by Section 1. The conclusion that Congress intended the Secretary's authority to be proscribed by the conditions set forth in Section 3 seems the more logical to the Court.

Defendants rely in part upon Hunt v. United States, 278 U.S. 96 (1928). It seems to the Court that the defendants' reliance is misplaced, however, for that decision is distinguishable from the present case in more than one respect. In *Hunt*, the Supreme Court permitted the destruction of deer on a national forest and game preserve by United States officials, noting (1) that the deer were in such excess numbers "that the forage is insufficient for their subsistence" and the deer "have greatly injured the lands in the reserves by over-browsing upon and killing valuable young trees, shrubs, bushes and forage plants," and (2) observance with the game laws of the State "would have so restricted the number of deer to be killed as to render futile the attempt to protect the reserves." 278 U.S. 96, 99, 100. Neither of the recited factors is present in this case. No depredation is known to be occurring, and New Mexico has offered to cooperate with the Federal officers. Clearly, *Hunt* does not authorize the killing of deer for the purpose of conducting a study. No one doubts the Government's authority to protect its lands, and it seems to the Court that *Hunt* merely reaffirms that proposition, as does Section 3 of Title 16, U.S.C.

Section 53–3–23 of the New Mexico Statutes provides in pertinent part as follows:

"The state director may issue permits to any person to . . . kill . . . game . . . at any time when satisfied that such person desires the same exclusively . . . for scientific . . . purposes."

The Court concludes that Sections 1 and 2–4 of Title 16, U.S.C., do not authorize the destruction of wildlife upon the park for the purposes outlined in the Director's affidavit. The Court further concludes that enforcement of Section 53–3–23, New Mexico Statutes Annotated, quoted above, will not interfere with the Secretary's task as defined in 16 U.S.C. § 1. For these reasons, defendants must comply with Section 53–3–23, N.M.S.A., if they intend to pursue this study further.

This Court has jurisdiction to enjoin acts of officials which are unsupported by statutory authority. Leedom v. Kyne, 358 U.S. 184; Frost v. Garrison (D. Wyo., 1962) 201 F. Supp. 389; Harper 1. Jones (10 Cir. 1952), 195 F. 2d 705, and cases cited therein. Accordingly, it is the opinion of the Court that the defendants should be restrained and enjoined from the further killing of wildlife within the boundaries of Carlsbad Caverns National Park for the purpose of conducting a research study, unless they first secure authority for their acts by compliance with State Law.

This opinion shall constitute the Court's findings of fact and conclusions of law, as required by Rule 52(a) of the Federal Rules of Civil Procedure.

At Albuquerque, this 12th day of March, 1968.

H. VEARLE PAYNE,
U.S. District Judge.

ORDER FOR ADJOURNMENT FROM FRIDAY TO MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 noon on Monday next.

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

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Mr. THURMOND. Mr. President, the proposed legislation which we are discussing is prompted by a growing crisis in America: The crisis of crime. Crime is no longer a distant problem which most of our citizens read about or see on television. Increasingly, crime affects the lives and habits of a growing number of the American people. This effect which crime has on society is twofold: First, the number of citizens actually victimized by crime is growing.

I have newspaper articles from the Washington Post of yesterday and today. I would like to read these articles to the Senate:

"SHOOT HIM," YOUTHS CRY IN HOLDUP: A REPORTER'S FIRST-PERSON ACCOUNT

(By Martin Weil)

"How much?" I asked.

He glared and put a silver-plated revolver against my stomach.

"All of it," he said, and his friends laughed.

I was held up last night at Vermont Avenue and R Street nw., as I waited for a taxi to take me back to the office from an assignment.

This is how it happened:

I left the YMCA building on 12th Street between R and S Streets nw. about 9:25 p.m. and started looking for a cab.

As I walked down the long, lonely block of Vermont Avenue beside a playground fence, I called to one or two taxis, but they were far off and occupied.

I turned to see if any were coming from behind. There were no taxis, but there was a group of youths, sauntering down the block toward me.

I kept walking.

The more I turned to look for the cab that wasn't coming, the more they seemed to laugh and the faster they seemed to approach. I wanted that cab to come.

I stopped at Vermont and R. I was going to catch a cab right there.

The youths reached the corner seconds after I did.

The leader wore an orange windbreaker and a thin mustache. He was no more than 16, and he seemed pleasant enough.

"Got a match?" he asked. I didn't. "Got a cigarette?" No luck.

"Got any money?"

I sighed. "How much?"

Then the revolver was in my stomach. "All of it."

"All right," I said, "All right," trying to be agreeable. They didn't wait. One grabbed me around the neck from behind. I didn't resist as he pulled me to the pavement.

"Shoot him," one youth called, giggling, as the leader stood over me with the gun. "Shoot him."

I didn't know if he would or wouldn't. I was scared and I won't forget it. I lay very limp and let them pull the wallet containing about $45 out of my pocket and the watch off my wrist. Then, they ran down the street, laughing.

Just across the street, a woman screamed "He's being robbed!" Several people near her began laughing.

After the youths ran away, I got up and began walking toward the office. I never did find a cab.

LOOTED SHOP OWNER SLAIN IN GUN DUEL

(By Alfred E. Lewis)

A 59-year-old Washington liquor store owner, whose brother was killed in a liquor store holdup in 1964, was shot and killed in a holdup or looting yesterday afternoon.

Benjamin Brown was shot fatally at about 4:30 p.m., yesterday in Brown's Service Liquor Store, 1100 9th st. nw. His older brother, Lewis Brown Sr., 72, owner of a liquor store at 1432 New Jersey ave. nw., was shot to death in a holdup on Oct. 29, 1964.

Benjamin Brown, who lived at 1900 Lyttonsville rd., Silver Spring, died in an ambulance on the way to George Washington University Hospital shortly after the shooting yesterday. He had been shot once in the chest.

His older brother was shot to death with a .45-calibre pistol wielded by a man who terrorized customers and escaped with $2400. The gunman was later tried, convicted and drew a life term in the slaying.

In yesterday's holdup, Police Insp. John Williams said witnesses told detectives that more than a dozen youths, ranging in age from 11 to 20, burst into Brown's store shortly before 4:30 p.m.

Police gave this account:

A man who seemed older than the others went directly to the cash register and began pounding the keys with his fist and demanding that someone open it for him.

Brown, standing behind the short end of an L-shaped counter, drew a .38-caliber revolver from his pocket and as he did so the man at the register drew a gun from his pocket and fired once, felling Brown. Brown got off two shots, police said, but it could not be determined if they hit anyone.

All the intruders fled at the outset of the gunfire, police said, and Brown's bullets may have gone out the open door. Three others, all of Brown's employes, were in the store at the time, but were uninjured.

Williams said Brown's store was looted during the rioting April 5 by a gang who smashed all the windows and stripped the shelves of stock that had been only partially replaced.

Brown had operated the store for about 25 years, police said. He remained closed for several days after the looting, and friends said he was uncertain about resuming the business at the site.

As far as could be determined, nothing was taken yesterday from the store, police said.

The police lookout for the gunman described him as a Negro about 25 years old. He was wearing a black cap, a blue jacket and a yellow shirt. The lookout described him as armed and dangerous and said he may be wounded. It urged all doctors and hospitals to be on the alert for the suspect.

ROWDY GROUP OF AREA YOUTHS SEVERELY BEAT DISTRICT OF COLUMBIA POLICEMAN

(By Michael Drosnin)

On Saturday night, Marshall E. Lohr, 37, a District of Columbia policeman attached

to the canine squad, was walking his police dog near his home in the Prince George's community of West Lanham.

He approached a group of teen-agers who had tried to crash a birthday party in his block, and, who, he said, were shouting obscenities. Lohr told them to "tone down."

According to Lohr, the youths retorted, "We know you're a cop and we know that's a police dog."

Lohr said he then took the dog back to his house because he "wasn't looking for any trouble," and returned to the group of teen-agers, repeating his request.

"The next thing I knew," said Lohr, "I was lying on the ground and a neighbor told me to hold still. Then the ambulance came."

Lohr was taken to Prince George's General Hospital where he was in satisfactory condition yesterday with a broken nose, a fractured jaw and a concussion.

According to Prince George's police, he was attacked by two of the teen-agers he had told to quiet down, a 16-year-old and a 17-year-old from nearby Woodlawn. Both have been charged with assault with intent to maim and have been released to their parents.

The youths were arrested at Prince George's Hospital where the 16-year-old, a 6-footer who weighs 245 pounds, had gone to get a cut hand treated.

Lohr's wife, Elizabeth, was standing in the hospital hallway outside an emergency room where her husband lay unconscious.

Two youths, she said, were sitting a short distance away laughing. Then one looked into the room where Lohr was awaiting treatment and said, "Oh boy, he's really hurt, isn't he."

When Mrs. Lohr identified herself to the teen-agers she said they answered, "We're going to get your house next." A few minutes later Prince George's police arrived and took the youths into custody, acting on information supplied by neighbors.

According to Sgt. Lohr's Metropolitan Police superiors, he was out of uniform and unarmed when he confronted a group of five youths near his home at 5405 76th ave. The group, four boys and one girl, ranged in age from 15 to 17.

Lt. George Greggs of the Metropolitan police said that the youths told Lohr, "You wouldn't be so big without that dog," and then called him a "nigger-lover."

Wanting to avoid trouble, Lohr according to Greggs, gave the dog to his wife who had come out to see what was happening.

When he returned to the teen-agers, Greggs said that one of the youths hit Lohr and knocked him to the ground and then kicked him while he was down. Neighbors said the girl screamed, "You've killed him."

As the youths ran back to their car, neighbors began to converge on the scene. The car, they said, sped away into a dead end street and then came back without its headlights on toward Lohr, who was lying in the intersection. Several neighbors pulled Lohr onto the sidewalk as the car sped away, the youths shouting obscenities out of the windows.

Lohr has served in the District Police Department for 14 years and has lived in the West Lanham neighborhood for seven. Neighbors describe him as "an easygoing guy who doesn't bother anyone."

One neighbor, John Moye, 5406 76th ave., said that Lohr walks his police dog through the area every night. "He's like our security patrol," said Moye.

From his hospital bed Lohr commented to a reporter, "I made it through the war and got injured in the peace."

He was referring to the fact he came through the Washington riot without a scratch only to be attacked and beaten in front of his Prince George's home in what his wife describes as a "quiet, quiet section of very nice families."

Mr. President, as we can see, one does not have to resort to back issues of the papers to find the evidence of the serious presence of crime in our society. The current press provides an excellent chronicle of the violence which is becoming a tragic part of American life.

That this violence is increasing can be seen in the crime reports of the FBI:

During the period from 1960 through 1966, the number of criminal offenses per 100,000 population increased 48 percent.

During this same period, the rate of crimes of violence—that is, murder, forcible rape, robbery, and aggravated assault—went up 37 percent.

Crimes against property—which include burglary, larceny $50 and over, and automobile theft—went up 50 percent.

For the first three months of 1967, crime increased 20 percent over the same period in 1966.

The second serious result of the growth of crime in America is the effect on the lives of all citizens, regardless of whether or not they have been victims of crime. Americans are having to learn to live with fear: Fear for their own personal safety, and that of their families; fear for the security of their possessions—their automobiles, the contents of their homes and of their pocketbooks.

The lives and habits of our people are forced to be accommodated to this fear. Recent surveys have shown that an ever-growing number of Americans are making precautions against criminals a part of their daily lives. They stay off the streets at night. They keep firearms and watchdogs as protection against intruders. They quit speaking to strangers and to young people in groups. They move to a new neighborhood, or wish that they could. They leave the cities in droves for temporary shelter because serious riots break out.

Congress must act. Steps must be taken to reverse this trend. America must be made safe for Americans.

The bill before us is the Omnibus Crime Control and Safe Streets Act. Its purpose is to help win the war on crime. This is a noble purpose. Congress certainly shares that goal. But let us be sure that what we pass is effective legislation toward this goal of law and order. Let us enact a law which contains every strong, effective measure available to us. Let us enact a law that contains nothing which would be inconsistent with the quality of life we are seeking to preserve.

Mr. President, a further warning is in order: This bill by itself will not make our streets safe. In fact, it will do little in this direction unless existing laws are properly enforced at all levels of government. The mayors of every city in America need to stand firm and aggressively enforce the law; the sheriffs of every county need to pursue criminals vigorously and see that they are apprehended; every prosecuting attorney must act to see that indictments are followed by effective prosecutions; every Governor needs to give his strong support to local law enforcement officials, needs to supply the needed leadership in the war on crime. Those in the judicial branch must temper their concern for the accused with a proper concern for the victims and for society.

Everyone concerned with public safety and public order must work to restore respect for the law. For those who do not and will not respect the rights of others, the threat of swift punishment commensurate with their deeds should be made to serve as a deterrent to criminal activity.

The bill before the Senate contains four titles:

Title I—Federal aid to State and local law enforcement agencies;

Title II—Congressional action to restore time-tested procedures in criminal law;

Title III—Provision for court ordered electronic surveillance;

Title IV—Regulation of interstate transportation and sale of firearms.

These titles contain much that is good, that is needed, and that will be effective. However, in many respects this bill would be strengthened by adding provisions which are not included. In some cases, the bill would be made more effective by eliminating certain provisions.

Mr. President, my basic views on title I are expressed in the report in which my distinguished colleagues, Senator DIRKSEN, Senator HRUSKA, Senator SCOTT, and myself presented our combined individual views on [redacted]es. Let me quote from the report beginning on page 226:

Although we are in substantial agreement with many of the provisions of Title I which authorize federal assistance to state and local law enforcement agencies, we are not satisfied with the title as reported from the committee. We offered three major amendments to the measure in full committee which were narrowly defeated. The first amendment included the so-called block grants provisions similar to those of the House-passed bill. The second amendment would reinstate the provisions of the Senate subcommittee-approved bill in which the Law Enforcement Assistance Administration would be independent of the control of the Attorney General. Finally, we attempted to remove the provisions of the committee bill which provide for federal supplements to policemen's salaries.

We will offer these amendments for consideration by the Senate.

The overriding deficiency of the committee bill is the failure to retain the so-called block grant provisions of the House-passed bill. We offered amendments to reinstate the block grant features in the full committee, but they were defeated by a one-vote margin. We will offer them again on the floor of the Senate.

It is the purpose of these amendments to insure that federal assistance to state and local law enforcement does not bring with it federal domination and control nor provide the machinery or potential for the establishment of a federal police force. Frankly, we fear that S. 917, without such provisions, could well become the vehicle for the imposition of federal guidelines, restrictions and eventual domination.

Our block grant amendments would revise Parts B and C of Title I, to adopt, with some changes, the provisions of Titles II and III of the bill as it was passed by the House of Representatives. The amendments provide that federal financial assistance to state and local law enforcement be channeled through "state planning agencies" created or designated by the several states. These moneys would be allocated by the state authority to state and local enforcement activities pursuant to comprehensive plans which must be approved annually by the federal Law Enforcement Administration. Each state agency

would determine its own priorities for expenditures consistent with its comprehensive plan.

Mr. President, the block grant concept is completely consistent with the principles of our Federal Republic; it is very necessary if we are to maintain a workable Federal-State partnership to fight crime and to restore domestic tranquility to this Nation. We do not need bureaucrats in Washington telling local law-enforcement officials what type of programs are needed to enforce better local laws. One of the purposes of title I is to "encourage States and units of general local government to prepare and adopt comprehensive plans based upon their evaluation of State and local problems of law enforcement."

I believe this purpose could best be accomplished if the grants were made to the State planning agencies in order to insure a coordinated effort in each State. On page 228 of the report, we stated:

The states are ready to assume their responsibilities for action. In 1966 when limited federal funds were offered to the states to establish planning commissions to combat crime, 16 states established these commissions, and eight others have had applications pending with the Justice Department for varying lengths of time. During the same 18 month period, the Justice Department with the active cooperation of national organizations representing cities and counties, only managed to approve a total of 11 grants to both cities and counties, plus eight grants for the District of Columbia, out of a potential of over 18,000 cities and 3,000 counties. The published Justice Department facts show that the states more than other jurisdictions are assuming their responsibilities. In all, more than one-half of the states have already received state planning grants. Several more have applications pending.

Within the last month, 47 Governors meeting in Washington unanimously recommended that Congress push forward with these bills, but with due regard for required statewide planning and project coordination, including provisions for local officials to participate with the state officials in the development of these programs. The National Association of Attorneys General recently passed a resolution in support of the Law Enforcement and Criminal Justice Act as amended and passed by the House. The unanimous judgment of these state officials plus a substantial majority of the members of the House of Representatives is that if creative federalism is to become workable federalism, then it must move away from direct project grants to local governments that would bypass state financial and technical assistance related to the solution of the same problem. Seldom does the solution of a problem involve only one functional area; in most cases other functional elements are directly related.

Another area of concern to me is the present provision establishing the three-man Law Enforcement Assistance Administration under the general authority of the Attorney General. To my way of thinking, it would be much better to have the administration as an autonomous unit so that the assistance program would be administered impartially and free from political pressure. I believe it is imperative that title I be amended to include the language which appeared in the subcommittee bill which provided:

In the exercise of its functions, powers, and duties, the Administration shall be independent of the Attorney General and other offices and officers of the Department of Justice.

We hear a lot of talk about not wanting a national police force, but now is the time to legislate in a way to prevent the need for an ever-expanding Department of Justice. The Law Enforcement Assistance Administration should be made independent of the direct supervision of the Attorney General.

Mr. President, there is one more major area of concern in title I which I wish to discuss. I am disturbed about the ominous possibilities inherent in the use of Federal funds to supplement the salaries of State law-enforcement officers. I wish to read again from the individual views on page 230 of the report:

The Administration's original proposal to Congress in early 1967 contained a feature allowing up to one-third of each federal grant to be utilized for compensation of law enforcement personnel. In the hearing record of both the House and Senate Judiciary Committees, this provision proved to be quite controversial. When the House Committee reported the bill, the provision for salary support was deleted. Commenting on this action, the committee report on page 6 stated:

"The committee deleted all authority to use grant funds authorized by the bill for the purpose of direct compensation to police and other law enforcement personnel other than for training programs or for the performance of innovative functions. Deletion of authority to use Federal funds for local law enforcement personnel compensation underscores the committee's concern that responsibility for law enforcement not be shifted from State and local government level. It is anticipated that local governments, as the cost for research, innovative services, training, and new equipment developments are shared by the Federal Government in the programs authorized in the bill will be able to devote more of their local resources to the solution of personnel compensation problems. The committee recognizes that adequate compensation for law enforcement personnel is one of the most vexing problems in the fight against crime."

We wholeheartedly subscribe to the House committee's view. There is indeed a grave concern that responsibility for law enforcement not be shifted from the state and local levels.

The Senate Criminal Laws Subcommittee also deleted a similar provision by an overwhelming vote, but subsequently a somewhat modified salary provision was reinstated. In modified form, up to one-third of each grant could be made available to pay one-half the cost of salary increases for law enforcement personnel. Even with this modification, we must strongly oppose the provision. This is not because we are indifferent to the low pay of the nation's law enforcement officers. It is because we fear that "he who pays the piper calls the tune" and that dependence upon the federal government for salaries could be an easy street to federal domination and control.

Mr. President, we are all deeply concerned because in some areas of our country law officers are not adequately compensated for their dedicated service, but we also know that the other grants provided by this bill will bring relief to the heavy demands on municipal and county revenue, thus freeing some local funds for salary increases. I cannot emphasize my opposition to this provision enough; I certainly hope that it will be deleted.

Mr. President, title II of S. 917 is legislation which has been needed for some time. It would restore the test for admissibility of confessions in criminal cases to that time-tested and well-founded standard of voluntariness. It would exclude from review by the Supreme Court the question of voluntariness of a confession when this aspect of the case has already been settled by the highest appellate court in the State. This provision would set aside the inflexible and technical rules established in the Mallory—*Mallory* v. *U.S.*, 354 U.S. 449—Escobedo—*Escobedo* v. *Illinois*, 378 U.S. 478—and Miranda—*Miranda* v. *Arizona*, 384 U.S. 436—decisions. I addressed myself to this problem in my report to my constituents on April 1 of this year. In that report I said:

CURBING THE COURT

More and more citizens are asking what can be done to curb the Supreme Court. With every succeeding "decision Monday," the Court relentlessly slashes away at questions of national policy—questions that ought to be decided by political machinery. The Court has made itself a nine-man legislature responsible to no one.

As early as 1803, the Supreme Court established its authority to declare an act of Congress unconstitutional; since then, the Court has reasserted this right at least 80 times. Congress has never seriously challenged the Court in any of these issues.

The Supreme Court has a duty to declare a law unconstitutional, if the law actually conflicts with the plain meaning of the Constitution. However, the controlling factor in interpreting the [redacted] should be the historical intent of the Framers, insofar as that intent may be discovered. The body of historical documents is adequate to set forth the intent of the Framers, both as to the Constitution and as to its Amendments—if the Supreme Court wished to discover that intent.

But it appears that the Supreme Court is not interested in discovering what the Constitution meant to those who wrote it. The theory of the so-called "living Constitution" holds that new facts and new situations can change the meaning of old words. Nothing is more absurd. The Constitution means today exactly what it meant in 1787, when it was written, or it means nothing at all.

As the Supreme Court renders decision after decision that remakes America, the words of Thomas Jefferson are more significant, when he said: "There is no danger I apprehend so much as the consolidation of our government by the noiseless, and therefore unalarming, instrumentality of the Supreme Court."

The only power Congress has chosen to exert over the Court is the power of confirming new justices, and that power has been exercised in the affirmative. The power of impeachment has been seldom used; within the overall Federal court system, only four judges have been impeached—and none from the Supreme Court.

The Constitution provides another avenue of relief, which Congress could take by simple legislation. Article III, Section 2 sets up the authority for Congress to limit the jurisdiction of the Court in any field Congress wishes. In effect, Congress could easily say to the Court: Thou shalt not adjudicate in the fields we have designated.

Mr. President, the decisions of the Supreme Court have been criticized extensively in the past few years. Many of these attacks have come from members of the Court themselves. Justice Hugo Black recently said:

I deeply fear for our constitutional system of government when life-appointed judges can strike down a law passed by Congress or a State legislature with no more justification than that the judges believe the law is "unreasonable."

In a 1966 dissent, Justice Byron White said:

The Court has not discovered or found the law in making today's decision . . . what it has done is to make new law and new policy . . .

Justice John Harlan has described recent decisions as "nothing less than an exercise of the amending power by this Court."

Mr. President, there was an article in the July 1967 edition of Reader's Digest which discussed the growing concern of the American people about the liberal trend of the Supreme Court. The writer began the story by saying:

Fifty-two percent of the American people rate the Supreme Court's performance as "only fair" or "poor" according to a recent Louis Harris opinion poll.

The article went on to note the power of Congress to regulate the appellate jurisdiction of the Court:

Article III empowers Congress to make "exceptions and regulations" to the Court's appellate jurisdiction. Thus the Constitution explicitly makes our elected legislators the supreme judges—by simple majority vote—of what types of cases the Court may decide. Says Herbert Wechsler, Columbia Law School professor and director of the American Law Institute, "The plan of the Constitution was quite simply that Congress would decide from time to time how far the federal judicial institution should be used. Congress has the power, by enactment of a statute, to strike at what it deems judicial excess."

Thus the judges are not the sole arbiters of the Constitution. The framers of the Constitution laid on Congress a duty to define the rights it provided, and to act as a counterweight to the Court.

The article concluded by stating:

The founding fathers named Congress as the referee to guard the bounds beyond which the Justices should not go. The time has come for our elected representatives to blow the whistle.

The time has come for our elected representatives to "blow the whistle."

Mr. President, I ask unanimous consent that the article entitled "Is the Supreme Court Really Supreme?" be printed in the RECORD.

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

(See exhibit 1.)

Mr. THURMOND. Mr. President, to my way of thinking, title II is one of the most important pieces of legislation to be presented to the 90th Congress. If we are to have respect for law and order and if our people are going to regain their confidence in our process of justice, then we need to change the inflexible and technical rules established by the Miranda decision. This and other decisions of the Court have eroded the citizen's respect for law and have diminished the criminal's fear of punishment. Both the courts and the correctional process are weakened when technicalities prevent the conviction of admitted criminals.

Mr. President, no one wants to see an innocent person convicted and no one wants to see a man beaten in order to obtain a confession, but these principles do not justify the decision of the Supreme Court in the Miranda case. The constitutional requirement of "due process" does not require that any confession is inadmissible which was not obtained by conforming to the Court's highly technical requirements. Society has an interest in the matter as well; and society has a very deep interest in a procedure which will arbitrarily free an admitted rapist to further prey on innocent victims. This has been the case where the State has not carried an unrealistic burden placed upon it by a 5-to-4 majority of the Supreme Court far removed from the real question of voluntariness.

The ill effects of the Miranda rule can be fully understood only by studying its unfortunate influence on the lower courts. I wish to read an editorial which appeared in the Greenville Piedmont, April 22, 1968, Greenville, S.C. This editorial points out the absurd travesties of justice resulting from this decision of the Supreme Court. The editorial is entitled "The Law Is a Ass."

According to the Tenth District Court of Appeals, it is not enough for police to advise suspects of their right to an attorney.

The case under consideration involved three persons arrested in Kansas on a charge of passing a counterfeit $20 bill. Arresting officers dutifully informed the three of their right to an attorney.

But the appeals court threw out the statements the trio then made, on the grounds that their constitutional rights were not sufficiently guarded. They had made no specific denial that they wanted an attorney, the court pointed out.

The federal district attorney for Colorado, whose office prosecuted the case, is sending out the word that law enforcement officers had better wring a clear "yes" or "no" from suspects hereafter on the matter of consulting an attorney.

That doesn't solve the real problem, however. How will the police persuade the suspect to say aye or nay, when he knows silence will wreck the whole case?

Mr. President, I might pose another question. What if the policeman does manage to get a definite waiver from the defendant? What would prevent the Supreme Court from saying that the waiver was coerced? Would there be any way to know that the Court would not say that the defendant had waived his waiver? This is an intolerable situation which should be corrected and it should be corrected now by this Congress. I believe the State courts can properly insure the defendant a fair trial on the question of voluntariness of a confession in line with the procedures set out in section 701 of title II.

I believe some of the comments by the distinguished chairman of the Subcommittee on Criminal Law and Procedures need to be repeated. I am reading from the RECORD of May 1 beginning at page S4751:

I wish to say with respect to this bill, and these vital issues that we who are going to cast our votes on, are going to aline ourselves, either wittingly or unwittingly, either deliberately or unthoughtfully, on one side or the other—enforce the law, convict and punish the guilty, or support and sustain and perpetuate rules, so-called, that are not in the Constitution, that inure to the benefit of those who would destroy our society; who would rape the innocent womanhood of our country; who would murder the innocent citizen of our community; and who would rob and pillage and plunder. We are going to get on one side or the other.

Prior to the Miranda majority opinion the Court had consistently held, as so clearly demonstrated by Mr. Justice White in his dissent, that "It is not essential to the admissibility to of a confession that it should appear that the person was warned that what he said would be used against him, but on the contrary, if the confession was voluntary, it is sufficient though it appears that he was not so warned."

I would now like to discuss the need for the procedures called for in title III of S. 917. We have tolerated for too long the existence of organized crime and its preying on the citizens of our Nation and have permitted ineffective enforcement of the existing laws designed to combat organized crime. On page 225 of the report, which discusses the minority contributions to this bill, we read:

The electronic surveillance title will provide an essential tool to law enforcement officials in waging all-out war against organized crime. Yet, the right of privacy of our citizens will be carefully safeguarded by a scrupulous system of impartial court authorized supervision. Such court supervision will monitor and control use of these techniques by law enforcement officials. A broad prohibition is imposed on private use of electronic surveillance, particularly in domestic relations and industrial espionage situations.

Special emphasis on organized crime was essential because of the tragic lack of progress made in recent years in bringing the kingpins of organized crime before the bar of justice.

Those who are opposed to the discriminate use of electronic surveillance always interpose the old scare argument that this type of law will allow widespread monitoring of private conversations. This point is very appropriately discussed in the committee report on page 72:

In his testimony before the subcommittee, District Attorney Frank Hogan referred to a study conducted by the New York Legislature which . . . shows that the danger that law enforcement officials may listen in on conversations that do not concern some criminal enterprise is exceedingly remote. According to Mr. Hogan, starting in 1955 a joint legislative committee conducted a 5-year study in the State of New York inquiring particularly into possible abuses by law enforcement officers. In its report the committee explicitly declared that no abuses whatever by any district attorney had been found in the use of the wiretapping privilege. Quite the contrary is true. The committee concluded that the system of legalized telephonic interception had worked well in New York for over 20 years, that it had popular approval, and that it enjoyed the overwhelming support of New York's highest State officer, executive, legislative, and judicial. There was unanimous agreement that law enforcement in New York had used this investigative weapon fairly, sparingly, and with the most selective discrimination. Law enforcement officers simply have too much to do to be listening in on conversations of law-abiding citizens. Available manpower just does not permit such abuse. It is idle to contend otherwise.

The argument for the provisions of title III is succinctly stated in an editorial in the Evening Star of April 30, 1968. Contrary to the views of other papers and those who oppose police use of this effective tool, the editor stated it in a very clear-cut way:

We think the sections dealing with the use of wiretaps and electronic listening devices should also become law. It simply is not

true to say or to suggest that these provisions would authorize the police to eavesdrop, for example, on bedroom conversations between husband and wife. This is absolute nonsense and the senators surely must know it. What is authorized is the use of these devices in the investigation of a few specified major crimes, murder, extortion, bribery, rape and robbery being among them. Installation of a wiretap or a bug would have to be authorized and supervised by a court, and could be used only for a limited period of time.

If these devices are being used and are essential in national security cases, and the President and the Attorney General say they are, why should they not be used, subject to safeguards, in the case of other serious crimes?

Mr. President, while I wholeheartedly agree with the broad outline of title III, I favor an amendment to eliminate the distinction in the kinds of cases in which electronic surveillance may be used and I will support an amendment which will eliminate from this title the provisions which now set Federal standards for State law enforcement.

Title IV prohibits interstate mail-order sale of all firearms other than rifles and shotguns. It prohibits all sales of handguns to purchasers under 21 and to nonresidents of the State. It requires all gun dealers to be licensed by the Federal Government and to keep records of the acquisition and disposition of their stock.

The tempo of the demands for some type of gun legislation has been increasing this year. Rising crime rates have led to more heated argument about the need for gun control by the authorities, State or Federal. The debate today is whether the Federal Government should provide assistance for State laws on the subject, or set up substantive legislation of its own.

I believe, as I have indicated many times in the past, that Congress has no authority to prevent people from buying and owning firearms. The second amendment to the Constitution provides that "the right of the people to keep and bear arms, shall not be infringed." These prohibitions are directed against the National Government, but not against the States. The people of each State, therefore, can regulate the sale of firearms without running afoul of the Constitution.

Most of the States have laws designed to prevent firearms from being sold to juveniles, insane persons, and people with criminal records. The State laws vary in strictness and enforcement, according to the needs of each State. The New York law, for instance, requires that a person apply for and be granted a permit from the State as a prerequisite to purchasing or possessing a handgun. In most States, however, control over gun sales is exercised by licensing the merchants who sell firearms, and by requiring the sellers to adhere to the law in order to keep their licenses.

In recent years, State laws governing the sale of firearms have been increasingly circumvented by mail-order sales of weapons. Dealers in weapons located outside State boundaries often do not comply with State laws restricting sales. Guns have been sold through the mail to children, persons of unsound mind, and people with long criminal records. Some irresponsible mail-order merchants sell with impunity to anyone who has the price, since they do not have to obtain a license in the State where the purchaser lives, and are beyond the reach of criminal laws of the State to which the gun is shipped.

The problem is easily solved without overstepping the safeguards of the second amendment. Congress has the power to regulate interstate commerce. Therefore, Congress can make it unlawful to ship firearms in interstate commerce unless the sale is consistent with the law of the State to which the weapon is shipped.

Congress should require the gun seller to obtain from the would-be purchaser a sworn statement that the buyer is not prevented by the law of his home State from purchasing the weapon. This should be coupled with a requirement that the seller, prior to shipping the weapon, send a copy of the sworn statement by registered mail to the chief law enforcement officer of the area in which the would-be purchaser lives. Failure to comply would be a Federal criminal offense.

Legislation of this type would protect the rights of the States and the rights of the people, without working an undue hardship on seller or buyer. In most States, the people feel strongly that law-abiding, sane adults should be permitted to own firearms. If the National Government prohibited the sale of firearms, law-abiding citizens would not obtain firearms, but lawbreakers would. Criminals do not hesitate to obtain firearms illegally. Moreover, they would know that a gun would provide them with a bigger advantage over a citizenry disarmed by law.

Congress should enact legislation to support the laws which the people of each State have passed according to their varying requirements.

I believe title IV should be amended to incorporate this approach, rather than following the overly restrictive provisions which it now contains. I shall cosponsor amendment No. 708 to be proposed by the distinguished Senator from Nebraska, Senator Hruska.

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

Mr. THURMOND. I yield.

Mr. McCLELLAN. I wish to compliment the able and distinguished Senator from South Carolina for his able address with respect to the pending measure. I want to thank him, too, publicly and for the record for the valuable assistance that he gave and his labors on the subcommittee and the full Judiciary Committee during the processing of this legislation. Without the able assistance of the able Senator and others of our colleagues who serve with us on that committee, and without their dedication and determination to try to do something about lawlessness in this country, there would be no bill on the floor of the Senate today.

I may say to the Senator, as I am sure he well knows, that this bill is not perfect. There are provisions in it that I would change or modify if I were permitted just to write a bill as I would like to have it. I am sure that would be true of the distinguished Senator from South Carolina. But what we have succeeded in doing is bringing to the floor of the Senate, not just a bill that makes a gesture towards strengthening law enforcement, not just a bill that proposes to spend more money to try to eliminate this great evil, this menace, which is upon us, but we have actually brought a bill here that has some action in it, some power in it, some provisions that can be used to throw consternation into the hearts and minds of organized crime and of people who are bent on the pursuit of crime as a livelihood.

Though it is imperfect, we have brought a bill here of some potency. We are giving the Senate of the United States an opportunity to work its will. We are inviting each of our colleagues to come here and participate and contribute and offer amendments and debate them, and help us get the strongest anticrime and the strongest safe streets legislation enacted that it is possible for the wisdom and the courage of this body to produce.

I thank the Senator for yielding to me.

Mr. THURMOND. I thank the Senator for his kindness.

Mr. HRUSKA. Mr. President, will the Senator yield? [redacted]

Mr. THURMOND. I yield to the Senator from Nebraska.

Mr. HRUSKA. I want to extend my commendations to the Senator from South Carolina for his contribution to this bill, both in the subcommittee and in the full committee, and now, at the outset of this historic debate, in the effort to improve the administration of justice and the law enforcement process of this country. The Senator brings much wisdom to the field, and states it well and persuasively.

It was with some interest that the Senator from Nebraska listened to the observations of the Senator from South Carolina with reference to title III, the so-called wiretapping and electronic surveillance bill, and to that portion of his remarks which related to the bill and the effort to prescribe for the States what they may and may not do in the field of wiretapping.

It has certainly escaped the attention of the Senator from Nebraska that any such authority exists; that there is a supervisory power of the U.S. Congress over the actions of a State which is in fact derived directly from the Constitution of the United States.

Would the Senator from South Carolina be aware of any supervisory power that Congress has over the actions of the States in that connection?

Mr. THURMOND. No, Mr. President; I know of none.

Mr. HRUSKA. There is none that I know of. Is it true that if a State engaged in an effort to pass a wiretapping law, it might well create and fashion something that would be superior to a measure enacted by Congress?

Mr. THURMOND. Yes; I wholeheartedly agree with the Senator from Nebraska, and I believe what he has said is absolutely correct.

Mr. HRUSKA. If by chance or de-

sign there should be a violation of the Federal Constitution by State legislatures in this regard, that would be a problem for the Supreme Court to pass upon; is that not true?

Mr. THURMOND. That is correct.

Mr. HRUSKA. And who are we to presume in advance to circumscribe legislatively the areas within which the States must function, and which they must not exceed, with regard to State wiretapping legislation? It would be presumptuous on our part, would it not?

Mr. THURMOND. That is absolutely correct, and I think the Senator has put his finger right on the problem and you have pointed out the reason for seeking an amendment to this provision.

Mr. HRUSKA. I thank the Senator and again commend him for his contribution.

Mr. THURMOND. I thank the Senator from Nebraska.

EXHIBIT 1

IS THE SUPREME COURT REALLY SUPREME?

(By Eugene H. Methvin)

Recent controversial rulings by the High Bench raise anew the troubling issue: Who is the ultimate arbiter of the Constitution? Our founding fathers provided a foresighted answer.

Fifty-two percent of the American people rate the Supreme Court's performance as "only fair" or "poor," according to a recent Louis Harris opinion poll. "The Justices are stretching the judicial process to try to translate their notion of an ideal society into reality," says Prof. Philip B. Kurland, editor of the University of Chicago Law School's *Supreme Court Review*. From legal scholars to the man in the street, from Congress to the Justices themselves, this most revered of our governmental institutions is today drawing stinging criticism.

Some of the most eloquent protests have come from within the Court itself. In 1962, when the Supreme Court invaded the political thicket of legislative reapportionment, the late Justice Felix Frankfurter denied that the Court had constitutional authority for its move. He accused his colleagues of "a massive repudiation of the experience of our whole past."

In another case last year, Justice Byron R. White charged the Supreme Court with laying down specific rules that have "no significant support" in the history of the Constitution.

Justice John M. Harlan has despairingly proclaimed that recent Court decisions amount "to nothing less than an exercise of the amending power by this Court."

DIRECTION BY DECISION

Repeatedly in recent years the Court has claimed vast new powers to change by judicial decree the shape of our constitutional system. A narrow majority of "activist" Justices, spear-headed by Chief Justice Earl Warren and Justice William O. Douglas, has increasingly taken away from juries and legislatures—the two authentic voices of the people—crucial decisions affecting the order and direction of American life.

Consider the Court's decisions in three vital areas:

School Prayer. The Court has declared that reading the Bible or saying the Lord's Prayer (or even a non-sectarian prayer) in voluntary classroom religious exercises is unconstitutional. It has relied on the theory that the First Amendment ("Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof") somehow requires the Court to impose a wall of separation between religion and any sort of governmental activity.

This notion is "sheer invention," say many distinguished law scholars, among them Dean Erwin Griswold of Harvard Law School. We have, Griswold says, "a spiritual and cultural tradition of which we ought not to be deprived by judges carrying into effect the logical implications of absolutist notions not expressed in the Constitution, and surely never contemplated by those who put the constitutional provisions into effect."

Reapportionment. In one stroke, in June 1964, the Court rendered "unconstitutional" the legislatures of most of the 50 states. The action boldly asserted a judicial power never before claimed. It was based on the 14th Amendment. The dictum that "no state shall deny to any person the equal protection of the laws" means, said Chief Justice Warren, that states cannot adopt "Little Federal" plans, in which one house of the legislature is apportioned like the U.S. Senate, to accommodate other factors (historic, economic or geographic) than population. The states must, instead, elect *both* houses on a "one man, one vote" basis.

Justices Potter Stewart and Tom Clark objected sharply. They called the Court's action "the fabrication of a constitutional mandate," and said, "The Draconian pronouncement finds no support in the words of the Constitution, in any prior decision of this Court, or in the 175-year political history of our Federal Union."

The quarrel arose because many state legislatures had failed to reapportion their districts as people moved from country to city and from city to suburbs. Other states, however, had reapportioned conscientiously—Colorado, for one. In 1962, Coloradans went to the polls to choose between two reapportionment plans, and voted 305,700 to 172,725 in favor of a "Little Federal" plan which gave Colorado's lightly populated western mountains and eastern wheatlands a few more members in the state senate than their population warranted. A majority in every county, including urban Denver, supported this plan.

Justices Clark and Stewart pleaded with the Court to avoid destroying such local initiative and decision. Under the "equal protection" clause, they said, federal courts might properly void any systems which prevent ultimate majority rule. "Beyond this there is nothing in the federal Constitution to prevent a state from choosing any electoral legislative structure it thinks best suited." Colorado simply "sought to provide that no identifiable minority shall be completely silenced or engulfed," an aim that "fully comports with the letter and spirit of our constitutional traditions." The Justices pleaded in vain.

Criminal Procedures. Historically, the administration of criminal justice has been left to the states. The Constitution originally gave the federal government no authority whatever to intervene in ordinary criminal matters. However, the 14th Amendment forbids states to deny a person "due process of law," and the Court has now been using this language as reason to impose a new set of detailed, and controversial, rules of its own making on state law enforcement.

In 1961, for example, five Justices asserted that "due process" requires a state judge to keep physical evidence from the jury if he finds any legal fault with the police search that obtained it. That overruled long-standing Supreme Court decisions and nullified contrary rules in 26 states. Then, in 1964, five Justices prohibited the century-old practice in 15 states of letting the jury decide whether a confession has been coerced. Justice Clark protested: "Dependence on jury trials is the keystone of our system of criminal justice, and I regret that the Court lends its weight to the destruction of this great safeguard to our liberties."

In June 1966, Chief Justice Warren and four fellow Justices imposed on all states a new rule, never before followed in any state: Judges must also keep a confession from the jury unless police can prove beyond doubt that they warned the suspect of his rights, and even furnished him a lawyer throughout interrogation if he wished.

There is mounting evidence that the Court's massive federalization of criminal justice has grievously crippled law enforcement. FBI statistics show that, since the 1961 ruling, the rate at which police are solving reported crimes—a rate which had held steady for years—has dropped by almost ten percent. In New York City, after last year's ruling on interrogations, the proportion of unsolved murders increased by 40 percent. Indeed, the Supreme Court's rulings have compelled the freeing of many apprehended and confessed criminals.

Last September, for example, a woman stood before Brooklyn Judge Michael Kern. She had confessed to taping her four-year-old son's mouth and hands and beating him to death with a broomstick and a rubber hose. Nevertheless, because of the new Supreme Court ruling, her signed confession, the state's only evidence, had to be thrown out.

"Thank you, your honor," the woman said.

"Don't thank me," the judge replied icily. "Thank the United States Supreme Court. You killed the child and you ought to go to jail."

CONFLICTING PHILOSOPHIES

These highly controversial decisions reflect a titanic clash [redacted] philosophies in today's Supreme Court. Justices Harlan, White and Stewart are currently the chief representatives of the philosophy of judicial restraint propounded by the great jurist Oliver Wendell Holmes: In a democratic society, judges who never face the discipline of the ballot box must defer to elected legislators in policy choices—and leave it to the voters to discipline the legislators at the polls if the legislators decisions are bad. A judge should declare a legislative act unconstitutional only when he is certain that reasonable men could not disagree. Otherwise, said Holmes, even though the legislators have decided unwisely, a judge is obligated to say, "Damn 'em, let 'em do it!"

On the other side in today's Court, Chief Justice Warren, Justice Douglas and usually Justice Hugo L. Black represent the activist philosophy, or what is sometimes called "political jurisprudence." This school holds that constitutional claims coming to the Supreme Court involve, primarily, conflicting values and interests. There may be no express law relevant to today's conditions. So, in weighing conflicting interests, the Justices must impose their own "social preferences." This philosophy sees the Justices as the modern interpreters of the values expressed in "our living Constitution."

Last year, for example, the Court outlawed Virginia's poll tax—even though it had unanimously upheld a similar tax 29 years before. Even Justice Black denounced this change by judicial decree as "an attack on the concept of a written constitution which is to survive unless changed through the amendment process."

But do we want the Court to be such a lawgiving body? Carried very far, this philosophy would mean in effect abandoning our written Constitution. The High Bench would become not a court of law but a Grand Policy Council, a "Big Brother Club," as one law professor irreverently dubbed the activists.

From the first, men like Thomas Jefferson feared the federal judiciary as a dangerous, fundamentally anti-democratic power. Their fears have proved valid. For half a century (between 1890 and 1937), reactionary "activists" on the Court virtually destroyed the nation's legislative ability to cope with the

industrial revolution, to regulate wages and working conditions, child labor, utilities, railroads, labor-management wars. They nullified 52 acts of Congress and 228 state laws. Ultimately, in the "limited constitutional revolution" of 1937, President Franklin D. Roosevelt, Congress and public pressure persuaded three activist Justices to retire or switch, thus allowing needed social legislation to stand.

Today, the Court is again exhibiting judicial "activism"—only this time designed to impose radical change instead of a freeze. "When in the name of interpretation, the Court *adds* something to the Constitution that was deliberately excluded from it," warns Justice Harlan, "the Court in reality substitutes its view of what should be so for the amending process."

TO GUARD THE GUARDIANS

Who *is* the ultimate arbiter of our Constitution? *Does* the Constitution limit the Justices as well as the legislators and the President?

The founding fathers, understanding the tendency of all men to grasp ever more power, labored to subject every branch of government to checks and balances. They specifically included the Supreme Court. To the ancient question; "Who will guard these guardians?" they answered emphatically, *"The people—through their elected representatives."* And, historically, we have asserted that authority on many occasions.

For example, one powerful check on the Court is the President's power of appointment. In 1870, President Ulysses S. Grant filled two vacancies. The votes of these new Justices made it possible to reverse a recent crucial decision, which declared that Congress had no power to issue paper money. Last June's crucial five-four decision on criminal confessions could not have been made had not President Johnson's first appointee, Justice Abe Fortas, promptly lined up with the activists. Since Justice Clark, a moderate, has recently retired, and since several Justices are over 65, Presidential appointments may completely reshape the Court in the next few years.

The Constitution also plainly specifies two major ways in which Congress can check the Court:

The 14th Amendment—under which the Supreme Court has dictated state legislative apportionments and criminal procedures—specifically names Congress as the protector of the rights it creates. While Congress cannot reverse a Supreme Court decision in a specific case, it *can* write new remedies which the Court is then obligated to apply in resolving such cases in the future. Last year, for example, Chief Justice Warren specifically acknowledged that Congress may, by simple statute, write rules different from those that the Court handed down for police interrogations.

Article III empowers Congress to make "exceptions and regulations" to the Court's appellate jurisdiction. Thus the Constitution explicitly makes *our elected legislators* the supreme judges—by simple majority vote—of what types of cases the Court may decide. Says Herbert Wechsler, Columbia Law School professor and director of the American Law Institute, "The plan of the Constitution was quite simply that Congress would decide from time to time how far the federal judicial institution should be used. Congress has the power, by enactment of a statute, to strike at what it deems judicial excess."

Thus the judges are *not* the sole arbiters of the Constitution. The framers of the Constitution laid on Congress a duty to define the rights it provided, and to act as a counterweight to the Court.

"BEYOND THE BOUNDS"

Though it has acted at other times—for example, in 1868, when it stripped the Court of power to hear appeals in habeas corpus cases—Congress has failed so far to rein in the present Court. In 1964, the House did vote 218–175 to forbid the Court to interfere in state legislative apportionments. This simple majority vote was under Article III, sufficient. But in the Senate, an attempt was made to seek passage of the measure as a constitutional amendment, and it missed—by seven votes—the required two-thirds majority. An amendment to permit voluntary school prayer also failed by a narrow margin. Both goals might well have been accomplished, by a simple majority vote, under Article III and the 14th Amendment.

Some scholars are convinced that the present Supreme Court would have declared any such effort unconstitutional. Others argue, however, that if the Court had gone to that extreme, Congress could then have retaliated by restricting the Court's future jurisdiction in cases of the kind under Article III.

In the absence of such an effort to check the Court, five Supreme Court Justices, in alliance with one third of either House or Senate, are—by "interpretation"—radically amending our Constitution. Yet amendment is supposed to require a two-thirds vote of Congress and ratification by three fourths of the state legislatures.

The great liberal Justice Benjamin N. Cardozo wrote: "Judges have, of course, the power, though not the right, to travel beyond the bounds set to judicial innovation by precedent and custom. Nonetheless, by that abuse of power, they violate the law."

The founding fathers named Congress as the referee to guard the bounds beyond which the Justices should not go. The time has come for our elected representatives to blow the whistle.

Mr. DODD. Mr. President, as debate begins on the Omnibus Crime Control and Safe Streets Act of 1967, I have been questioned a number of times about the true public support for strong firearms legislation.

Admittedly, the questions were in the transparent disguise so frequently used by the gun lobby to generate the impression that public support is lacking for an honest Federal law that would at the least shut off the pipeline of firearms to criminals, both amateur and professional.

Some flacks of the firearms interests innocently print items questioning the need and the support for a law tough enough to cut down on the easy purchase of firearms by those most likely to misuse them.

Of course, some flacks lend themselves to this lobbying effort not so innocently.

For the benefit of my colleagues, and so that the RECORD will be correct as we begin the debate on S. 917, the Omnibus Crime Control and Safe Streets Act of 1967, I ask unanimous consent that the following newspaper editorials be printed in the RECORD.

These expressions of public support are from newspapers large and small, east and west, north and south. They are from States referred to as "hunting" States, those States often thought of as opposing strong firearms laws.

These expressions of public support approach the need for better laws from a number of different views, all valid, and legitimate and all germaine to the absolute need for Congress to act now and produce a law that will help States, counties, and cities enforce their own laws and ordinances by limiting the now virtually unrestricted traffic in mail-order firearms.

First, I should point out what the Bennington, Vt., Banner had to say last September 8 when FBI Director J. Edgar Hoover asked for firearms legislation that would make his massive task a little easier.

The Banner said:

A reasonable statement, when you think about it. If Congress fails to act on the present firearms control bill, it is conceivable—just conceivable—that the next time around it will have second thoughts and insert Hoover's registration suggestion too.

Mr. President, I ask that the entire editorial be printed at this point.

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

[From the Bennington (Vt.) Banner, Sept. 8, 1967]

ULTIMATUM FROM THE FBI

By almost anyone's standards, FBI Director J. Edgar Hoover would be considered a traditionalist, an officeholder less interested in breaking new ground than in relying upon the tried-and-true. While the Federal Bureau of Investigation seeks to keep up with the most modern techniques of crime control, it does so within the legal framework established by Congress. It is rightly less interested in promoting new laws than in enforcing existing ones. [redacted]

Hence it is of some importance that the FBI diretcor is today speaking out more strongly than ever in favor of the federal gun-control legislation stalled in Congress. The unequivocal tone of Hoover's latest message, in the September FBI bulletin, suggests that this is one congressional battle that the bureau will not let go by default.

Director Hoover puts the FBI squarely behind the administration's much-worked-over measure designed to correct some of the salient weaknesses in present firearms controls. The bill would end mail-order gun sales to individuals (but not to stores); license all firearms manufacturers and dealers; regulate over-the-counter sales of firearms and restrict the importation of military surplus guns.

Declaring that the time for enacting these controls is now, Hoover writes: "Strong measures must be taken, and promptly, to protect the public."

As a policeman, and not a legislator, he leaves no room for political compromise on a bill that already has been modified and watered down endlessly. As a matter of fact, he would go a big step further than the administration proposes by requiring local registration of all weapons.

As the FBI director told a congressional committee: "You have to get a license for your dog; you have to get a license to drive a car; you have to get a license to go into business ventures. I see no great problem to the individual in requiring all guns to be registered if the owner has nothing to hide and if he is a law-abiding citizen."

A reasonable statement, when you think about it. If Congress fails to act on the present firearms-control bill, it is conceivable—just conceivable—that the next time around it will have second thoughts and insert Hoover's registration suggestion too.

Mr. DODD. Next, Mr. President, I would like my colleagues to consider what some small papers, papers closest to the people, feel about the proliferation of firearms in the home and in the hands of those who should really not have them.

For example, consider the comment of the Portsmouth, N.H., Herald on September 1, 1967:

No sensible person maintains that tightening up somewhat on the sale and possession of guns, notably banning the interstate mail order sales which now enable anyone at all to get his hands on a lethal weapon, would end incidents of the kind cited above. But such a law would tend to hamper the trigger-happy, and that's eminently worth doing.

Mr. President, I ask that the entire editorial of the Herald be printed at this point along with the equally strong views of the Middletown, Ohio, Journal and the Williston, N. Dak., Herald.

In each case the comments are well thought out, sensitive, and reflect what is clearly the over-riding sentiment of the bulk of the American public.

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

[From the Portsmouth (N.H.) Herald, Sept. 2, 1967]

CURBING THE TRIGGER-HAPPY

On one recent day, these incidents were in the news:

In Pittsburgh, a nine-year-old boy asleep with three other boys in a back yard was killed by a bullet. Police said it apparently came from a rifle fired by a young man to "scare away" a neighbor's dog.

In Miami, a motorist described as having "a kind of half smile on his face" raced through the city shooting a pistol at random from his car. Four truck drivers, a construction machine driver and an off-duty policeman were wounded.

In North Hollywood, Calif., a 23-year-old mother reportedly playing a hide-and-seek prank at a neighbor's home was shot and killed by a young man—a guest at the home—who picked up a loaded pistol from a nightstand and fired at what he thought was a prowler.

These incidents came on the heels of police seizure of an arsenal—scores of weapons ranging from a machete to an anti-tank gun—assembled by alleged members of right-wing organizations in New York. Not long before, there had been successive news stories about multiple killings with guns.

It cannot rationally be argued that tighter control legislation would have prevented all or indeed any of these tragic incidents. But a good case can be made for the contention that, had guns not been so readily accessible, some of them might not have occurred.

This is the rationale underlying the drive for stronger federal gun control law. No sensible person maintains that tightening up somewhat on sale and possession of guns, notably by banning interstate mail order sales which now enable anyone at all to get his hands on a lethal weapon, would end incidents of the kind cited above. But such a law would tend to hamper the trigger-happy, and that's eminently worth doing.

[From the Williston (N. Dak.) Herald, Apr. 1, 1968]

GUNS TO SPAWN SORROW, TROUBLE

A vague anxiety, compounded of fear of another long, hot summer of racial strife and the rising crime rate, has resulted in a 15 to 20 per cent increase in gun sales across the country, according to a Scripps-Howard Newspapers survey.

There is nothing new to this. The same phenomenon has been noted in every city after every riot. But never before have so many, ordinary, decent citizens, both white and Negro, been arming themselves in preparation for some sort of threat to their personal safety and that of their families.

Howeowners, housewives, businessmen, cab drivers, people who have never owned a gun and don't know how to handle one, are buying revolvers, pistols, rifles, shotguns and ammunition. Few states or municipalities have restrictions on sales or guns, and what laws exist are easily circumvented.

There are several tragic aspects to this situation.

Almost all the damage and loss of life in all of the riots has been suffered in the Negro areas of the cities. The few times that Negroes have "invaded" white neighborhoods, it has been in peaceful demonstrations, often met by abuse and violence or the threat of violence on the part of whites.

As for crime, this, too, is in great part a matter of Negro against Negro. The fact that law-abiding Negroes now feel they must arm themselves says more about the failure of the police to protect the ghetto dwellers from the criminals among them than it does about any plan to make war on the whites.

Ironically, the kind of crime that poses the real danger to America—the big-time, syndicated crime that syphons off billions of dollars a year out of the pockets of everyone, that corrupts government—does not seem to frighten people at all.

Even if all these guns are never used in a racial civil war—a prospect almost too terrible to contemplate—guns do have a way of going off.

How many newspaper stories will we read in years to come of little children finding forgotten guns hidden away in drawers and closets, with the all-too-familiar consequences?

How many people now buying guns will later have cause to regret that action for the rest of their lives?

[From the Middletown, (Ohio) Journal Mar. 29, 1968]

GUN DEATHS AT HOME

The role of the gun in fatal hunting accidents is well known. So is the dominant part guns play as the weapon in homicides. Some may be surprised to learn, however, that last year guns accounted for 1,600 fatalities in American homes. That was an increase of seven per cent over the previous year.

The figures come from the National Safety Council, which takes the occasion to offer some advice directed especially at parents. It is urged that greater efforts be made to keep firearms out of the hands of the untrained and the immature, and that more emphasis be placed on teaching and practicing gun safety. That is sound counsel in a society where scores of millions have guns in their homes.

The wisdom of the National Safety Council's advice on firearms is given further emphasis by the fact that gun purchases are on the rise, partly in reaction to talk of more urban violence. Those who possess firearms must recognize that with ownership goes responsibility. If that principle were generally accepted, and acted on as it ought to be, the number of gun fatalities in the home might be reduced.

Mr. DODD. Mr. President, the editorial opinion of another group of publishers generally addresses itself more directly to the problem of actually getting legislation out of the clutches of the firearms lobby and into law.

They are concerned about Congress dragging its feet while neighborhoods become shooting galleries. Their arguments are sensible, rational, and come from the heart of the American people.

Let me briefly quote just some of the observations of the hometown press across the Nation.

The Grand Junction, Colo., Sentinel began its editorial this way:

The gun lobby seems to have effectively killed any drive for reasonable firearms legislation in the near future. That success was gained in part by distorting the facts . . .

Now I don't agree that this Congress will kill that legislation, that it will fail to pass title IV of the Omnibus Crime Control and Safe Streets Act of 1967 but that is the impression the lobbies try to create. But in creating it at the Sentinel their distortions came through loud and clear.

The Chicago Daily News said:

It is past time for Congress to heed the wishes of the nation's majority and write meaningful new gun controls into the federal code.

The Dayton, Ohio, Journal-Herald said:

Our point is that, as Congress reconvenes after Easter recess, the will of the American public should now be determined and acted upon. The high pressure tactics of the National Rifle Association have prevailed for too long. It is time to act firmly to bring under some kind of reasonable discipline the virtual anarchy regarding gun sales, shipment and registration.

The San Diego, Calif., Union said:

No legitimate sportsman should be victim of tighter gun control. But if guns and known criminals can be kept apart, the hope for a reduction [redacted] crime is real.

The Dayton, Ohio, News said:

While Congressmen continue to spend much time and money to find out what legislation their constituents want, bills on firearms controls, overwhelmingly sought by the public are consistently denied. . . . This doesn't make sense . . . Congress has balked. It has bowed to the gun lobbies, particularly the National Rifle Association which passes off America's anti-firearm feeling as "hysterical in nature". . . . How long will it take a people deeply concerned about crime in their midst to move to control the principal weapon of the criminal: guns?

And, there are others, Mr. President, many others.

So that my colleagues better understand the mood of the public, the wishes of most—and I emphasize most—of the people back home, I ask these news items be spread on the RECORD at this point.

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

[From the Rochester (N.Y.) Democrat & Chronicle, Apr. 11, 1968]

MORE GUN CONTROLS NEEDED

It's hard to understand the reluctance of the Senate to impose some controls on the sale of rifles and shotguns. The Judiciary Committee did add to the safe streets and crime control bill one amendment prohibiting the sale through the mails of pistols and other handguns. But it turned down an amendment to extend the same regulation to rifles and shotguns.

No one supposes that even the most stringent firearms controls could eliminate all risk of assassination, murder, or other criminal misuse of weapons. But surely it would reduce the risk.

The right to bear arms ought to be accompanied by obligation—the obligation of going through clearly-defined channels to purchase weapons. The virtually unregulated right to purchase rifles by mail is subject to too much abuse. As things stand now, too many people have too easy access to too many weapons. More restraints are badly needed.

[From the Asheville (N.C.) Citizen-Times, Apr. 9, 1968]

IS LIMITED GUN CONTROL NEARING?

After six years of periodic debate, the Senate Judiciary Committee has finally voted to ban the mail-order sale of hand-guns, though not rifles and shotguns. And, while that is a seeming inconsistency, it is clearly a sop to "sportsmen" groups who oppose any gun control whatever.

Presumably the solons reasoned that rifles and shotguns, because of their greater bulk, are less easy to conceal and are thus less likely to be sought by hoodlums, delinquents, and other potential killers. They discount the fact that such weapons are equally deadly.

Even so, the move banning mail-order pistol sales must be welcomed as a small step forward. Such sales have reached alarming proportions and the evidence indicates that many of the mail-order buyers are people who could not qualify for the purchase of a gun in their own communities.

The proposed ban is part of a comprehensive anti-crime bill that may not survive review by the full Senate once it clears the Judiciary Committee. But the mounting crime rate and events of recent days in many American cities, testify to the need.

[From the Rhinebeck (N.Y.) Gazette, Aug. 31, 1967]

GUNS IN THE NEWS

On one recent day, these incidents were in the news:

In Pittsburgh, a nine-year-old boy asleep with three other boys in a back yard was killed by a bullet. Police said it apparently came from a rifle fired by a young man to "scare away" a neighbor's dog.

In Miami, a motorist described as having "a kind, of half smile on his face" raced through the city shooting a pistol at random from his car. Four truck drivers, a construction machine driver and an off-duty policeman were wounded.

In North Hollywood, Calif., a 23-year-old mother reportedly playing a hide-and-seek prank at a neighbor's home was shot and killed by a young man—a guest at the home—who picked up a loaded pistol from a night-stand and fired at what he thought was a prowler.

These incidents came on the heels of police seizure of an arsenal—scores of weapons ranging from a machete to an anti-tank gun—assembled by alleged members of right wing organizations in New York. Not long before, there had been successive news stories about multiple killings with guns.

It cannot rationally be argued that tighter firearms control legislation would have prevented all or indeed any of these tragic occurrences. But a good case can be made for the contention that, had guns not been so readily accessible, some of the incidents might not have occurred.

This is the rationale underlying the drive for stronger federal gun control law. No sensible person maintains that tightening up somewhat on sale and possession of guns, notably by banning interstate mail order sales which now enable anyone at all to get his hands on a lethal weapon, would end incidents of the kind cited above. But such a law would tend to hamper the trigger-happy.

[From the Dayton (Ohio) News, Apr. 16, 1968]

HOW LONG UNTIL GUN CONTROLS?

While congressmen continue to spend much time and money to find out what legislation their constituents want, bills on firearm controls, overwhelmingly sought by the public, are consistently denied.

This doesn't make sense. Not in the light of the assassinations of President Kennedy and Dr. Martin Luther King, Jr. Not in the light of statistics that show that firearms account for more than 6,000 murders, 10,000 suicides and 2,500 accidental deaths a year.

National surveys and polls show that Americans definitely want tighter restrictions on gun ownerships. Most agree with President Johnson who earlier this year urged Congress to "stop the trade in mail order murder."

A Gallup poll last year showed that 70 per cent of the people surveyed wanted stricter laws for handguns; 61 per cent wanted stricter laws for rifles and shotguns; 75 per cent wanted to prohibit the mailing of guns; 85 per cent wanted handguns registered.

In the face of all this, Congress has balked. It has bowed to the gun lobbies, particularly the powerful National Rifle Association which passes off America's antifirearm feeling as "hysterical in nature."

"How many summers," asked the President, "will we leave law enforcement with the single alternative—return fire—to thousands of firearms in the hands of the lawless? . . . How long will it take a people deeply concerned about crime in their midst to move to control the principal weapon of the criminal: guns?"

Yes—how long?

[From the San Diego (Calif.) Union, Apr. 13, 1968]

GUNS AND THE CRIMINAL

The need for more comprehensive gun control to combat violent crime becomes daily more apparent. The alarming increase of 22 per cent in assaults with guns last year brought the total of 53,000 cases.

Statistics produced by Sen. Thomas J. Dodd, Democrat of Connecticut, as chairman of the subcommittee on juvenile crime, clearly indicate that more than two-thirds of all murders are committed by those with criminal records. Dodd seeks to withhold firearms from known criminals in an attempt to reduce the number of potential murder weapons.

No legitimate sportsman should be victim of tighter gun control. But if guns and known criminals can be kept apart, the hope for a reduction in violent crime is real.

For years the nation has been led to believe that most murders are committed on impulse, by those with an otherwise unblemished record.

But research now shows that the bulk of murders are committed by criminals already known to the police.

A survey of the District of Columbia shows that 80 per cent of the killers with guns had a prior criminal record, 60 per cent had been arrested previously for crimes of violence, and in 81 per cent of the cases the murderer and victim were known to each other. There is certainly impulse, too, in 86 per cent of cases—but a previous criminal record, also.

National figures are expected to bear out the Washington survey. Clearly the case for greater firearm control for known criminals is overwhelming. The Dodd amendment should be supported.

[From the Dayton (Ohio) Journal Herald, Apr. 16, 1968]

CURB THOSE GUNS!

Congressmen favoring adequate gun-control legislation think that now there may be grounds for hope.

For the first time in 30 years a congressional committee has approved a proposed limitation on the sale and shipment of weapons.

Nevertheless, in view of the violence that so often and so consistently involves guns in our nation—they're used in 60 per cent of all murders—we believe the Senate Judiciary committee action comes far too late and would accomplish far too little.

Under the amendment to the anticrime bill which the committee approved, only handguns would be placed under some restraint. Any fool could still send away for a rifle or shotgun. Further, there is no mention of registering any weapon whatsoever.

Sponsors believe that rifles and shotguns will be reinstated during senate floor action. We hope they're right. We're not optimistic.

Those opposed to federal legislation are notoriously impervious to any appeal for rational, sane gun regulation. The assassination of President Kennedy made no impression on them. It is at least reasonable to presume that neither will the murder of Martin Luther King.

They are a minority, nevertheless. As noted in this column last year, the Gallup Poll has found that 75 per cent of all those surveyed believe "a person should not be able to send away for a gun through the mail"; 73 per cent are for a law requiring the registration of shotguns and rifles; 85 per cent favor registering handguns.

Our point is that, as congress reconvenes after the Easter recess, the will of the American public should now be determined and acted upon. The high-pressure tactics of the National Rifle Association (NRA) have prevailed far to long. It is time to act firmly to bring under some kind of reasonable discipline the virtual anarchy regarding gun sales, shipment and registration.

[From the Chicago (Ill.) News, Apr. 29, xxxxxxxxxx]

LET'S SPIKE THE SHOTGUNS

The Senate Judiciary Committee's refusal to ban mail-order sales of shotguns and rifles in a bill to tighten federal gun controls is a grave mistake. The evidence is clear that these weapons—no less lethal than the handguns covered by the measure—are being used more and more in street violence throughout the nation. And it is especially true here in Chicago, where young South Side hoodlums rely increasingly on shotguns to impose their reign of terror.

Chicago's gun-registration ordinance and the state law requiring the registration of gun owners will place formidable obstacles in the way of juveniles seeking to purchase arms. But the illegitimate traffic in guns may increase as a consequence. A federal prohibition of mail-order sales of guns of all descriptions is one way of slowing down this clandestine traffic. In the long run, only uniform state gun laws, reinforced by local ordinances and a stringent federal code, can cope effectively with the threat posed by the promiscuous flow of firearms.

Since that day is far off, Americans as a whole are entitled to whatever protection Congress can devise now. Most gun owners are law-abiding citizens and two out of every three of them favor strict federal controls, according to the latest Harris Survey on the subject. The minority who oppose strict controls suffer under a miconception fostered by the National Rifle Assn. and other members of the gun lobby that regulations of any kind somehow deprives them of a constitutional right.

What the Constitution says on this point is contained in Article II of the Bill of Rights: "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." The right to bear arms is thus clearly spelled out only as it pertains to participation in a militia—the term then in use for what has today become the National Guard. The possession of arms under any other circumstances is a privilege—like driving an automobile—and it is subject to licensing and any other reasonable form of regulation that federal, state and local au-

thorities may prescribe in the public interest.

It is past time for Congress to heed the wishes of the nation's majority and write meaningful new gun controls into the federal code.

[From the Grand Junction (Colo.) Sentinel, Apr. 3, 1968]

FIREARMS LAWS

The gun lobby seems to have effectively killed any drive for reasonable firearms legislation in the near future. That success was gained, in part, by distorting facts.

One of the top arguments has been that "most murders are not committed by criminals." The argument has been backed by the statement that "Annual murder statistics show that more than half of the murders are commited on 'impulse' and the victim is a spouse, a member of the family or a friend."

The truth is that while most murders are "impulse" murders, the impulse comes, most frequently, to a criminal with a gun in his hand; a criminal who could not legally possess a gun if we had any sort of effective legislation regulating sale of guns.

The results of a study of 120 major cities now being tabulated by the Senate subcommittee studying the problem offer ample proof that the gun lobby has distorted facts.

The study proves that most of those who commit murder with a gun had already been identified by prior criminal records as persons who should not have access to firearms. They were demonstrably people most likely to use a firearm in a crime.

The "profile of a killer" for Washington, D.C., for instance, shows that from statistics gathered, the typical murderer in that city:

Is usually a man, 34 years old. He uses a handgun to kill his friend, his wife or his girl friend. He has been arrested previously six times, twice for serious crimes, including once for a crime of violence. The killing usually occurs after a fight on Saturday night after the victim and the killer have been drinking. And the killer uses a foreign-made handgun available in a nearby store or through the mail for about $14.

National statistics show that 80 per cent of all killers who used a gun had a prior criminal record; 78 per cent of all murderers had criminal records; the gun killer had an average of six prior arrests before his first murder, two for serious offenses; 60 per cent of gun killers had been arrested for a crime of violence before the murder indictment.

Mr. DODD. And, Mr. President, one more comment if I may. There are those who are characterized, or who fancy themselves as spokesmen for rural America. They argue, and slickly, that rural Americans would be "inconvenienced" by a stronger firearms law, that it would interfere with their "way of life."

Wittingly or otherwise, these self-styled spokesmen for rural America all too frequently sketch the farmer, the sportsman, the small-town resident as an unsophisticated boob who has neither knowledge, nor feeling, nor any sensitivity toward the problems of the Nation as a whole.

I do not agree. I never have and never will.

The Columbia, Mo., Tribune, quoting the Prairie Farmer, said:

Newspapers have suggested that rural people are the stumbling block in efforts to control indiscriminate use of firearms. The gun mystique, it is said, thrives in open spaces. But the overpowering sentiment in rural areas for the unrestricted ownership and use of guns is a myth. At least that is the case in Indiana and Illinois, according to a recent Prairie Farmer poll.

Mr. President, I ask that the full text of the Prairie Farmer's remarks be printed at this point.

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

[From the Columbia (Mo.) Tribune, May 19, 1967]

GUN MYTH

Prairie Farmer: Newspapers have suggested that rural people are the stumbling block in efforts to control indiscriminate use of firearms. The gun mystique, it is said thrives in the open spaces.

But the overpowering sentiment in rural areas for the unrestricted ownership and use of guns is a myth. At least that is the case in Indiana and Illinois, according to a recent Prairie Farmer poll.

In personal interviews farm people were asked "Do you feel that more stringent efforts should be made to control the possession and use of firearms by the public?" The consensus in both states was: Yes, 55 percent; No, 32 percent; and Undecided, 13 percent.

In the three years since the death of President Kennedy more than 50,000 Americans—10 times the Vietnam toll—have been gunned down by misfits, criminals, and of course, ordinary people who became careless. Too many fire a too-easily-available gun in anger and live to regret it....

An angry, emotional group insists that any gun-control bill is a sinister plot and conspiracy to deprive Americans of their constitutional right to bear arms.

This is nonsense. Those of us who are concerned about the mounting death toll from shooting merely want guns kept out of reach of juveniles, drug addicts, convicted criminals, and the mentally unbalanced. There is no need to deprive hunters and those who have a legitimate reason.

Rural areas are just as concerned about this problem as anyone else. They want action by Congress.

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

The PRESIDING OFFICER (Mr. SPONG 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 NO. 708

Mr. HRUSKA. Mr. President, my proposed amendment No. 708 to S. 917 is an amendment in the nature of a substitute for title IV of the pending bill. I ask unanimous consent that, when that amendment is reprinted, the names of the following Senators be added as cosponsors: My colleague from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. FANNIN], the Senator from Texas [Mr. TOWER], and the Senator from Mississippi [Mr. EASTLAND].

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

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 the joint resolution (S.J. Res. 131) to designate May 20, 1968, as "Charlotte, N.C., Day," with an amendment, in which it requested the concurrence of the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

REPEAL OF CERTAIN ACTS RELATING TO CONTAINERS FOR FRUITS AND VEGETABLES, AND FOR OTHER PURPOSES

Mr. BYRD of West Virginia. Mr. President, I wish to read a statement on behalf of the distinguished junior Senator from North Carolina [Mr. JORDAN], as follows:

STATEMENT BY SENATOR JORDAN OF NORTH CAROLINA

On October 20, 1967, the Senate passed S. 2068, which would repeal the Standard Containers Acts of 1916 and 1928 and, in addition, certain a [redacted] to naval stores, wool, and exportation of tobacco plants and seed.

On March 11, 1968, the House of Representatives passed H.R. 13058, which would repeal the Standard Containers Act of 1916 and 1928, but would not affect the three other laws which would be repealed by S. 2068. The two bills are identical in substance insofar as they relate to the Standard Containers Acts, so that all of the substance of H.R. 13058 is contained in S. 2068 as that bill was passed by the Senate.

H.R. 13058 was referred to the Committee on Commerce, while S. 2068 was considered and reported by the Committee on Agriculture and Forestry.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from North Carolina [Mr. JORDAN], I ask unanimous consent that the Committee on Commerce be discharged from the further consideration of the bill (H.R. 13058) to repeal certain acts relating to containers for fruits and vegetables, and for other purposes.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 13058, and that it be amended by striking out all after the enacting clause and inserting in lieu thereof the text of S. 2068, as passed by the Senate on October 20, 1967.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will state the amendment.

The legislative clerk read as follows:

(a) The Act of August 31, 1916, entitled "An Act to fix standards for climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes" (39 Stat. 673, as amended; 15 U.S.C. 251–256);

(b) The Act of May 21, 1928, entitled "An

Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes" (45 Stat. 685, as amended; 15 U.S.C. 257–257i);

(c) The Act of June 5, 1940, entitled "An Act to prohibit the exportation of tobacco seed and plants, except for experimental purposes" (54 Stat. 231; 7 U.S.C. 516–517);

(d) The Naval Stores Act approved March 3, 1923 (42 Stat. 1435; 7 U.S.C. 91–99);

(e) The Act of May 17, 1928, entitled "An Act to authorize the appropriation for use by the Secretary of Agriculture of certain funds for wool standards, and for other purposes" (45 Stat. 593; 7 U.S.C. 415b–415d).

SEC. 2. Section 10(b)(3) of the Act of November 3, 1966 (80 Stat. 1302; 15 U.S.C. 1459 (b)(3)), is amended to read as follows:

"(3) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), or the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236)."

SEC. 3. This Act shall become effective sixty days after the date of its enactment.

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

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 13058) was read the third time and passed.

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.

ADDRESS BY SENATOR MILLER

Mr. BYRD of West Virginia. Mr. President, on April 17, the distinguished Senator from Iowa [Mr. MILLER] gave the keynote address at the annual meeting of the Iowa Hospital Association in Des Moines.

Because of its timeliness, I ask unanimous consent that the address be printed in the RECORD.

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

ADDRESS BY JACK MILLER, U.S. SENATOR FROM IOWA

"The Iowa Hospital Association faces the future confident that it will continue to meet its goal of more effective and economical patient care through an expanding program of professional services and assistance to its members."

That statement, as you are aware, appears in one of your Association's brochures.

It is responsible and forward-looking. It recognizes that hospital patients need, and assures them they will receive, effective and economical professional services. At the same time, it reflects the number one problem facing your group today—the cost factor. In fact, this is a major problem of the entire health industry.

Over $30 billion a year is being spent on health care in the United States—over a half billion in Iowa alone. Such an expenditure amounts to 7 percent of the total amount spent on all personal needs. And these health care expenditures are growing at a far faster rate than our population growth rate.

The health industry is plagued by shortages of trained personnel, a lack of adequate facilities, and criticisms of the way it organizes and furnishes health care. Whether these criticisms are deserved or not, they still exist in the minds of many people.

But your most severe problem, and related in one way or another to the others, is sharply rising costs.

The Executive and Legislative branches of the federal government, state and local governments, and the insurance industry share your concern over this problem.

The concern reached the point where, in early March, the newly designated Secretary of Health, Education and Welfare, Wilbur Cohen, remarked that Congress will not stand indefinitely for rising costs under the Medicare and Medicaid programs, the two areas which apparently have generated the most concern of the Administration. Cohen said if a means isn't found to control costs, Congress "probably will take a meat-ax approach," which could mean ceilings on doctors' fees and daily hospital charges.

The concern has reached such a point that the President, in his Health Message to the Congress last month, implied that more federal involvement in your activities could well loom in the future.

It would have been constructive if these statements had been coupled with recognition of the fact that the "guns and butter economic philosophy has resulted in chronic budget deficits, worsening inflation, and abnormally high interest rates without which the problem of cost control would be relatively minor.

Although the key word in President Johnson's message appears to be "incentives," the federal intervention threat is there nonetheless.

He proposed that federal aid formulas be revised to provide incentives to hospitals which voluntarily curtail waste and duplication. He suggested that the same approach be applied to schools which do the best job of turning out graduates to meet the health manpower shortage. And he expressed his policy that governmental powers be used to set a reasonable range of reimbursing drug costs in such federally supported programs as medicare, medicaid, and maternal-and-child health care.

These are not new thoughts. They have been expressed before. Their feasibility will have to be evaluated on the basis of specific proposals rather than generalizations. Some way of providing high-quality health care more efficiently and at lower cost must be found, however, or the price tags resulting from the present spiral will surely exceed the reach of millions of citizens. Some of you may have seen the January 22 issue of U.S. News and World Report, which forecast a cost of $630 per day for a semi-private room in a hospital by the year 2,000 if inflation continues at the same pace as during the previous thirty years.

The best way is for those in control of our federal government to put its financial house in order, but there is little—outside of a few speeches—in the present Washington atmosphere to warrant confidence that this will be done.

The two old stand-by methods of showing concern—let's-study-it, and let's-get-together-and-talk-about-it—are no longer acceptable to those affected. Their patience has worn thin and they are demanding action.

The old methods are exemplified by the request of the President to former Secretary of Health, Education and Welfare John Gardner to study and submit a report on the problem. This was in August 1966. The report was completed and made public at the end of February 1967. As a follow-on, HEW called a national conference last June, and the findings of the conference were released this month. But already its findings are outdated, although they give a perspective to the conditions which exist today.

State insurance commissioners have had to face repeated requests from Blue Cross for rate increases to match rising costs, and many studies have been made at the State level in response to such requests. However, there has been no real alternative to allowing increases.

The Congress has, of course, had to concern itself with the cost problem in providing for the financing of the medicare and medicaid programs. Cost estimates for these programs have proved to be embarrassingly lower than the actual figures, necessitating a tax increase.

While health costs generally have been rising rapidly, hospital costs have risen even faster. The problem is so severe that the American Hospital Association has begun a public information program to explain to the public the reasons for the increases. This is most appropriate, for public attention on rising health costs tends to center on the hospitals, which are becoming more and more the focal point for all health care.

In the past three years, Congress, at the Administration's urging, has enacted nearly 30 new health measures. In doing so, it has added to the growing cost and manpower problems of the health industry.

In the last th[redacted]e federal government's budget for health care has increased from $6 billion to nearly $14 billion annually, and this does not include the $2.5 billion budgeted for the care of service personnel and veterans.

Its expenditures on medical care for the elderly and the poor have gone up from $1 billion to nearly $8 billion.

Expenditures have risen from $2 billion to nearly $3 billion annually for construction of new laboratories, hospitals and health clinics and the training of the men and women to work in them.

Federal appropriations to prevent and control disease have risen from $450 million to nearly $700 million annually.

In the last three years, 19.5 million Americans 65 and over have been brought under medical care provisions of the federal laws.

And 30 million children have benefitted from federal funding for protection against diphtheria, polio, and other diseases.

Even though an additional 100,000 doctors, nurses, dentists, laboratory technicians and other health workers are being trained this year, the health industry still faces serious manpower shortages.

More than 850 medical, dental and nursing schools have enlarged their facilities or improved their programs, but the health industry still is confronted with the need for more.

Apparently resigned to inflationary policies, the President in his health message estimated that between 1965 and 1975 the cost of health care will increase by nearly 140 percent.

Average payments per person will double from $200 a year to $400 a year.

Drug payments will rise by 65 percent.

Dental bills will increase 100 percent.

Doctors' bills will climb 160 percent.

Payments for general hospital services will jump 250 percent.

The dimensions of the federal government involvement was clearly outlined by the President in that health message.

"Health expenditures in the United States," he said, "are now nearly $50 billion a year. The Federal Government pays $14 billion of that amount (with) $16 billion requested in fiscal 1969."

And he warned that "unless the cost spiral

is stopped, the Nation's health bill could reach a staggering $100 billion by 1975."

Nothing was said about the role of the federal government in promoting inflation which has brought on much of the cost spiral, and this seems to be the implication: Unless the health industry takes action on its own, the federal government will.

A year ago, the U.S. Department of Health, Education and Welfare reported that hospital costs rose 16 percent in 1966 compared with an average seven percent increase for the five previous years. This, of course, was the year Medicare first went into effect.

At the same time, the American Hospital Association forecast that hospital costs per patient day would increase by 18.6 percent in 1967.

However, the increase was not as great as expected and total hospital cost per patient day in 1967 amounted to $58.06—an increase of 15.4 percent over 1966.

A 17.4 percent increase in payroll costs, due to inclusion of hospital employees under federal wage laws, and higher salaries for nurses and other paramedical personnel were largely responsible, the American Hospital Association said.

Wages and salaries accounted for $36.30 of the $58.06 cost—up from $30.92 in 1966.

The AHA said 5,812 community hospitals incurred inpatient and outpatient expenses of $12.6 billion last year, up $2.1 billion from the 1966 figure.

The admission of patients 65 and over rose 5 percent in the last six months of 1967 over the corresponding period of 1966. (Medicare went into effect in the last six months of 1966.)

Hospitals, on the average, now employ 264 persons for each 100 patients, compared with a 148–100 ratio in 1946.

The key figure in the complex and troubling problem of spiraling hospital care costs is personnel costs. And, in turn, these have been aggravated by substantial increases in the cost of living due to inflation compounded by federal legislation which failed to gear eligibility tor health care to availability of personnel and facilities.

Doctors have experienced similar cost increases in their offices. The number of health workers for each physician in 1940 was five. Today it is 13 and will probably increase to 17 by 1970.

As medical technology advances and increases the quality of health care, more highly trained and highly paid personnel are required to bring that high quality of care to as many people as possible—both in the doctors' offices and in the hospitals.

And no one knows better than you the added costs of equipment needed to give patients the benefit of these advances in medical technology.

The 16 percent increase in hospital costs in 1966, compared with an average of seven percent per year for the previous five years, accompanied the first major breakthrough in hospital employee salaries in 20 years.

Hospital costs will probably continue to rise steeply for the next three to five years and then level off as hospital wages catch up to some degree to the wages paid in business and industry. The American Hospital Association projects a 25 percent increase in the average salary over the next two years.

Hospitals are what economists call "labor intensive" organizations. Two-thirds or more of their total costs are in payroll, and only one-third in materials, supplies and other expenses.

In business and industry it is exactly the reverse.

This results from two factors: One is that hospitals, unlike business and industry, require personal service by employees to patients, 24 hours a day every day of the year. The second is that these personal services cannot usually be automated at a lower cost, as so often is the case in manufacturing and mining industries, for example.

Until recently, industry generally was able to absorb the effect of wage increases through increased productivity. Better hospital management can improve hospital efficiency, but the opportunity for you to achieve increased productivity is much more limited.

What is on the federal horizon?

President Johnson in his health message to Congress proposed expanded programs for maternal and infant care and training of doctors, nurses and other health professions. He also asked for legislation to authorize the Government to use methods of payment under medicare, medicaid and maternal and child-health programs that would encourage reductions in the cost of care and to establish a "reasonable cost range" for reimbursement for drugs under these programs.

The President listed five "major new goals" which he proposed to achieve through a combination of new legislative, administrative and volunteer efforts. The goals were: to reduce the "inexcusably high rate of infant mortality"; to meet the urgent need for more doctors, nurses and other health workers; to deal with the "soaring costs" of medical care and assure the most efficient use of health resources; to reduce the "shocking toll" of deaths from accidents; and to "launch a nationwide effort to improve the health of all Americans."

The President proposed seven legislative proposals which included:

Asking Congress to authorize the Secretary of HEW to employ new methods of payment under medicare, medicaid, and maternal and child-health programs if they had been shown to be effective in maintaining quality of care while increasing efficiency and reducing costs. Under existing legislation, reimbursements are made on a "reasonable cost" basis, and in 1967 costs rose at a much higher rate than anticipated by the Administration. The President directed the Secretary of HEW to begin testing immediately a variety of proposed incentives to encourage hospitals and other providers of medical care to reduce their costs. Authority for experimenting with reimbursement for medical care under federal programs was contained in the 1967 Social Security Amendments Act.

Asking Congress to give HEW the authority to establish a "reasonable cost range" to government reimbursement for drugs currently provided under medicare, medicaid, and maternal and child-health programs. Under this proposal, physicians could prescribe more expensive drugs of the same quality and effectiveness (brand name drugs in most cases), but reimbursement would be limited to the cost range established by the Department.

Asking Congress to extend five training and research programs that are due to expire in June 1969. In a new proposal, he requested operating and project grants that would include incentives to medical schools and other health profession schools to expand their enrollments and to reduce the length of their training. Another proposal would provide federal assistance for training of nurses, paramedical personnel, administrators and public health workers. These programs have been embodied in an administration bill introduced the day after the President's message as the "Health Manpower Act of 1968."

Quite obviously the role of the federal government in the health care field will continue to grow. Certainly it has an obligation to the health professions which must care for the requirements generated by federal legislative programs. Certainly it has an obligation to many local communities faced with a shortage of doctors and hospital facilities caused by these programs. For example, more appropriations for the Hill-Burton program would seem to rate a higher priority at this time than some of the other so-called "Great Society" programs.

Above all, the federal government has an obligation to provide for adequate reimbursement to those called upon to extend service to patients covered by federal programs—especially Medicare and Medicaid. Just because costs of these programs have gone up far beyond the Administration's estimates is no reason why our hospitals should be told to sacrifice their income to hold down the cost. And this is especially true when the federal government has directed hospitals to pay higher wages under its wage laws and is responsible for causing the inflation which has been wrecking your budgets.

For this reason, I offered an amendment to the Social Security bill last fall, worked up in consultation with representatives of both your organization and the national, which would have allowed use of a "per diem" basis for reimbursement. It would have done away with the terribly complicated cost accounting to which you have been subjected; and it would have had an incentive feature under a provision that "in determining a per diem basis for cost of services there shall be taken into account the per diem costs prevailing in a community for comparable quality and levels of services." The Senate approved this amendment, but due to Administration pressure, it was taken out by the Conference Committee. The Administration's position was that they wanted to have the statistical data on costs for an 18-month period (from July 1, 1966 [redacted]cember 31, 1967) on the basis of which to reach a scientific determination on the present reimbursement formula's shortcomings and needs for improvement. They expect to have these data assembled by June or July, and you can be quite sure that my office will be following up to see what the findings are and what changes can be made.

In conclusion, I would emphasize that although the increased role of the federal government in the health care field has been dramatic, most of the burden of meeting the nation's needs for health profession manpower and medical care facilities is going to be borne by the states, local communities, and non-governmental institutions and organizations. This is in the tradition of our system of government, and I am most confident that the Iowa Hospital Association will carry its share of that burden ably and compassionately.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 58 minutes p.m.) the Senate adjourned until tomorrow, Friday, May 3, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate May 2, 1968:

COUNCIL OF ECONOMIC ADVISERS

Warren L. Smith, of Michigan, to be a member of the Council of Economic Advisers, vice James S. Duesenberry.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alice M. Rivlin, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare, vice William Gorham.

EXTENSIONS OF REMARKS

WILSHIRE BAR ASSOCIATION CELEBRATES LAW DAY, U.S.A.

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. ROYBAL. Mr. Speaker, in connection with today's commemoration of Law Day, U.S.A., I would like to include in the CONGRESSIONAL RECORD a most interesting and thoughtful letter, with enclosures, which I have received from Adele I. Springer, chairman, Committee on International Law, Wilshire Bar Association of Los Angeles.

Chairman Springer's letter on the general subject of "World Peace Through Law" follows:

INTERNATIONAL ASSOCIATION OF
WOMEN LAWYERS,
Los Angeles, Calif., April 12, 1968.

Re Wilshire Bar Association of Los Angeles.
Project Justitia.

Hon. EDWARD R. ROYBAL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROYBAL: As you are aware, President Johnson has issued a Proclamation for the observance of Law Day, U.S.A., May 1st, designated by Joint Resolution of Congress in 1961 as the day for annual observance of Law Day.

You will be interested to know that your constituent, the Wilshire Bar Association, composed of the lawyers and Judges in your Congressional District, have innovated a unique educational program on television and radio, preparatory to the commemoration of Law Day, in a series of broadcasts on "Law for Laymen", with special emphasis on foreign-language broadcasts.

Judges and Lawyers of the Wilshire Bar, who speak a number of foreign languages, have been appearing on foreign-language television and radio programs, to inform people of foreign origin in the community, in their own language for better understanding, on the meaning and significance of the role of Law and Justice in American life, and interpret legal matters vitally affecting their lives, and in expounding and advancing the doctrines of Americanism. The programming has also scheduled English-language broadcasts for Law Day. Enclosed, for your information, are copies of several press clippings, listing many of the different broadcasts, indicating the extensive scope of the programming on the series of "Law for Laymen" for Law Day.

Your attention is especially directed to the enclosed press clipping on one of the most important of the telecasts, on the subject of "World Peace Through Law", which was broadcast in English and also on several of the foreign-language programs, and which is summarized in the clipping from the legal newspaper, the Los Angeles Daily Journal.

You will note from the clipping that three proposals are made to put into action the goal of World Peace Through Law: (1) To establish a Law Laboratory for the formulation of a system of international law with a workable World Court and measures to enforce the decisions of the Court, where nations could sue each other, just as individuals do, instead of warring on the battlefield; with full-scale mobilization of appropriate resources and appropriation of necessary finances; (just as the marshaling of all necessary resources and establishment of the Space Agency succeeded in getting the space project off the ground); (2) Establishment of a Cabinet-level Department of Peace, to balance the scales of the War Department; and (3) To call for an International Conference on "Conservation of Humankind," to bring together government leaders on the ministerial and cabinet level who need to understand, and have the power to act on, the world's conservation need of World Peace Through Law.

The principle of World Peace Through Law has been universally acclaimed, not only by the Bench and Bar, but also by President Johnson, and Heads of State from around the world. President Johnson has stated that "No lasting peace will be possible until we have a world order based on, and regulated by, law." A Memorandum is enclosed, for your information, quoting the Declarations made by Heads of State of 60 nations, to the same effect. These could be the nucleus for such a world conference, to get the project off the ground.

Thank you for your valued cooperation, and with our highest regard and esteem, I remain, with every best wish to you,

Sincerely yours,

ADELE I. SPRINGER,
Chairman, Committee on International Law.

LAW DAY, U.S.A., 1968: A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

On May 1, we will observe Law Day, U.S.A.—the day set aside each year by Congress in recognition of the fundamental importance of the rule of law in our nation.

The law we recognize and respect is not the mere exercise of power. It is not just a device to enforce the status quo. Law is a process of continuous growth that allows the creation of new rights for all men through a deliberative, democratic process. It is a system that permits existing rights to be protected, injustices to be remedied, and disputes to be resolved, without recourse to self-defeating violence.

That is the meaning of the theme of Law Day, 1968—"Only a lawful society can build a better society."

I commend all those members of the bar, the bench and the law enforcement system who work to improve the performance of this system—to make it more just, more effective, and more responsive to our people's needs.

America is grateful to them for their efforts to improve and extend legal services to the poor; to streamline the machinery of our courts; and to defend our society against crime and lawlessness.

I call upon every citizen to assist these efforts in his own community. I deem it the duty of each man and women to honor the law, and to work within it and through it for civil order and social justice.

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby request the observance of Wednesday, May 1, 1968 as Law Day in the United States of America.

I commend the organized bar for fostering the annual observance of Law Day. I urge each citizen to join in that observance by making a personal commitment to obey the law; to respect the rights of others; to aid law-enforcement officers; to uphold the judgments of the courts.

As requested by the Congress, I suggest that our people observe Law Day with appropriate ceremonies and observances, through public bodies and private organizations, in school and other suitable places; and I call upon public officials to display the nation's flag on public buildings on that day.

In witness whereof, I have hereunto set my hand this twelfth day of February, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

ABSTRACTS FROM DECLARATIONS BY LEADERS OF THE UNITED STATES FOR WORLD PEACE THROUGH LAW.

President Lyndon B. Johnson, 1967: "We are dedicated to the proposition that the rule of law is the only possible foundation for lasting peace."

Senator Hubert H. Humphrey, March 24, 1959: "We cannot afford to leave a single stone unturned in our effort to develop the means . . . I believe that a nation which is based on the principle of law and on the rule of law, rather than the rule of men, surely should take the lead in establishing an International Court of Justice with the power of law."

Earl Warren, Chief Justice, United States Supreme Court, 1954 and now: "The hope for a peaceful world is a world based on law."

Dwight D. Eisenhower, President of the United States, May 1, 1958: "The world no longer has a choice between force and law; if civilization is to survive, it must choose the rule of law."

Harry S. Truman, President of the United States, June 28, 1945: "When Kansas and Colorado have a quarrel over the water in the Arkansas River they don't call out the National Guard in each state and go to war over it. They bring a suit in the Supreme Court of the United States and abide by the decision. There isn't a reason in the world why we cannot do that internationally."

Richard M. Nixon, Vice President of the United States, April 13, 1959: "More and more the leaders of the West have come to the conclusion that the rule of law must somehow be established to provide a way of settling disputes among nations as it does among individuals. The time has now come to take the initiative in the direction of establishment of the rule of law to replace the rule of force. If we rule out, as we have and should, the use of force or threats of force as a means of settling differences where negotiations reach an impasse, the sole alternative is the establishment of the rule of law in international affairs."

Adlai E. Stevenson, former Governor of Illinois: October 21, 1959: "Building peace is the most important job in the world today. It cannot be built by arms. It can only be built by law. The lawyers of the world are equipped to be, and must be, the architects of peace."

Harold Stassen, 1967: "Not only must there be a recognition that violence is not the answer, there also needs to be an alternative lawful answer."

Justice Warren of the U.S. Supreme Court, 1967: "Every person has a personal stake in replacing a world ruled by force with a world ruled by law."

Director of the U.S. Information Agency, Leonard H. Marks, 1967: "Despite the factors of the nuclear age, man has never been closer to the attainment of world peace. For he has never before had the tools of world communication at hand. Let us grasp those tools and let us use them."

President Lyndon B. Johnson: "A decent world ruled by just law is not a vain dream. It can be real. We seek to assure substance for the dream of a world that is ruled by law. We work for the day when world law alters the impulses of those who seek to impose their will on others by force."

Henry Cabot Lodge, U.S. Ambassador to the United Nations, October 13, 1959: "If all na-

tions lay down their arms, there must be institutions to preserve international peace and security and promote the rule of law."

Bernard Baruch, quoting President Wilson: "He (President Wilson) knew that without such a reign of law civilization itself might crash in ruins in another outburst of lawlessness. How true that prophecy was we well know."

ABSTRACTS FROM MESSAGES FROM HEADS OF STATE FROM 60 NATIONS SENT TO THE WORLD CONFERENCES ON WORLD PEACE THROUGH LAW IN WHICH HIGH COURT JUDGES AND LEGAL LEADERS PARTICIPATED FROM MORE THAN 100 COUNTRIES

The messages were from Presidents, Kings and Prime Ministers, from the following countries: Australia, Austria, Cameroon, Canada, Chile, China (Taiwan), Cyprus, Congo, Dahomey, Denmark, Ecuador, Ethiopia, Finland, Gambia, Germany, Ghana, Greece, Guatemala, Iceland, Indonesia, India, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Korea, Laos, Liberia, Libya, Malta, Mexico, Monaco, New Zealand, Niger, Nigeria, Norway, Pakistan, Philippines, Peru, Qatar, Senegal, Sikkim, Sudan, Sweden, Switzerland, Tanzania, Thailand, Trinidad and Tobago, Turkey, United Kingdom, Upper Volta, Vatican, Venezuela, Viet Nam, Yugoslavia, Zambia; in addition to the USA and the United Nations.

Typical quotes, especially from the crisis-laden countries, are as follows:

Jordan, King Hussein 1: "All peoples of good will look forward with hopeful prayers to a successful outcome of your endeavours and a pledge to give every assistance for its acceptance as a regulator of orderly and sane behaviour in the relationships of nations. I pray to God that He may grant you the strength and the wisdom to carry out your lofty mission in order that, at long last, we may ensure world peace through law among all peoples of the Earth."

Israel, President Zalman Shazar: "The blessing of the State and people of Israel and the ardent hope that your proceedings will go far towards providing the resolute leadership needed to move mankind step by step towards a world system of law and justice. Our generation faces a fateful choice between the path of continued acquiescence in conflict and the road of peace through law."

Korea, President Park Chung Hee: "I am also confident that world peace can be achieved and maintained through law. Therefore, your efforts to pursue world peace through the establishment of law rules and legal institutions deserve our wholehearted support and the people of the Republic of Korea and I are willing to lend every possible cooperation to this effect."

Vietnam, President Nguyen Van Thieu. "On a world scale only international cooperation based on the application of Law and the principles of justice can guarantee a long-lasting peace and provide peaceful and fair solutions to possible disputes."

Laos, Prime Minister Price Souvana Phouma: "I am convinced that your endeavor will be successful, because essentially the same concepts form the basis of all systems, namely the liberty and dignity of man. We can reach an understanding within the domain of Law to build a world community founded on the rule of law."

Indonesia, Chairman People's Congress, Dr. A. H. Nasution: "All international disputes should be settled in accordance with the principle of the Rule of Law."

Ethiopia, Emperor Haile Selassie: "It is, indeed, only through the application of an acceptable and accepted body of law that we can attain world peace."

Liberia, President William V. S. Tubman: "I therefore seize this opportunity to associate myself with your lofty objective of seeking World Peace Through the Rule of Law. I am very hopeful in finding a solution through the Rule of Law by which lasting world peace can be achieved."

Malta, Prime Minister G. Borg Olivier: "Acceptance of the Rule of Law as the basic principle governing the relations between nations is the best guarantee for a lasting peace."

Finland, President Urho Kekkonen: "In furthering the creation of a legal system aiming at the safeguarding of world peace. No efforts should be spared."

[From the Los Angeles (Calif.) Daily Journal]

USE OF TOOLS OF LAW INSTEAD OF WEAPONS OF WAR URGED BY WILSHIRE BAR ASSOCIATION SPEAKER IN LAW-RADIO TALK

A far-reaching proposal to "Use the tools of law instead of the weapons of War", for a possible solution of the Vietnam conflict, was advanced, in a telecast on the subject of World Peace Through Law, in the Wilshire Bar Association's series of broadcasts on "Law for Laymen", on the KHJ–TV Channel 9 Tempo Program, Friday evening.

Adele I. Springer, Past President of the National Association of Women Lawyers, speaking as Chairman of the Wilshire Bar Association's Committee on International Law, pointed out, in the television discussion:

"The Rule of Law has long been recognized as mankind's most practical hope for peace. World statesmen, for years, have been talking, and have written reams, about substituting the "Rule of Law" for the "Rule of Force". For more than a decade, the organized Bar and laymen throughout the world, have commendably been holding discussions and programs to educate themselves, their colleagues and the public on the great potential of law as an instrument of world peace.

"Yet", she pointed out further, "although the principles of World Peace Through Law have now been acclaimed almost universally, the dialogue still continues, instead of action. Peace cannot be brought about merely by adopting Resolutions. Civilization cannot wait much longer for implementation of the Declarations to build a system of international law and a workable world court with measures to enforce the Judgments of the Court.

"The Vietnamese crisis gives impetus for a breakthrough in world law parallel to those in the other sciences," she urged.

"If force is to be abolished from the conduct of world affairs", she asserted, "there obviously must be an alternative means by which conflicts can be resolved. There plainly is such an alternative—the Law. But it takes toil, money, marshalling of resources, and an all-out mobilization, to make the potency of Law mightier than armed force.

"The time has come", she insisted, "to marshall all forces to generate activity not only of the Bench and Bar, and also the public, but of all the agencies of Government and of the appropriate world councils, to achieve the goal of World Peace Through Law.

"Whether a world law system can be established and developed fast enough and strong enough to resolve with timeliness the Vietnamese conflict and avoid nuclear holocaust", she said, "depends upon the support which the public is willing to give to the program for World Peace Through Law.

She added, "If full mobilization of expertise, manpower, finances, scientific laboratories, and aggregate physical, intellectual and other essential resources, were made available for unified organization, research and action, with top priority, such Project Justitia could be made to keep pace with other scientic advances of this technological era."

On the outlook to mobilize the resources required for the purpose, she posed the question:

"Of a total Federal budget for the year of over $100 billion, cannot a relatively small amount be appropriated for the vital program of World Peace Through Law? In the light of the urgency and intensity with which it ought to be pursued, the importance of this project justifies and makes mandatory the dedication of considerable resources."

In answer to the question whether it seems impossible of attainment, she queried:

"In 1776 did it seem less impossible? This is a challenge to every thinking American. It will be difficult but not impossible. Why should it be less difficult to reach the moon by 1969 than it is to master the complexity of a world legal system and handle the data and research required?

"The Bench and Bar of today, both locally and globally, can find the right answers, if given the tools with which to work. The development of World Peace Through Law is no more impossible or difficult of attainment than the recent dramatic achievements in other sciences. If at least a fair share of the enormous outlays for projects in space were made available to the project of World Peace Through Law, for a specific program of research and judicial machinery, great efforts could be made on a worldwide basis for a system of laws and courts capable of resolving disputes between nations by peaceful means."

In answer to the question as to how one goes about building a working system of law in international affairs, Miss Springer pointed out:

"In practical terms, we need only to look at any typical domestic legal system and we can see that [redacted] three essentials: A body of rules, tribunals to apply those rules to particular cases, and compliance with the decisions when they are rendered. To build those three components, on a global basis, all-out mobilization is essential, just as it is for war."

She recommended that preparedness for a Judicial project of such immensity, demands the establishment of a scientific Law Laboratory, adequately financed, fully-equipped, with a fully-manned, full-time, workbench, and a wide range program, with an all-out mobilization of manpower, enlisting legal scholars from the retired Judges and retired Law Professors, and including recruits from the behavioral and other sciences as well, and all other essential resources, with cooperative effort on the part of the Government, the universities, the sciences, and all other untapped sources, including both "generalists" as well as the "specialists."

When questioned about the existing United Nation's International Court of Justice, she pointed out:

"Its ineffectiveness is due to lack of compulsory jurisdiction and uncertainty of the law applied; but, above all, it lacks enforcement measures. Laws that are unenforceable are nothing more than a mirage.

She observed that:

"New judicial structures must be developed, the existing ones having been found inadequate. A new system of world courts must be created, with appropriate procedures protective of both the nations involved and of the rest of the world having a stake in the outcome. There is no other way to assure the survival of mankind in this nuclear age."

When questioned on the innumerable obstacles with which a project of such magnitude would be faced in having to draw upon different legal systems in order to establish rules acceptable to all, she stated:

"There is law and also rules of law. Law is universal, but the rules of law vary from time to time and place to place. In spite of the diversity of social, political and legal systems, there is a common fund of universally the same concepts from the basis of all systems. If we eliminate the ritualist elements of certain legal systems, we are left with an area within which the most varied legal systems recognize certain common

principles. This is evidenced by the worldwide uniformity which has been achieved by Treaties in special fields of law."

She pointed out that World Peace Through Law is long overdue. "Just as the Soviet's traumatic successful launching of the first artificial satellite triggered the space race, so should the current crisis in the Vietnamese conflict trigger the race for World Peace Through Law", she urged.

She recalled President Johnson's declaration that "No lasting peace will be possible until we have a world order based on, and regulated by, law".

She urges upon the President: "Appropriate a fraction of the billions that are now budgeted for so many less meritorious projects"—so that the legal machinery can be established to make what was expressed to be a "dream come true."

She recalled also Chief Justice Warren's words that "Every person has a personal stake in replacing a world ruled by force with a world ruled by law"; and emphasized: "In the final analysis, it is the people in every nation who must call for action by leaders and governments throughout the world, to erect a legal basis for the resolution of disputes between nations as the most worthy and most practical means for settling conflicts and safeguarding against violent conflicts between nations".

In conclusion, Miss Springer made a three-point proposal, for: (1) Establishment of a scientific Law Laboratory, for coordination of the existing fragmentary activities, to research and formulate a workable system of law and courts to displace war in the settlement of international disputes; (2) Creation of a Cabinet-level Department of Peace, to "balance the scales" of the War Department; and (3) Calling of an International Conference on "Conservation of Humankind", to bring together governmental leaders on the ministerial and cabinet level who need to understand, and have the power to act in, the world's conservation need of World Peace Through Law.

"The case for World Peace Through Law", she concluded, "with civilization itself as a client, can and must be won, before the time limitations run out".

[From the Los Angeles (Calif.) Daily Journal, Mar. 8, 1968]

LAW DAY IS WILSHIRE BAR'S RADIO THEME

The Wilshire Bar Association's newest innovation of Law-Lay broadcasts, is a "specialty" series of television programs in the field of broadcasting specialization.

The first scheduled special program, is on the subject of "The Role of Law in Modern Business", by a panel of two judges and two lawyers, to be televised on the "Financial Station", KWHY–TV, Channel 22, which specializes in televising regularly the stock market and financial news to businessmen.

The program, on business law for laymen, will include the Law-Day theme, to be televised twice on May 1st, at 3 p.m. and 7 p.m., in a discussion of the role of laws, regulations, and rules of government and of governmental agencies, involved in American industry, with emphasis on the law of contracts in its relation to the free enterprise system.

The panelists are:

Wilshire Bar President Jerome Schwartz, Moderator;

Adele I. Springer, chairman of the Wilshire Bar's Committee on International Law, will discuss the international aspects of the subject;

Municipal Court Judge Elisabeth E. Zeigler, will discuss the Judicial role on the trial level; and

Justice Clarke E. Stephens of the Court of Appeal, will discuss the Judicial Role on the appellate level.

Additional telecasts on other channels, have been arranged, on additional "specialty programs", on different subjects:

"The Intelligent Parent" Program, on KCOP–TV Channel 13, on Sunday noon, April 14th, will feature the subject of Juvenile Delinquency, Youth Crime and Law Enforcement, by a panel of three:

Wilshire Bar Past President Ezra E. Stern;

Superior Court Judge Kathleen Parker; and

Superior Judge Leopoldo G. Sanchez of the Juvenile Court.

The Wilshire Bar has also innovated an early launching of Law Day, with a new series of television programs, in the English language, in addition to the Association's continuing foreign-language broadcasts:

A pre Law Day weekly series of eleven half-hour telecasts on KHJ–TV, Channel 9, on the Tempo Program, has been scheduled, on Law for Laymen, under auspies of the Wilshire Bar, to be televised each Thursday, at 9:30 PM, up to and including Law Day, May 1st:

Wilshire Bar President Jerome Schwartz opened this new KHJ–TV series with a telecast on the "Small Claims Court"; followed by a second telecast by Committee Member Herbert Cameron, Chairman of the Property Assessment Appeal Board, on "How to Lower Property Assessments"; and by a third telecast, by Committee Member Jay C. Foonberg, Attorney and CPA, on "How to Pay Less Income Tax".

This new TV series includes the following additional weekly Speakers and their subjects:

March 14th: Municipal Court Judge Irwin J. Nebron: "The Individual's Right of Privacy & Police Officer's Right to Search";

March 21st: Robert M. Schreiber, Wilshire Bar President-Elect: "Fair Trial Free Press";

March 28th: Adele I. Springer, Wilshire Bar Committee Chairman: "World Peace Through Law";

April 4th: John S. Hunt, Wilshire Bar Past President: "Legal Problems of Artificial Insemination";

April 11th: Joseph D. McNeil, Wilshire Bar Past President: "What to do if Injured or Sued in an Automobile Accident or if arrested for a Traffic Violation";

April 18th: William F. McCreery, Wilshire Bar Board Member; President of Southern California Division of the Chicago Title & Insurance Company: "Legal Rights and Responsibilities of Landlords & Tenants";

April 25th: Rob R. Schuyer, Wilshire Bar Treasurer: "Legal Tips on Installment Buying";

May 1st: Law Day: Judge-Lawyer Panel: Kenneth E. Lynch, Wilshire Bar Vice-President; Former Chief Deputy Attorney-General of the State of California; Justice Macklin Fleming of the California District Court of Appeal "The Rule of Law as Contrasted with the Rule of Force under Communism."

Additional Law Day programs have been scheduled on other Channels: KTTV–TV, Channel 11, April 30th at 3:30 P.M.: Harold J. Delevie, Wilshire Bar Vice-President-Elect; on the Law Day theme, "Only a Lawful Society can Build a Better Society"; and KCOP–TV, Channel 13, at Noon: Joseph A. Zahradka, Wilshire Bar Past President, on Traffic Laws.

[From the Los Angeles (Calif.) Daily Journal]

WILSHIRE BAR NAMES FOREIGN LANGUAGE TELEVISION PROGRAMS

Schedule of the Wilshire Bar Association's weekly television series of Law—Lay foreign—language programs, is announced by President Jerome Schwartz.

The committee chairman, Adele I. Springer, reported on the expansion of the Wilshire Bar's unique educational broadcasts, which specialize in informing people of foreign origin on legal matters vitally affecting their lives, and in expounding and advancing the doctrines of Americanism.

Committee Members and Judges currently scheduled, in their various fields of law, to interpret law for laymen, in the respective foreign languages, include:

SPANISH

International Television Station KLXA–TV, Channel 40; Saturday 10 AM Weekly:

Jan. 13: Atty William G. Simon, Formerly FBI Regional Director: "Crime and Law Enforcement".

Jan. 20: Superior Judge Leopoldo G. Sanchez, Juvenile Court Judge: "Juvenile Law Enforcement and the Right to Counsel".

Jan. 27: Municipal Court Judge John A. Arguelles: "Your Small Claims Court".

Feb. 3: Municipal Court Judge Benjamin U. Vega, Member of Governor's Advisory Committee on Children and Youth: "Legal Role of Youth".

Feb. 10: Chief Deputy Public Defender Antonio Chavez: "Narcotics and Law Enforcement".

Feb. 17: Judge Herbert Cameron, Chairman of Assessment Appeal Board: "How to Proceed to Lower Your Property Assessments".

Feb. 24: Atty Harry C. Donkers: "Legal Problems of Americans Doing Business Abroad".

Mar. 2: Atty Anita Castellanos: "Recent Changes in the Immigration Laws".

Mar. 9: Atty and CPA Jay C. Foonberg: "Income Tax Problems and Procedures: How to Pay Less Income Tax".

Mar. 23: Atty Donald E. Brown: "What You should Know about your Will and Estate Planning".

Mar. 30: Atty Joseph L. Ventress: "American Lawyers' Lega[redacted]es".

Apr. 6: Superior Court Judge Alfred Peracca: "Judicial Role of Law Enforcement".

Apr. 13: Municipal Court Judge Philip M. Newman: "Mutual Respect for Law and Order".

Apr. 20: Panel American Citizenship Symposium.

Apr. 27: Panel Law Day Symposium.

ITALIAN

Radio Station KTYM–AM 1460; Saturdays 9 AM:

Jan. 20: Atty Joseph L. Ventress, Counsel to Italian Consulate: "The Legal Services & Economic Opportunity Program".

Jan. 27: Municipal Court Judge James Di Giuseppe, Traffic Court Judge: "The New Traffic Laws".

Feb. 3: Municipal Court Judge Mario Clinco: "Crime and Law Enforcement".

Feb. 10: Municipal Court Judge Joseph R. Grillo: "Highlights of the Municipal Court".

Feb. 17: Superior Court Judge Alfred P. Peracca: "Judicial Role in Law Enforcement".

GERMAN

Radio Station KTYM–FM 103.9; 8. PM: "Deutsche Rundfunk"; (German Radio Broadcasting Company):

Jan. 26: Municipal Court Judge Erich Auerbach: "Individual's Right to Privacy and The Police Officer's Right to Search".

Jan. 29: Atty Joseph Bernfeld: "Your Rights under the Bankruptcy Laws".

Feb. 2: Atty. Bernhard Frenznick Abbott: "What You should know about your Will and Estate Planning".

Feb. 5: Atty Eric N. Arnheim: "Recent Changes in the Immigration Laws".

Feb. 9: Atty Eric N. Arnhem: "How to Protect your Inventions under the Patent Laws".

Feb. 12: Prof. Gert Hirschberg: "American Lawyers' Legal Aid Services".

FRENCH

Radio Station KPPC–AM 1240, KPPC–FM, 106.7, Saturday 1 PM. (Alliance Francaise of Los Angeles Program):

Jan. 20: Atty Harry C. Donkers: "Legal Problems of Americans Doing Business Abroad".

Jan. 27: Municipal Court Judge Joseph R. Grillo: "Highlights of the Municipal Court".

Feb. 3: Atty Joseph Bernfeld: "Your Rights Under the Bankruptcy Laws".

Feb. 10: Municipal Court Judge Erich

Auerbach: "Individual's Right to Privacy and the Police Officer's Right To Search".

Feb. 17: Atty Rob R. Schuyer: "American Lawyers' Legal Aid Services".

Feb. 20: Appellate Judge Macklin Fleming, District Court of Appeal: "World Peace Through Law".

ARMENIAN

Radio Station KTYM-AM, 1460, 10 AM Sunday:

Jan. 21: Atty John K. Nazarian, President of Mechanic Lein Group: "Your Protection in Real Estate Transactions".

Jan. 28: Atty John K. Nazarian, Judge Advocate Coordinator for Air Force Continental Air Command: "Legal Aid and Military Justice".

HUNGARIAN

Radio Station KTYM-AM, 1460, 10 AM Saturday:

Jan. 27: Atty Edward Flam: "American Lawyers' Legal Aid Services".

DANISH

Radio Station KTYM-FM, 103.9, 8 PM:

Jan. 24: Atty Eric N. Arnhem: "Recent Changes in the Immigration Laws".

Jan. 25: Atty Eric N. Arnhem: "How to Protect Your Inventions Under the Patent Laws".

Feb. 12: Atty Eric N. Arnhem: "American Lawyers' Legal Aid Services".

The series of programs on law for laymen will be continued not only on additional subjects of law but also in other foreign languages, on radio and television, under the auspices of the Wilshire Bar Association.

SUNLAND-TUJUNGA BEAUTIFUL

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. REINECKE. Mr. Speaker, my State of California has enjoyed for some time now a reputation for an educational system of the highest caliber. I would like to bring to the attention of my colleagues one more illustration of the excellence of that system, an illustration which shows the meaningful harnessing of the abundant energy and budding talents of some of our young people.

Working with the guidance of Principal J. Cosby Stone, and agriculture teacher Ephraim Donitz, the students of Mount Gleason Junior High School of Sunland, Calif., have actively participated for the second year in the Sunland-Tujunga Beautiful Contest.

The overall program consists of public community, home, and building projects as well as "Mount Gleason Beautiful," an effort by 22 homerooms to beautify the school and keep it clean. There are some 600 students active in the school beautification project.

The judging of the projects was held several days ago and an award assembly will be held on May 10.

I am sure my colleagues will join with me in saluting these young people, who, notwithstanding the distribution of awards on May 10, are winners all, by virtue of their hard work and constructive efforts at a time when destruction and vandalism seem to be a more frequent activity of the young.

Mr. Speaker, I include a news item from the Tujunga Record-Ledger which describes this commendable project:

MOUNT GLEASON JUNIOR HIGH JOINS SUNLAND-TUJUNGA BEAUTIFICATION

Mt. Gleason Junior High School has launched its second year of participation in the Sunland-Tujunga beautiful contest. The deadline for entering the competition is Feb. 29, and application blanks may be obtained from the Efraim Donitz, the school's agriculture teacher.

Categories for entrants include public community projects. Applications have already been filed by Shepherd of the Hills Lutheran Church and the Christian Bible Church. Neighboring children on Tujunga Canyon Boulevard have selected an oak tree in the street as a project. Other churches in the community will also be participating.

Home projects are a second category. Sixty Mt. Gleason students have already registered home beautification projects and the total number in this category is expected to reach 99.

Mt. Gleason beautiful is another project in which 22 school homerooms are competing in a contest to beautify the school and keep it clean.

Building Project is the fourth item. The landscaping class and agriculture club are preparing a picnic area for the school in which different landscape construction samples are demonstrated. The various projects will be available for the community to view during the evening of April 24, during the annual open house.

A student committee is working with faculty members to coordinate the projects. Student members include John Forugno, president; Susan Enco, corresponding secretary; Dava Segal, secretary; Peggy Horlings, publicity; Vicky Stasik, treasurer.

Working with the students are: J. Cosby Stone, principal; Mrs. Ann Buss, girls' vice-principal; Efraim Donitz, agriculure teacher; and Mrs. Marie Wright, journalism teacher.

The projects will be judged on April 27, by a panel of judges and an awards assembly will follow on May 10.

THE 50TH ANNIVERSARY OF THE DECLARATION OF THE INDEPENDENCE OF BIELARUS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. DERWINSKI. Mr. Speaker, I insert into the RECORD the resolution unanimously adopted by the Chicago Bielarusian-American Committee for the Observance of the 50th anniversary of the Declaration of Independence of Bielarus and the address given by the chairman of the committee, Nick Zyznieuski, at the Sheraton-Blackstone Hotel, Chicago, on March 31, 1968.

The people of Bielarus are one of the many non-Russian national groups subjugated by the Moscow dictatorship.

The resolution and address follow:

RESOLUTION OF THE CHICAGO BIELARUSIAN-AMERICAN COMMITTEE FOR THE OBSERVANCE OF THE 50TH ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE OF BIELARUS

Whereas, the people of Bielarus (Byelorussia), one of the first victims of the Russian Communist aggression, which last year marked fifty years of the existence of their imperialistic and colonial state, have been forcibly deprived of their national sovereignty, their religious, political, cultural, and economic liberty, and are still subjected to inhuman policy of oppression, terror, mass deportation, Russification, economic slavery and colonial exploitation; and

Whereas, the Bielarusian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they had rightly enjoyed for many centuries in the past; and

Whereas, with the attention of the world focused on the new African and Asian nations which were liberated from colonialism with the aid of the United Nations and have joined the community of free and independent states, the plight of the Bielarusian and other non-Russian nations enslaved in the U.S.S.R. have been neglected; and

Whereas, the present government of the Bielarusian S.S.R. and its United Nations delegation, who are not democratically constituted representataives of the Bielarusian nation but only the executors of the will of the Russian colonial administration, will not and cannot, therefore, protect and defend the Bielarusian people: Therefore be it

Resolved, That this Commemorative Assembly of the fiftieth anniversary of the Declaration of Independence of Bielarus appeal to the President, the Secretary of State, and members of the Congress of the United States of America with the request to do everything possible that the liberation of Bielarus and other countries subjugated by Communist Russia be included in the program of the American foreign policy; and be it further

Resolved, That the Government of the United States of America take appropriate steps through the United Nations and other channels to stop the Soviet Russia's policy of colonialism in Eastern Europe and force the Russians [redacted] their armed forces from non-Russian lands and to institute free elections in Bielarus under the supervision of the United Nations, as it was already proposed in the resolution in the Senate of the United States by the Senator from Illinois, Everett M. Dirksen, on January 22, 1965; and be it further

Resolved, That we, Americans of Bielarusian origin and descent, reaffirm our adherence to the American democratic principles of government and pledge our support to our President and our Congress in their firm stand against the Communist aggression in Vietnam and in their efforts to achieve a lasting peace in the world, with freedom and justice; and be it further

Resolved, That we, Americans of Bielarusian birth and ancestry, direct this resolution to both the Democratic and the Republican National Committees, requesting that freedom of Bielarus be also included in their political platforms this election year.

Honorable guests, reverend fathers, ladies and gentlemen, as Chairman of the Chicago Bielarusian-American Committee for the Observance of the Fiftieth Anniversary of the Declaration of Independence of Bielarus, I have the great honor and distinct personal privilege to formally open our commemoration of March 25, 1918. This I now do. The Chicago Bielarusian-American Observance of the Fiftieth Anniversary of the Declaration of Independence of Bielarus is now formally opened.

This is altogether a happy and a sad anniversary. It is a happy one because fifty years have come to a close after this historic event took place in the Bielarusian capital Miensk, and a sad one because in reality Bielarus has been deprived of independence and was one of the first victims of the Communist aggressions. And this is why, our compatriots in this country today understand and support our President and the United States Government in the struggle waged on behalf of the people of South Vietnam.

I do not think it will be fair for me to discuss in detail our celebration today. We have our fine speakers here and I am sure they will acquaint you with facts, desires and aims of the Bielarusion people. I do, however, wish to make a few general remarks.

First of all, I wish to extend our heartfelt

welcome and most sincere gratitude to all of you and especially to our distinguished guests and representative of other nationalities. We are so pleased to have such a large gathering. I do hope that you will long remember today's celebration.

Secondly, it is interesting to note that our Independence Day falls in the same month as the official birthday of the City of Chicago, which on March 4, celebrated its 131th birthday. We are so much indebted to this great metropolis; for most of us it has been our second home since we first came to the United States of America; here we live, work and pray. Chicago is truly our city also. We are indeed grateful to our great mayor, the Honorable Richard J. Daley, for many considerations shown on behalf of our people. Although other more important matters have prevented him from attending our celebration, he has honored us with a proclamation, which will be read later, and we are very grateful for this and for his kindness and solicitude in our regard in the past.

Thirdly, we would like to make note of the fact that our fiftieth anniversary coincides with the hundred and fiftieth anniversary of the State of Illinois. We salute this great State and wish it continued growth and prosperity. We salute also its great governor, the Honorable Otto Kerner, and thank him for issuing a special proclamation on this occasion, and for his kindness in our regard in the past.

Finally, we bow in homage and reverence to our adopted country, the United States of America. Were it not for this great bastion of freedom and a haven of salvation, God alone knows where we would have been today. The world-famous Statue of Liberty, that great symbol of freedom and hope and opportunity, welcomed us into this great country, as it had welcomed hundreds of thousands of our brothers and sisters before us. Our hearts throbbed with inexpressible joy when we first noticed the Statue of Liberty; and it has been our source of inspiration and encouragement in our struggle for the realization of these same ideals in our own country. And so, to this great land, to its founding fathers, and to its present leaders with President Lyndon B. Johnson at the head, we wish to offer our profound gratitude and appreciation.

And so, my dear friends, in the spirits that animates this great country, this prosperous state, and this progressive city, let us begin our commemoration of the fiftieth Anniversary of the Declaration of Independence of Belarus. May the great historical event of March 25, 1918, which we commemorate today, soon become a reality for our suffering and oppressed brothers and sisters in Belarus. May they soon enjoy also to the fullest the blessings of freedom and liberty that the act of March 25, 1918, solemnly proclaimed. May Almighty God hear our prayers and hasten that day!

THE NATIONAL ECONOMY: A STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. RHODES of Pennsylvania. Mr. Speaker, the Nation's unprecedented 7-year economic advances is a notable accomplishment. But, all of us, I am sure, realize that serious problems of unemployment, underemployment, and lag of buying power have persisted throughout this period and remain unsolved today. Long ago, organized labor made its commitment to sacrifice, willingly, through even-handed restraints on all areas of the economy, to continue both social and economic progress in this country and honorable prosecution of the war in Vietnam. At its most recent meeting, the executive council of the AFL–CIO reaffirmed and defined that commitment. I think the council's statement merits the attention of every citizen, and under unanimous consent, I place it at this point in the RECORD:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON THE NATIONAL ECONOMY, BAL HARBOUR, FLA., FEBRUARY 23, 1968

The national economy's advance, which got underway in 1961, continues to add to employment and incomes. The economic performance of the past seven years has been a most welcome improvement after the trend of rising unemployment and recurring recessions during most of the 1950s. Between 1966 and 1967, for example, employment rose 1½ million.

Desipte this record of achievement, the American economy remains some distance from full employment. Unemployment persists at much too high a level and in 1967 there was no improvement in this important indicator of the American people's economic well-being—3.8 percent of the labor force remained unemployed.

The economic advance, thus far, has failed to provide enough job opportunities for a rapidly growing labor force in a period of radical technological change—particularly for the most disadvantaged job seekers among teenagers, Negroes and unskilled workers.

Moreover, the benefits of the national economy's much-improved performance in the 1960s have not been shared equitably among the various groups in the population. A disproportionately great share has gone to business and upper-income families, even after accounting for last year's small decline in profits.

Although some business and government spokesmen attempt to blame rising unit labor costs for much of the increase in the price level, the record clearly shows that the price level has been rising in recent years, regardless of what happened to labor costs per unit of production. Between 1960 and 1965, for example, when unit labor costs of manufactured goods fell 1½ percent or more, wholesale prices of manufactured products rose 1.7 percent—boosting profit margins and increasing the business share of the fruits of the economy's progress And when workers sought to catch up with rising living costs and the gains of the economic advance in the past two years, business raised prices at a faster pace, to maintain enlarged profit margins.

After a brief and slight decline from great heights, corporate profits are now booming again. As the *Wall Street Journal* of February 13, 1968 reports: "Business appears to be back on the comfortable track it wandered off for a year beginning in late 1966—the track that leads straight from one quarterly profit record to another."

Between 1960 and 1967:

Corporate profits, after payment of taxes, skyrocketed 77 percent.

Dividend payments to stockholders soared 70 percent.

Weekly after-tax take-home pay of non-supervisory employees in private industry with three dependents increased only 25 percent—and in terms of buying power, less than 11 percent. Moreover, in two years between December 1965 and December 1967, the buying power of these workers' weekly take-home pay actually fell 1½ percent.

Real compensation per hour of non-supervisory employees in private, non-farm industries increased only about 2½ percent a year in the 7 years 1960–1967. But the real volume of production per manhour in the entire private economy rose at a yearly rate of 3.3 percent.

The vast majority of wage and salary earners have not received a fair share of the fruits of the national economy's advance. A disproportionately large share has gone to business, to executive and managerial personnel, to the self-employed such as doctors and similar groups, to capital gains from the sale of property.

This unfair distribution of the benefits of the economy's progress is clearly unjust to wage and salary earners, who are the vast majority of the population and the backbone of American society. It undermines the strength of consumer markets, the base of our economic system. And it helps to explain the slower-than-expected expansion of consumer sales in the past year, which seems to mystify so many business and government commentators on economic trends. In addition, it widens the economic and social distance between various groups in the nation.

Moreover, the complex domestic problems that festered from neglect during most of the 1950s remain unsolved despite the beginnings of numerous federal government programs to achieve solutions. Radical changes in technology, accompanied by rapid urban growth and changes in race relations, pull and tug at the fabric of our society.

However, there are those who claim that the economic advance has gone too far and clamor for unemployment-breeding restrictive policies. In 1966, the Federal Reserve pursued a very restrictive monetary policy, which pushed int[redacted] to their highest levels in 40 years, threw much-needed residential construction into a deep recession along with such related industries as lumber and furniture, and contributed to the economic slow-down of the first half of 1967. There is danger that similar policies may be pursued in 1968, despite the fact that unemployment persists and industry is operating only about 85 percent of its productive capacity.

There are also those who clamor for a slashing of federal expenditures for such essential measures as federal aid for education, housing, urban affairs, health-care, air and water pollution measures, anti-poverty and welfare—those who claim that America's $800 billion economy cannot afford public facilities and services in the midst of the Viet Nam war.

1. We reiterate our conviction that the American economy has the resources to extend and expand social advances at home, while meeting military requirements in Viet Nam. The cost of the war should not be absorbed by cutting back or freezing essential federal programs for domestic progress. The great productive ability of the American economy can provide the foundation for both continued social progress at home and an honorable settlement of the war in Viet Nam.

The expected sharp rise in the government's administrative budget deficit in fiscal years 1968 and 1969, due to military expenditures, can be reduced, without mounting pressures on interest rates and the availability of money and credit. A temporary war surtax is needed to reduce the amount of money the government will have to borrow in the money market and to eliminate the threat to home-building and related industries from tight money and higher interest rates.

The needed temporary surtax should be based on ability to pay, including taxation of personal and corporate income that escapes taxation through major loopholes in the tax structure. The surcharge on corporations should be at least twice as great as on personal income. The surcharge on personal income should be clearly set on the basis of ability to pay. Corporate and personal income, excluded from taxation by tax loopholes, should be subjected to at least the same tax rate as the surcharge.

2. We insist that the top-priority objective of national economic policy should be to achieve and sustain full employment—jobs at decent wages, for all people who are able to work and desire employment. The demand for goods and services from consumers, government and business must expand sufficiently to provide enough new job opportunities for the unemployed, for the great numbers of entrants into the labor force and for those displaced by spreading automation. The federal government's tax, expenditure and monetary policies, in combination, should encourage the necessary expansion of demand to achieve and maintain full employment.

3. Adoption of a program to create one million public service jobs for the unemployed and seriously under-employed is essential—along the lines of the bill introduced by Congressman O'Hara of Michigan. Such a decisive measure to create jobs in socially useful work—to perform much needed services that would not otherwise be done in parks, playgrounds, hospitals and other public facilities—is urgently needed.

4. Manpower training programs—including basic literacy education, personal guidance and health rehabilitation—are essential to aid the unemployed and under-employed to compete more effectively for available employment. Although such programs do not create jobs, they can be of great benefit to the national economy, as well as the workers themselves, by upgrading the skills of the unemployed and unskilled. The recent emphasis on government-financed business programs to train workers should not include wage subsidies or other payments to the employer; beyond the extra cost of providing special training and supportive services for the hard-core unemployed, that are in addition to his normal training costs. Even the best-planned training programs, however, can be of little avail, if they are not accompanied by government programs to create jobs and achieve full employment.

5. The lag of real wages and salaries must be ended. A substantial rise in the buying power of wages, salaries and fringe benefits is needed to provide wage and salary earners with a fair share of economic progress and to strengthen consumer markets that are the foundation of the American economy. Only through an improved balance in the economy—between wages, profits, dividends and other forms of income—can there be assurance of sustained economic growth to reach full employment and maintain it.

Rising business profits should be based on an expanding sales volume—rather than on swollen profit margins at the expense of workers and consumers.

We will continue to press for wage and salary increases to offset rising living costs and to advance buying power. We firmly believe that wage and salary earners deserve to share equitably in the gains of the economy's progress. The nation's rapidly rising productivity and great profitability of business make possible such improvements in wages, salaries and fringe benefits, within the context of a relatively stable price level.

We repeat again, as we have in the past two years: If the President determines that there is a national emergency that warrants extraordinary stabilization measures—with even-handed restraints on all costs, prices, profits, dividends, rents, corporate executive compensation (salaries, bonuses and stock options), as well as employees' wage and salaries—he will have the support of the AFL–CIO. But rigid application of a single "magic number" based on one economic factor alone, cannot be a workable or fair means of wage determination in a country of continental size, with thousands of different markets, industries and occupations. We are prepared to sacrifice—as much as anyone else, for as long as anyone else—so long as there is equality of sacrifice.

"PAPER GOLD" SCHEME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. RARICK. Mr. Speaker, now that the American's gold cover has been released, Congress will be asked to "OK" a scheme to add $2 billion a year to the world monetary reserves.

We of the taxpayer herd are educated to accept gold as an antiquated object of value—that wallpaper is good enough for us. Yet the International Monetary Fund must have gold to back up its SDR's—special drawing rights—affectionately called paper gold. Rather a double standard toward gold appreciation.

I include reports of April 30 for the Washington, D.C., Evening Star and Post, as follows:

[From the Washington (D.C.) Evening Star, Apr. 30, 1968]

JOHNSON SENDS "PAPER GOLD" PLEA TO HILL

(By Lee M. Cohn)

President Johnson asked Congress today to take the "historic step" of ratifying U.S. participation in the creation of a new form of international money—special drawing rights known popularly as "paper gold."

Passage of the necessary legislation will be "a vote for a stronger world economy," Johnson said in a special message.

The legislation specifically would authorize Johnson to accept amendments to the charter of the International Monetary Fund to set up the system for creating special drawing rights, or SDRs.

Treasury Secretary Henry H. Fowler is scheduled to testify for the legislation before the House Banking and Currency Committee tomorrow. On the Senate side, the legislation will go before the Foreign Relations Committee.

The legislation is believed to have strong bipartisan support.

SDRs will be a new form of international monetary reserves, supplementing gold, dollars and other reserves in transactions among central banks.

Reserves are used to settle balance of payments deficits and to support the value of currencies in exchange markets.

When the SDRs are created, they will be distributed according to member nations' quotas in the IMF. The United States would receive about $250 million of each $1 billion created.

EXCHANGE FOR CURRENCY

SDRs will be exchanged for the currency of the country accepting them and this currency in turn will be used to settle international accounts and support currency values.

The SDR machinery will be established when the plan is ratified by 65 IMF members accounting for 80 percent of the IMF quotas.

Once the machinery is set up, SDRs will be created after consultation and approval by IMF members with 85 percent of the quotas.

Sufficient ratifications are expected early next year, but it is not clear when SDRs will be cranked out. This depends largely on progress in reducing the U.S. balance of payments deficit.

Johnson said a strong dollar is essential to international financial stability, so the United States must deal swiftly with its budget and payments deficit.

URGENCY STRESSED

"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," he said.

Johnson said new international monetary reserves must be created because traditional reserves are not growing fast enough to keep pace with world trade and the flow of capital.

If reserves are not expanded adequately, he warned, "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."

[From the Washington (D.C.) Post, Apr. 30, 1968]

CONGRESS TO BE ASKED SOON TO APPROVE NEW MONEY PLAN

(By Frank C. Porter)

Congress will be asked to approve legislation for the creation of a new international money "in the very near future" and the "general presumption" is that the scheme would add about $2 billion a year to the world's monetary reserves.

This was the testimony of Treasury Under Secretary Frederick L. Deming given in executive session of the House Subcommittee on International Finance and released over the weekend.

The plan involves the creation of special drawing rights (SDRs) within the International Monetary Fund as reserve assets supplementing principally gold and the dollar.

The plan the Congress—as well as the governments of other potential participants—will be asked to ratify would only set up the machinery. A further decision would be required to implement it and actually create the SDRs.

But Deming told the Subcommittee that implementation is much closer than anyone expected a year ago, when the proposal was considered a "contingency plan" to be triggered at some remote date when the demand for monetary reserves had vastly increased.

Since then, however, British devaluation and the ensuing run on gold has changed the prospects. Last month's Washington Agreement, in which the gold pool nations decided to hold the monetary stock of gold at its present level and quit supplying the private market, was premised on early creation of SDRs.

President Johnson conferred yesterday with Congressional leaders on monetary matters. There was speculation that the prime subjects was SDRs and that early ratification of the plan, on which the IMF is now putting the final touches, will be asked.

Deming was non-committal on suggestions by Subcommittee Chairman Henry S. Reuss (D-Wis.) for heading off a possible future run on the dollar.

Reuss proposed that if foreigners insisted on converting a substantial portion of their $33 billion in claims against the remaining $10 billion in American gold, the United States should try to get as many governments as possible to agree to pooling their gold and foreign exchange reserves in the IMF, against which the IMF would issue a new form of drawing rights.

Failing this, the United States could simply refuse to support the dollar by selling gold and resort to currency exchange operations instead, Reuss said.

Deming said Reuss's proposals are worthy of study but stopped short of endorsing them.

The creation of about $2 billion in SDRs a year would provide an annual growth rate of about 3 per cent in the world's monetary reserves, the Under Secretary said. His was the firmest estimate yet of how much the plan would add to reserves. Earlier, there had been numerous guesstimates of $1 billion to $1.5 billion.

PRESERVATION OF NATURAL RESOURCES

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. TUNNEY. Mr. Speaker, I would like to place in the RECORD an editorial from the New York Times entitled "To Save a Nation." This editorial succinctly points out the tremendous job we as a Nation have before us in the field of conservation. Our Nation's future is dependent upon the conservation of our natural resources and this task should be given the highest possible priority by the Congress and the administration.

The editorial follows:

TO SAVE A NATION

Man's technological capacity to alter his environment and his preference for speed, profits and convenience have placed his very existence in jeopardy. From the ravaged redwood forests of California to the oil-befouled beaches of Puerto Rico, from the now threatened waters of Lake Baikal in Siberia to the choking, polluted air above New York and a hundred other major cities around the globe, humanity is threatened by the unintended consequences of its own ingenuity.

The reckless, unheeding misuse of technology and the refusal to respect ecological values may make earth an uninhabitable environment. As President Johnson observed in his message to Congress last week, "conservation's concern now is not only for man's enjoyment—but for man's survival."

The issues are worldwide but, until the concern is also worldwide, each nation must act to save itself and try to conserve what it can of the human habitat. The United States, one of the most prodigal offenders, is also one of the leaders in the belated effort to bring technologies and resources into a humane balance. That is what conservation is all about.

No recent Administration has accomplished more for conservation than President Johnson's has over the past four years. In part, the President and Secretary of the Interior Udall have made good in a generation of agitation and education. They have also provided strong leadership and some fresh initiative on their own.

The latest message is in the nature of an interim report, reviewing old problems and calling attention to some that are new. Its greatest merit is its comprehensiveness; it brings together many diverse but interrelated environmental issues.

Three of Mr. Johnson's recommendations are particularly promising. He proposes giving the Secretary of the Interior authority to regulate the viciously destructive strip-mining industry. If the states do not devise adequate controls within two years—as Kentucky already has done—the Secretary could impose Federal standards.

Similarly the President asks that the Secretary of Health, Education and Welfare be empowered to develop and enforce standards covering chemical as well as biological contaminants of drinking water since a recent study indicates that nearly one-third of the nation's public water systems may not be pure.

And to combat the growing danger to the world's oceans and beaches from tankers which spill oil, Mr. Johnson seeks to create an economic incentive for better management. Shipowners would be required by law to reimburse the Federal Government for the full cost of cleaning up oil pollution.

The exciting ideas about long-range planning set forth in last year's report on the Potomac River Valley are carried forward in the President's recommendation that Congress declare the Potomac a "national river" and provide coordinated types of zoning in the valley.

President Johnson submits seven areas for inclusion in the wilderness system and renews his request for several valuable pieces of legislation, some of them long in the Congressional mill, to establish a network of scenic hiking trails, protect certain wild and scenic rivers, revive the highway beautification program, replenish the Land and Water Conservation Fund and create national parks in the redwoods and the North Cascades.

If he properly understands his relationship to his environment and has the will and self-discipline to do so, man can be master, rather than victim of his own economic and technological forces. The President's message sets forth the minimum measure needed for what must be an unremitting effort.

ONLY A LAWFUL SOCIETY CAN BUILD A BETTER SOCIETY

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. MACHEN. Mr. Speaker, Law Day, U.S.A., gives us an opportunity to look at our system again and reflect inwardly on what each of us as lawmakers and citizens can do to insure the abiding qualities of the American way of life—liberty and freedom. These eternal freedoms which most of us regard as commonplace and take for granted, were not always available, but were won at Runnymede and are embodied in the Magna Carta. The underpinnings of that great charter and of our own society, is that we are a nation ruled by laws and not men. The rule of law, what a tremendous impact it has had on the development of life, liberty, and the pursuit of happiness in the framework of our lawful society. From no other basis could American life continue its sustained progress toward a better society. We need only examine the legislative enactments of the last 3 years to realize the revolution that has taken place in American thinking in the efforts to achieve a better society for all citizens. Indeed, these achievements could only have been accomplished in a lawful society.

Law and order must be the starting point to build a better society, for without this the great strides that still must be made in the years ahead in the social, economic, and political fields will never get off the ground. And education is the key that unlocks the door to a progressive society. With education, millions of Americans can be freed from the bonds of ignorance; our deprived citizenry can be taught to respect and appreciate lawfulness; to achieve and be limited only by their capabilities and ambition within the framework of an orderly society.

But I would interject a word of caution at this point. Does ones education and freedom allow him as a responsible citizen to publicly promote disobeyance of laws because they do not favor such laws? I submit it does not, and I would further emphasize that this type of activity is lawbreaking as much as the recent rioting and looting in our Nation's Capital was lawbreaking. It appears that smaller, lesser crimes, generally precede greater crimes; when an individual has been allowed and is able to violate the limits set by law, he may later violate our most sacred rights. The rule of law applies at all levels of our society.

The liberty and freedom which we today enjoy and which is so essential to progress must be a liberty connected with good order. Indeed, without this prerequisite to liberty, progress to a better society cannot exist at all.

PROTEST AGAINST AN ABSURD ORDER

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. STUCKEY. Mr. Speaker, I rise to speak because I am upset, angry, and indignant. Georgia men are dying on the battlefield of Vietnam every day. These men are good soldiers. They realize the importance of following the regulations of our armed services and the orders of their commanding officers.

However, Mr. Speaker, I have just learned that one of our men has refused to carry out an order.

Because of the nature of this order, I cannot remain silent on the matter. I am obligated to bring this absurd action to light and call to the attention of my colleagues the order which this young man refused to carry out.

The order, Mr. Speaker, was to remove from his wall above his bunk, the flag of his home State of Georgia.

Allow me to read briefly, a part of this soldier's letter to his mother.

DEAR MAMA: Last week, a few days ago, because of the racial tension, an order came out to remove all flags—"Rebel Flags" or any flag which contained the Confederate Symbol which as you know, our Georgia Flag is largely made up of. We were told to take down the Georgia, Alabama, Mississippi and Confederate flags—yet, the New York, Ohio, and others may still be displayed.

I have always respected military authority and have always been one to do what I was told—regardless, but this hit me with an emotion I have never experienced before and I have refused to do it. To let a New York Flag fly when a Georgia Flag can't. I doubted seriously the legality of them doing it. I refused to do it for my Commanding Officer, and I requested to go all the way to the General. I was so furious I sat and wrote a letter to Governor Maddox explaining it and asking that something be done about it. The Commanding Officer came in and said he wanted to talk to me before I wrote a letter to Governor Maddox and I said, "I'm sorry sir, but I just mailed it."

I do not think I need to read further, Mr. Speaker.

And, for what good reason was this order issued?

The reason given was that since some people view the Confederate flag as a symbol of racism, all State flags which contained bars and stars must be removed. Mr. Speaker, this includes nearly every Southern State. The order was that especially all Georgia, Alabama, and Mississippi flags must come down immediately. Other flags from such States as

New York and Ohio were allowed to remain displayed.

Our fighting men, Mr. Speaker, obtain the flags from their home States and they put them over their bunks as a reminder of what they are fighting for and to show their pride in their home State.

I am told that a young Negro soldier from the State of Alabama was told to take his State flag down. This young man asked his commanding officer who he was supposed to be prejudiced against?

Mr. Speaker, enough is enough. I will not stand by and watch a Georgia boy ordered to remove the flag of his State—the symbol of his heritage from his wall—just as I am sure that my colleagues from New York would not tolerate such an unreasonable, bigoted, and unpatriotic order of their fighting men.

I am sure, Mr. Speaker, that our generals in Vietnam have great responsibilities in conducting this war. I am sure that they have a tremendous responsibility for their men, but, I am also sure that this responsibility, Mr. Speaker, does not extend to the point of trying to destroy a soldier's faith, pride, and loyalty to his State.

I want to know, Mr. Speaker, which general it is who believes it is his duty to tell a man that he cannot display the flag of his State with pride and dignity.

I have written to my constituent, Mr. Speaker, and I have told him to keep me informed as to the developments of this incident.

I have written to the Department of Defense demanding—yes, I say demanding, Mr. Speaker—that this ridiculous and dangerous order be investigated.

And I call on my colleagues here today to join me in protesting this order for the removal of State flags from the bunks of our fighting boys.

ELECTORAL COLLEGE REFORM

HON. CLARK MacGREGOR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. MACGREGOR. Mr. Speaker, periodically in this session of the 90th Congress I have expressed grave concern over the potential constitutional crisis relating to the electoral process as a result of what might be a very close presidential election this year.

I sincerely hope that my warnings will not come true, for if we are faced next January with a deadlock over the selection of the President, the American people can quite clearly place the blame and responsibility for lack of corrective action squarely on the shoulders of Congress.

The Los Angeles Times on April 22 editorialized on this subject, and I am placing that editorial in the RECORD following my brief remarks. I am also inserting the February 22 editorial on the same subject from the Worthington, Minn., Daily Globe.

It is unfortunate, Mr. Speaker, that those holding the power in this Congress are refusing to take action on this vital subject in time to prevent what could be a crippling crisis next January.

The articles follow:

[From the Los Angeles Times, Apr. 22, 1968]

PRESIDENTIAL VOTE REFORM

George Wallace's third-party candidacy has brought home to a lot of people the potential perils which are inherent in our present method of electing the President of the United States.

Unfortunately, it is too late to do anything which will affect the conduct of this year's election. But Congress should not use this as an excuse for inaction if we are to make appropriate amendment to the Constitution before the next election in 1972.

A special commission of the American Bar Assn. did not overstate the case when it called the existing electoral college system "archaic, undemocratic, complex, ambiguous, indirect and dangerous."

Under the unit vote system now prevailing, all of a state's electoral votes go to the candidate receiving the most popular votes in that state—even if the margin of victory is only one vote.

This gives an unhealthy importance to special-interest voting blocs which, while perhaps representing small minorities of the electorate, can swing a close election under winner-takes-all rules. The system also encourages fraudulent vote counts.

Of much greater concern is the present constitutional provision that a candidate must receive half or more of all votes cast within the electoral college in order to be certified the winner.

Otherwise the election of the President is thrown into the U.S. House of Representatives.

Each state, in that event, has one vote. Thus, California's 38 congressmen representing 18-million people would have no more influence than Alaska's solitary congressman representing 250,000 people.

The House members would be under no legal obligation to vote for the candidate who got the most ballots in their state. And there is no barrier to ending up with a President and Vice President of different parties.

If public opinion is inflamed by rioting in the ghettoes this summer, it is entirely possible that Wallace will receive enough votes to throw the election into the House.

Although he still would have no chance of becoming President himself, he might well be able to dictate the final result by throwing his support behind one of the two major candidates.

As a price for this support, he might be able to extract conditions which the majority of Americans would find objectionable.

Such a situation is ludicrous, as well as being totally inconsistent with the "one man, one vote" principle laid down by the U.S. Supreme Court in regard to congressional elections.

Sen. Birch Bayh (D–Ind.) and 19 cosponsors are backing a proposed constitutional amendment which would eliminate the electoral college and substitute direct election by the voters.

The measure is based on recommendations by the American Bar Assn., which also suggested that a run-off election be held if no candidate receives 40% or more of the popular vote. This provision is aimed at discouraging the growth of splinter parties.

Hearings have been held in the Senate, but there has been no action in the House. No more time should be lost.

[From the Worthington Daily Globe, Feb. 22, 1968]

MACGREGOR EFFORT DESERVES LOUD SUPPORT

Former Alabama governor George Wallace is frank about the aim of his bid for the White House. Wallace sees (and acknowledges) that he cannot win an election outright but by taking advantage of the presidential election system he could dictate who the White House incumbent would be and could demand his own terms.

The opportunity for Wallace stems from the electoral college created in the U.S. Constitution. Americans do not vote directly for presidential candidates; they vote for electors. In each state it is "winner take all." The candidate with the majority of the popular votes gets all of the electoral votes. The candidate with the majority of the electoral votes takes the prize. It is possible—it has happened—that the candidate with the majority of the popular votes may still lose the election.

Wallace's hope, which is not unfounded, is that he may carry six or eight states. With that accomplishment he could deny either of the major party candidates a majority in the electoral college. The entire election then goes to the House of Representatives where each state is given one vote; a candidate must have 26 votes to win the presidency.

This is Wallace's hope for opportunity. To win the White House the major party nominees would require the six or eight votes held by George Wallace. Before Wallace would give his votes he would exact a price (he labels it a "covenant").

Minnesota Rep. Clark MacGregor has presently launched a campaign to amend the Constitution and to eliminate the electoral college, thus guaranteeing the popular election of a president. The time for this action is short, but not too short. It could be accomplished. H[redacted]egor's effort deserves wide support. Although it is instigated specifically in response to the Wallace candidacy, MacGregor's reform proposal has been discussed, carefully studied, and widely-endorsed through several decades.

Should MacGregor's effort fail, there is yet another hope for reform in the amendment proposal of Rep. Jonathan Bingham (D-NY) which would provide for a run-off election between the two leading candidates in a presidential campaign. This proposal also has merit.

If there is not quick and substantial public clamor to guarantee the success of one effort or the other, America may well face a governmental crisis without precedent under a system which allows a man who cannot win an election to dictate both the winner and the terms of the "covenant." Or—if neither candidate will agree to terms—the nation may continue into this time of crisis with no president at all.

DR. FREDERICK EBY, LATE FAMED TEXAS EDUCATOR

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. GONZALEZ. Mr. Speaker, the late famed Texas educator Dr. Frederick Eby was in the tradition of J. Frank Dobie and Dr. Perry Webb, who contributed so much to the rich culture of Texas.

Dr. Eby was a household word among educators as well as throughout the Nation.

An inspired teacher, a seminal thinker, Dr. Eby's loss is a hard blow. Yet, he has left his mark; and those he has inspired will carry on.

Franklin Parker, professor of education at the University of Oklahoma of Texas has written an appropriate eulogy. I would like to share it with you and my colleagues:

Dr. Frederick Eby, 1874–1968: Famed Texas Educator

(By Franklin Parker)

Death claimed famed Texas educator Dr. Frederick Eby at age 93 in an Austin hospital on February 10, 1968. Beginning in 1909 and for 48 years thereafter he was actively connected with the University of Texas as Professor and Chairman of the Department of History and Philosophy of Education.

Dr. Eby was born October 26, 1874, in a rural community of Ontario, Canada, where he received his early education. He earned the B.A. degree from McMaster University in 1895, and in 1921 he received an honorary LL.D. degree from that institution. He did graduate work at the University of Chicago under John Dewey and was impressed by the writings of G. Stanley Hall. He studied under Hall after the psychologist became President of Clark University in Worcester, Massachusetts, where Eby took the Ph.D. degree in 1900. He did post-doctoral study at the University of Berlin from 1905 to 1906.

Dr. Eby's teaching was done at Morgan Park Academy, then part of the University of Chicago, 1897 to 1898; at Baylor University, Waco, Texas, 1900 to 1909; and finally at the University of Texas in Austin, from 1909 to his retirement in 1957. He directed the University of Texas summer sessions from 1917 to 1931 and was a visiting professor at the University of Tennessee in 1912, the University of Washington in 1929, Ohio State University in 1932, Southwestern Baptist Theological Seminary in 1938, the University of Southern California in 1947, and Austin Presbyterian Seminary in 1947–48.

Dr. Eby's seven books include *Christianity and Education,* Standard Publishing Company, 1914; *Education in Texas: Source Materials,* the University of Texas Press, 1918; *Early Protestant Educators,* McGraw-Hill Book Company, 1931; *The Development of Modern Education,* Prentice-Hall, 1934 edition with Charles F. Arrowood; second education, 1952, translated into several languages; *The History and Philosophy of Education: Ancient and Medieval,* Prentice-Hall, 1940, with Charles F. Arrowood; *Albert Henry Newman: The Church Historian,* The Broadman Press, 1946; and *Reorganizing American Education for World Leadership,* The Steck Company, 1958.

He never published a systematic exposition of his philosophy, though he often described aspects of it in his classes, writings, and speeches. The uncompleted book on which he labored during his last years is believed to contain the sum of his long lifetime of thinking on education and man. At age 90 in a newspaper interview he said:

"Mankind must either destroy itself or have a genuine set-to with its supreme problems. The solution isn't, of course, communism, nor even our own system. The solution must come through New Testament Christianity. We must become mature spiritually. In this area lies our retardation."

Long interested in Immanuel Kant and Jean Jacques Rousseau, Dr. Eby studied their works intensively, seeking the origin of the altruistic emphasis which marked their philosophies. Both Kant and Rousseau, he said, stated that the supreme law in the universe is the moral law: "Thou shalt love thy neighbor as thyself." Particularly interested in Rousseau's belief in the essential goodness in man, Dr. Eby sought to find out what had influenced Rousseau's thinking in this direction. He once said, "I had always been curious why Rousseau so desperately opposed rivalry among children." He pointed out that Rousseau had raised this question: "If the man or woman is born good, how does he or she become bad?" Dr. Eby believed that Rousseau found the answer in overcoming the instincts of rivalry and envy. "Here is the problem," Dr. Eby once explained, "how does the child make the transition from a natural love of himself—self-preservation—to recognition of the right of other persons?" To Dr. Eby this question was the supreme problem in education and one of its deepest enigmas. His studies led him to believe that Rousseau, as a young man fleeing Geneva and wandering as a migrant farm laborer among rural village people, had come in contact with the Waldenses, a pre-Reformation religious group which re-emphasized the ethical teachings of Jesus.* Rousseau was impressed by the Waldenses' simple faith, Dr. Eby believed, and gained from them the realization that altruism is learned when one can overcome envy, competitiveness, and greed. This insight which governed Rousseau in writing *Emile,* Dr. Eby believed, was absorbed by Immanuel Kant when he studied that book.

How to achieve altruism and how to make it a key purpose of education increasingly became the focus of Dr. Eby's lifetime of teaching, writing, and research. He traced this concept of altruism in the thinking of educational reformers back from Kant to Rousseau to the Waldenses and from them to the early Christians and to Jesus. He also traced the transmission of this insight forward from Kant and Rousseau to Pestalozzi to Froebel, and from them to modern educators among whom he believed it has been largely neglected.

Dr. Eby was led along the path of his thinking on altruism in education by his own ancestry, early life, educational experiences as a young man, and studies as a graduate student. He was raised in the Mennonite faith, whose Swiss Anabaptist origins had views similar to the Waldenses. His forebears migrated to Canada and he was born in the small village of Ebytown in Ontario, named after one of his early ancestors. As the village grew, its name was changed to Berlin and later to Kitchener. The sixth of seven children, Frederick developed early a nervous palsied motion in his right arm which stayed with him throughout life. His father, a physician and a jack-of-all trades, eventually gave up his medical practice. The family moved to Sebringville, where Frederick began elementary school. At about age 10 during a series of revival meetings Frederick and his entire family except for a brother were converted to the Baptist faith. This conversion came at some sacrifice because of the disapproval of the tightly knit rural Mennonite group.

At age 12, as was the custom, he took examinations to enter nearby Stratford Institute, but was delayed two years because he several times failed to pass the drawing part of the test. Later, thinking of college and preparing for a minister's career, he planned to attend the University of Toronto. His father, however, induced him to enter McMaster University as a more suitable place because of its religious atmosphere. At the end of his first year at McMaster University, where he studied Latin and Greek, he contracted a throat infection, was operated on, and was told by this physician that he would not likely be able to become an effective public speaker. Courses under a Dr. Foster at McMaster University in psychology, logic, and particularly the history of philosophy broadened his intellectual outlook and induced him by his junior year to decide to become a teacher.

Young Eby attended the Chicago Exposition of 1893 and became aware of the University of Chicago, newly opened under Baptist auspices. Dr. Foster's leaving McMaster for the University of Chicago coincided with his own enrollment there. During his lonely time away from home he frequently sought companionship with Dr. Foster's family. He first took courses in Greek and a seminar on Johann Heinrich Pestalozzi. As a consequence of the seminar he became an admirer and long-time student of Pestalozzi's educational ideas. He later said, "I finally digested the philosophy of Pestalozzi and one may put it down that that was probably the reason I spent so many years teaching and then, by accident, writing two volumes on the history of general education."

Eby studied under John Dewey and retained among his possessions one of the ten mimeographed lectures which Dewey distributed to class members. Eby recalled what others have also affirmed about Dewey as an undramatic personality in the classroom: "He stood straight and spoke in a monotone." Eby later came to view Dewey's large influence on American e[redacted] an unfortunate one. The years widened their views of life and education. Dewey was secular and pragmatic—realistically concerned with what could be seen, felt, heard, or touched. Eby was religious and a Christian idealist—disdaining the substitution of materialism for ethical values. Eby often referred to a sentence by Dewey in Charles A. Beard's *Whither Mankind?* to this effect: "The machine is the authentically embodied *Logos* of modern life, and the import of this fact is not diminished by any amount of dislike to it." Eby's commentary was: "Dewey was the prophet of industrialism, automation and utilitarian pragmatism. To substitute instruments, however colossal and beneficial for the Savior was, to say the least, to exhibit an utterly bizarre sense of moral values."

Eby's first part-time teaching post was at Morgan Park Academy, which served as a preparatory school for the University of Chicago. Reducing his university course load, he taught English, Latin, literature, mathematics, and science. One pupil whom he tutored privately was young Archibald MacLeish, son of the president of the Board of Trustees of the University of Chicago, later to become a noted poet and to serve as Librarian of Congress.

Eby became increasingly interested in early Childhood education and the kindergarten (University of Chicago President William Rainey Harper once told him, "Kindergarten training would save a whole year of study in the life of a student"). Not finding the University of Chicago entirely suitable for this interest, Eby turned to the writings of psychologist G. Stanley Hall on this subject and determined to finish his degree at Clark University, Worcester, Massachusetts, where Hall was President. Eby increasingly admired Hall, learning from him not only in class lectures but also from Hall's guest sermons at nearby churches. Eby studied the works of Friedrich Wilhelm Augustus Froebel, particularly *The Education of Man* (English translation, 1877), whom he recognized to be an original thinker, not merely a follower of Pestalozzi. Eby completed his Ph.D. dissertation on "The Reconstruction of the Kindergarten" in 1909.

Dr. Eby's first post-doctoral position was a Professor of Philosophy and Education at Baylor University, the Baptist University in

*The Waldenses were an early persecuted pre-Reformation Protestant minority sect deriving their name and origin from Peter Waldo (died 1217), a merchant in Lyons, France, who adopted a life of apostolic poverty in 1173 and organized the Poor Men of Lyons to preach the Bible in the vernacular. Condemned by Pope Lucius III in 1184, the movement appeared in various parts of central Europe, particularly in northwest Italy along the Alpine mountains bordering France and Switzerland. Adopting an ascetic piety which rejected oaths and business careers, the persecuted Waldenses were championed by John Calvin, Oliver Cromwell, and John Milton (whose sonnet, "Avenge, O Lord, Thy Slaughtered Saints," was written following a massacre of Waldenses in 1655). A revival of the movement by John Charles Beckwith (1827–1862) resulted in the promotion of schools, orphanages, and missions. Besides Europe, a few groups have appeared in the United States (Valdese, North Carolina, 1893), Argentina and Uruguay.

Waco, Texas. This move was aided perhaps by the transfer to Baylor about that time of Professor Albert Henry Newman, professor of Church History at McMaster University. Eby had known and liked Professor Newman's daughter Elizabeth and during his days at McMaster had frequently walked home with her from church. When asked by the President of Baylor if he new Frederick Eby, Professor Newman said, "Why, yes, he is going to marry my daughter." Baylor's attractions were positive ones, and Eby declined the presidency of a woman's college at a higher salary. Toward the end of his first year at Baylor, he married Elizabeth Newman. He remained at Baylor until 1909, except to attend the University of Berlin, where he had a fellowship from 1905 to 1906. Then he accepted a position at the University of Texas, where he remained active for 48 years as Professor and Chairman of the Department of History and Philosophy of Education.

Dr. Eby's contributions include his influence on thousands of students who studied under him, many of whom became educational and religious leaders (including W. D. Bizzell, President of Texas A&M University and of the University of Oklahoma); his speeches and writings, particularly his popular textbooks in History and Philosophy of Education; and his efforts in behalf of the junior college in Texas. He has often been called "Father of the Texas Junior College Movement." In 1925–26, he did field research on junior colleges in states where their growth had been rapid. On his return he initiated a course in the Junior College, which he taught for fifteen years, preparing many educators who became faculty members, deans, presidents, and themselves founders of junior colleges.

Although Dr. Eby retired as Professor Emeritus in 1957, he taught part-time in 1957–58 in place of this writer, then newly employed by the University of Texas but granted leave to study education in south-central Africa. His name was long kept on the door of his former office in Sutton Hall, and he frequently came to the campus for his mail and enthusiastically greeted old colleagues and new friends. He even occasionally attended faculty parties and enjoyed clinking the ice in his soft drink glass. Former students and friends visiting him at home found him always working on the big book and eager to talk about his findings and insight. He and Mrs. Eby were pleased by the Frederick Eby Scholarship Fund established in the Department of History and Philosophy of Education and by the Frederick Eby Research Prize annually awarded to a bright graduate student.

His 90th birthday on October 26, 1964, was a joyous occasion with a noon luncheon at the Forty Acres Club near the university campus. He was honored with a bound volume of letters of appreciation from students, colleagues, and friends. He had around him that day almost all of his family, including 10 grandchildren and two-score great grandchildren. His final rest came on a Sunday, his favorite day, February 10, 1968. He had worked almost to the last of the big book, serving God by scholarship, seeking altruism as the key to education.

THE PITTSBURGH PEACE AND FREEDOM CENTER

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. MOORHEAD. Mr. Speaker, on March 13, 1968, our colleague, the gentleman from Texas [Mr. TEAGUE] placed in the RECORD a statement concerning alleged Communist infiltration of the peace movement of this country. He mentioned specifically Mr. Frank Goldsmith and the Peace and Freedom Center in Pittsburgh. During the course of that statement the impression was given—I am certain unintentionally—that the Peace and Freedom Center in Pittsburgh was one of the organizations controlled or infiltrated by Communists.

Mr. Walter Tillow of the Peace and Freedom Center has written to me protesting the inclusion of his group in Mr. TEAGUE's statement. Although I do not know all of them, I would like to state that many of those listed on the letterhead of this group are personally known to me. I am quite certain that they are not Communists or Communist sympathizers. Their opposition to the policy we have followed in Vietnam is that of loyal Americans who disagree. There is always great danger of falling into the familiar trap of appearing to equate dissent with disloyalty.

NASA'S REDUCING PAINS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. RYAN. Mr. Speaker, the New York Times, in an editorial of April 22, discussed the role of the space program and its place in our national priorities. The editorial presented a sober and sensible view of the pace at which the space program may be pursued and the effect of reducing its budget. I recommend this editorial to the attention of my colleagues.

The editorial follows:

[From the New York Times, Apr. 22, 1968]

NASA'S REDUCING PAINS

It is understandable that the present slimming down of the nation's civilian space program is producing expressions of gloom from those affected, as well as problems of readjustment for communities and individuals involved. From a high of almost $6 billion in fiscal 1966, National Aeronautics and Space Agency spending is likely to decline to about $4 billion in fiscal 1969, while employment is falling from the 420,000 of 1966 to probably 250,000 next year.

But this trend is natural, normal and desirable. From 1961 to 1967 NASA was engaged in a forced-draft program to provide this country with major space research capabilities. Huge sums were spent to construct essential ground installations—notably at Cape Kennedy and at the Manned Space Center in Houston—and to finance a vast research and development program to build the extremely powerful rockets and similarly sophisticated hardware now being employed in the Apollo and other current projects.

Now that the desired space research capability has been created, it is merely good sense to shift some of the resources thus employed to other and more urgent national needs. Individual scientists or engineers may regard space problems as more glamorous than such tasks as cleaning up the nation's polluted air and water, providing high-speed land transportation, or working out faster and cheaper ways to build new housing to replace the noxious and overcrowded slums. But can there be any doubt that these and related terrestrial needs are more important at this time than work on landing men on Mars?

None of this means, of course, that the United States will or should abandon the effort to explore space and exploit space technology. The manned exploration of the moon, for example, will require decades, and will only begin—not end—when the first American or Soviet astronauts land there and return safely to earth. The needed equipment for a scientifically rewarding program of planetary exploration with unmanned satellites already exists or can be developed relatively cheaply as compared with the costs already incurred for Saturn 5. The amounts being allocated to the Defense Department's Manned Orbiting Laboratory are still increasing, and there is no need for a duplicative NASA project to build the same capability.

For the time being, therefore, a trimmed-down space budget can accomplish much that is worth while, taking advantage of what has already been accomplished. Once men have reached the moon and the potentials of the moon for facilitating planetary and other exploration have been evaluated, there may be justification for renewed escalation of the space program. By that time, too, the Vietnam war may be over and there may be less of a pinch on Washington's resources. But for the moment the new relatively svelte—though still very adequate—space program meets the nation's needs quite generously.

XXXXXXXXXX

WILL THE STATE DEPARTMENT BE PROTECTED AT ANY PRICE?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. ASHBROOK. Mr. Speaker, the full magnitude of corruption, in-fighting, illegal, and unethical activities within the U.S. Department of State may never be fully known. Examples exist of security that is so lax that it might as well not exist; unethical personnel procedures; cliques which survive and perpetuate themselves at the expense of the best interests of the Natior and the legitimate functions of the Department; scandalous activities of high-level officers; lying, bugging, forging, forced resignations, and isolations; this list runs the gamut of intolerable conditions.

I have frequently pointed out both methods used and the conditions deriving from the apparently autonomous power group within the Department. Today I add one more item to the ugly picture.

The May 1 issue of the Government Employees' Exchange, which has consistently attempted to bring to light these conditions, contains a lengthy article detailing how a "secret electronics espionage laboratory" within the Department has been used to monitor the conversations not only of well-known and highly placed officials but of members of the press.

The Exchange article goes so far as to state that such well-known reporters as: James Reston, Endre Marton, John Hightower, Rowland Evans and Robert Novak, Mary McGrory, Richard Eder, John Finney, and Bernard Gwerzman are among some 85 members of the press

whose voices have been recorded and "profiled" at an expense to the taxpayers of $1.5 million or more.

The problems within the Department of State cover many areas, not the least of which is the area of the rights and privileges of the individual. There are instances of gross, blatant denial of rights, of denial of the rights of privacy. But where are the voices of the defenders of individual liberties when the Department of State is implicated? The Nation is suffering from this double standard which evidently will not allow them to comment. Must the Department be protected at any price?

The Exchange has a long record of reliability and if these are the facts, a full-scale investigation could and should place them into a proper perspective. The article follows:

FIRING OF TOP MAN FOLLOWED DISCLOSURE THAT 85 LINES WERE TAPPED

A "secret electronics espionage laboratory," located in the "suite of offices" formerly occupied by Deputy Assistant Secretary of State for Security, John Reilly, and his electronics expert Elmer Dewey Hill, carried out "systematic eavesdropping" on State Department officials and newspaper correspondents during the late Kennedy and early Johnson administrations, a former electronics specialist at the Central Intelligence Agency revealed to this newspaper on April 26.

"BUGGING" ORDER

The former CIA official asserted that he had been personally consulted for professional assistance by Elmer Dewey Hill at one stage of the "buggings."

The decision to institute the electronic eavesdropping at the State Department was taken at the White House following a series of "leaks" of information to James Reston of the *New York Times* and to Chalmers Roberts of the *Washington Post* the informant revealed.

President Kennedy was especially irritated, he stated, because one of his own "planted leaks" to James Reston, which the *New York Times* disguised by giving it a foreign capital dateline, was subsequently significantly modified through an "unauthorized leak" from a State Department informant.

The President ordered that the State Department official be identified and removed, the source said.

ELECTRONICS LAB

This identification was successfully carried out, the source claimed through the use of the "electronics laboratory" built into the State Department when the new State Department addition was finished in 1960.

According to the source, every telephone in the State Department Building can be "monitored by the simple device of crossing the panel wires located in strategic sectors of the building."

BALL AND ROSTOW

The use of the "bugging room" by the Kennedy administration grew especially intensive after the so-called "Thanksgiving Day Massacre" of 1961 within the State Department, the source said. As a result of the "massacre," George Wildman Ball rose to be Under Secretary of State and Walt Whitman Rostow came over from the White House to become Assistant Secretary of State for Policy Planning.

Previously, Mr. Rostow's appointment to that position had been blocked by the refusal of Otto F. Otepka to give him a security clearance without a "full field investigation," the source added. As Under Secretary of State, Mr. Ball assumed control of the "espionage room" in November 1961. He relinquished control of it to Nicholas de Belleville Katzenbach when the latter succeeded him as Under Secretary in 1966, the source alleged.

MARTEL

A few months after the 1961 "massacre," a Soviet KGB Major located in the Soviet Embassy in Helsinki, Finland, defected to the United States. Known by various pseudonyms, this defector was later introduced to the French authorities in 1962 as "Martel," the main personality in the current *Life Magazine* articles involving Phillippe Thyraud de Vosjoli, the French liaison officer until 1963 with the CIA, the source revealed.

Other names used by the Soviet defector were Anatoli Michael Golyzin, Anatoli Dolnytzin and Anatoli Klimov, the source added.

FRENCH SPY

Toward the end of 1962, Mr. Thyraud de Vosjoli informed his CIA contacts that the French had decided to establish an active espionage unit covering the United States. He also supplied CIA with a list of American newspapermen, as well as officials in the Department of State, CIA and the Department of Defense whom, he thought, the French authorities might be able to exploit as contacts.

Several of the State Department officials on this list were located in the Bureau of Intelligence Research, the source alleged.

Mr. Ball authorized the "electronics room" to tap the phones of every person on the list, according to the source.

ROGER HILSMAN

Inadvertently, some conversations which Roger Hilsman, the Assistant Secretary of State in charge of the Bureau of Intelligence Research, had with officials in the White House, the CIA and the Defense Intelligence Agency were picked up on the tapes, the source said.

Mr. Ball was considerably annoyed by some of Mr. Hilsman's expressions and actions; he communicated this information to Secretary Rusk who, however, the source understands, decided not to communicate his reservations to President Kennedy.

RESIGNATION

After the assassination of President Kennedy, further conversations of Mr. Hilsman were monitored. In some of these, he spoke "indiscreetly" about President Johnson. Shortly thereafter, Mr. Rusk indicated to Mr. Hilsman that his resignation would be appreciated, the source claimed. Mr. Hilsman "resigned" suddenly in 1964, the source said.

OTTO OTEPKA

An "ironic and unanticipated outcome of the monitoring" of the Bureau of Intelligence Research was that the facilities of the electronics room became overburdened during most of 1963. For this reason, when Mr. Reilly decided to have Otto F. Otepka's telephone monitored, he had to obtain Mr. Ball's approval to have it done outside the facilities of the central electronics room. Working with others, Elmer Dewey Hill placed a direct tap ineptly on Mr. Otepka's telephone and eventually Mr. Otepka learned of the tapping and informed the Senate Internal Security Subcommittee. This was to result in the so-called "perjury" situation arising from testimony given by Mr. Reilly and Mr. Hill to the Subcommittee, the source revealed.

PRESS "BUGGED"

Besides State Department officials, other persons whose conversations have been taped and made into "voice profiles" since 1963 included, according to the source, approximately eighty-five journalists and newspaper correspondents. Among these were John Hightower and Endre Marton of the *Associated Press;* James Reston, Richard Eder, John Finney and others of the *New York Times;* Bernard Gwerzman and Mary McGrory of the *Washington Evening Star* and Rowland Evans and Robert Novak, columnists for *The Washington Post.*

OVER $1,500,000 SPENT

Because the cost of the machinery for the "voice profiles" was unusually expensive, the Security Office spent during fiscal year 1963 over $1,500,000, some of it on "loan" from other intelligence agencies, the source revealed. In the four-month period of March to June 1963 alone, the expenditures exceeded $900,000, the source concluded.

THE VATICAN AND ITS ROLE IN THE WORLD ORDER

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. FINDLEY. Mr. Speaker, a conference on "The Vatican and Peace" was held at Boston College on March 27, 1968. Two speakers at the conference were the able and distinguished Eugene V. Rostow, Under Secretary of State for Political Affairs and the Very Reverend Archbishop H. E. Cardinale, Apostolic Delegate to the United Kingdom. Both gentlemen made timely contributions to the discussion on the contributions of the Vatican to world peace through diplomacy. Mr. Rostow highlighted this role when he stated: xxxxxxxxxx

* * * (the Church) has for centuries exerted a profound and incalculable spiritual and cultural influence in many parts of the world helping to shape men's minds, and the motives which govern their actions.

Because of the timeliness of these two statements, I place both in my remarks at this point in the RECORD:

THE VATICAN AND ITS ROLE IN THE WORLD ORDER

(By Eugene V. Rostow, Under Secretary of State for Political Affairs, address before a conference on "The Vatican and Peace," Boston College, March 27, 1968)

My subject today is the role of the Vatican in international politics. It is a fascinating subject. The activities of the Church touch almost every country and nearly every aspect of human life. The Vatican is not only the focal point of a vast spiritual and cultural community, and the visible symbol of a living system of ideas and values, but a governmental machine—a coordinating secretariat for a far-flung multi-national bureaucracy. Any discussion of the Church's international role needs to consider both its spiritual and temporal dimensions. In both, the Vatican plays an important role in international political life.

In his primary role, the Pope is the spiritual head of one great world religion, the Roman Catholic Church. Its 400 million communicants regard him as the earthly vicar of Christ. His Church has for centuries exerted a profound and incalculable spiritual and cultural influence in many parts of the world helping to shape men's minds, and the motives which govern their actions. Our own Western culture is inextricably entwined with Catholicism.

But the Pope is not only a spiritual, but a temporal leader—the head of a government, a cosmopolitan bureaucracy whose officials are spread throughout almost every country of the globe. The Pope's government is "sovereign" only in its tiny Vatican enclave. Indeed, in a modern nationalist sense, the Church hierarchy is not a government at all. The whole existence of such a multinational organization dates from an age that predates that narrow concept of national sovereignty which has so bemused our modern era. Per-

haps the day will come when the logic of interdependence will make such international bodies, limited in their functions but independent within them, an increasingly prominent part of the process of government in the world.

At any rate, though the "sovereign" jurisdiction of the Papal government is minuscule, its direct political influence elsewhere is considerable. It has, moreover, unrivalled sources of information. Through church universities, schools, monasteries, convents and other institutions it deals directly with the most fundamental elements in the life of many communities. These activities, the protection of the clergy in their mission and the faithful in their education and worship involve the Church in highly practical diplomatic matters throughout the world. The Vatican maintains formal relations with over fifty governments and informal relations with many others, including our own.

In these affairs, the Vatican has a well-deserved reputation for diplomatic expertise. It is, after all, the oldest continuing international organization in the world today. It possesses a knowledge of foreign countries and their governments which cannot be matched, in many respects, by any national state. Moreover, the Vatican derives additional diplomatic force from the general posture of benevolent neutrality which it is able to maintain successfully in many of the disputes which agitate the temporal states of the world.

This neutrality is an important aspect of the Vatican's diplomatic position and effectiveness. Modern popes do not lead crusades. Wherever possible, the Vatican has deliberately sought to maintain its detachment from one side or another in a dispute. Such a course sometimes arouses criticism, but it does often allow the Vatican to play an important role in conciliation. In many important international disputes, the Vatican is to be found quietly working for a rational and peaceful settlement.

This is hardly a new role. It goes back to the civilizing mission of the Church in the Middle Ages. In today's world, feudal violence has been replaced by nationalist and ideological violence, but the conciliating role of the Church continues. All through this warlike century, Popes have struggled to end the fighting and bring reason and charity to the affairs of the nations.

In addition to this age-old function as peacemaker, the Papacy has in recent years pursued a number of specific policies designed to encourage a more favorable climate for the peaceful diplomatic settlement of disputes. Recent encyclicals have severely limited the old concept of a "just war." According to Pope John in *Pacem in Terris*: "It is hardly possible to imagine that in an atomic era, war could be used as an instrument of justice." The Church has correspondingly became a vigorous and powerful advocate of the U.N. and of international cooperation in other realms. Everyone remembers Pope Paul's dramatic address before the U.N. General Assembly. And the same strong support for "an effective world authority" continues in the recent encyclical *Populorum Progressio*.

The urgent need for disarmament constitutes another important theme in recent Papal teachings. Again and again, Pope John argued that the balance of armaments could never be a secure basis for peace, that stability could come only from mutual trust. Pope Paul, in his dramatic visit to Bombay in 1964, appealed to the world to divert the immense resources now devoted to armaments to a great fund for relief of suffering around the globe. "Would that every nation," he said, "contributed even a part of its expenditures for arms to a great world fund for the relief of the many problems of nutrition, clothing, shelter and medical care which affect so many people."

In short, the Papacy has made itself a major spokesman of the universal yearning for peace. It has used its moral prestige to mobilize public opinion in behalf of peace, and its diplomatic apparatus to encourage conciliation.

You will notice that what began as a discussion of the discreet diplomatic role of the Vatican has quickly shifted to a discussion of the Pope's role as a leader of world public opinion. It is a shift which is both natural and inevitable. For the Church, although it is a highly skilled international bureaucracy with impressive resources, derives its influence, above all, from the great ideas which it embodies, shapes and expresses—ideas which affect public opinion throughout the world.

In some quarters, it is fashionable to denigrate the role of ideas in history. Ideas, it is said are rationalizations for the love and hunger that genuinely rule human affairs. To argue this way is to misunderstand history, indeed to misunderstand the nature of ideas. For the great ideas which are active forces in history are not simple logical propositions, easily reduced to mathematical shorthand. Such ideas—that of equality and the principle of self-determination—carry a seemingly inexhaustible fund of meaning, much of which is emotional and aesthetic and which we often find difficult to bring into full consciousness, let alone to express—except perhaps symbolically. Love and hunger will doubtless always influence the human animal; but what men love and what they hunger for will always be determined by the ideas that shape their imaginations.

These ideas, however elusive for some social scientists, have nevertheless a profound and often decisive influence on the course of events. For any institution depends for its vitality and direction on the ideas that inform it. Ideas give it its "constitution"—its character, purpose and influence in the outside world. Without these informing ideas, the life sap of an institution disappears and the remaining structure stands condemned, waiting for some vital force to knock it down. This is true of all organizations with essentially moral purposes—political parties, universities, systems of law, nations. Above all, it is true of churches.

Hence it is not surprising that the head of an institution with the immense spiritual vitality of the Roman Catholic Church should exert his greatest influence as a teacher of the public conscience, as a mediator of the essential ideals which inform his Church. Thus the Pope, in today's world, has become a powerful voice in the conscience of the West, reminding us all of the humane aspirations which dominate our civilization, and determine its direction. In our world, the Pope is the champion of the suffering and the discouraged, constantly reminding us of the immense load of misery that the great majority of men carry through their lives.

In Bombay—as I noted—the Pope did more than appeal for disarmament. He asked that some of the funds now devoted to arms be diverted to the relief of human suffering. It is not surprising, therefore, that the Vatican is an active participant in the UNCTAD II, the Second United Nations Conference on Trade and Development, which is now in the process of terminating its deliberations in New Delhi. With its clergy serving in the remotest corners of even the smallest nations of the developing world, there are few institutions today which are better informed of the needs, and sufferings, of so many of the world's people than the Roman Catholic Church. This awareness was most eloquently put in Pope Paul's encyclical *Populorum Progressio* or "On the Development of Peoples," which was devoted to the question of human misery throughout the world. "Today the principal fact that we must all recognize is that the social question has become worldwide," The Pope stated. "Today the peoples in hunger are making a dramatic appeal to the peoples blessed with abundance. The Church shudders at this cry of anguish and calls each one to give a loving response of charity to this brother's cry for help."

Nor was this only an abstract pronouncement. The encyclical continued with specific comments on growth and development, on land reform, on industrialization and the use of capital, on planning, on the role of youth, on technical assistance and on other concrete modes of action.

In this recognition of the need for a stable world order, and for development as the necessary means of assuring this stability, the policy of the Vatican, and the foreign policy of the United States since the days of Point Four and the Marshall Plan, are one.

One final point: great as is the role of the Pope in these matters, it represents, of course, only a fraction of the real influence of the Roman Catholic Church in shaping the modern world. For the place of the Church in modern society greatly exceeds the influence that its head and clergy can bring to bear on specific international issues. For the Church is a living community, lay and ecclesiastical, dedicated to the moral and spiritual education of Catholics and indeed of modern Western society generally. The Roman Catholic Church has a special place in the education of the West.

For it is one of the great transmitters and mediators of the whole moral and spiritual wealth of our past into the present-day world, a mission which transcends sectarian divisions and particular formal theological and moral [redacted]oughout the centuries, the Church as an institution has absorbed and amalgamated all the great Western cultural traditions—that of the Jews of the Old Testament, the Greeks and the Romans, the Gothic civilization of the Middle Ages; the flowering of the Renaissance and the stern vigor of Reformers within and without the Church. As a result, the Church today is a treasure-house for the insights and beauties of our whole Western past. But the Church's teaching mission calls for not merely preserving the ideals and beauties of the past but vigorously translating them into an *idiom* for the modern world.

Like any great institution that has spanned centuries, the Catholic Church has had its moments of weakness. Yet with a vigor and capacity for renewal that must impress even the non-believer, the Church has always found within itself the resources to carry on its mission in a changing and often hostile world.

I need hardly point out to you how much vitality has coursed through the Church in recent years. In a world where modernity has so often been synonymous with banality and barbarism, every man who loves our Western past cannot but rejoice in the renewed vitality of the Catholic Church, and in the great effort that is being made, not in rejecting old truths, but in adapting them to the intellectual and moral condition of the modern world. The Ecumenical task, so vital to the moral and cultural health of our civilization, is the great work of the Catholic Church in the modern world. Men of all faiths will profit from the process of renewal which is one of the dramas of our lifetime, and will be, I am sure, a powerful force both in the realm of ideas and in that of social action during the generations before us.

If I may be allowed a personal note, as a historian, I have always found a majestic sanity in the Catholic tradition. The Catholic vision of reality is remarkably balanced. Like the Papacy itself, it is both intensely spiritual and impressively practical. It is a church that believes not only heaven, but also in hell. It has a vivid sense of both. It knows that there is evil in the world, as well as good. It has seldom neglected to give the Devil his due.

While the Church exhorts its children to act like angels, it knows that not many would do so, or do so for long. For the Church has never forgotten that we live in a fallen world, and that, while human institutions cannot succeed in creating a good society without love and charity, neither can they function without law, justice and power. It accepts the great principle of rendering unto Caesar those things which are Caeser's. Hence, Catholicism, which is such a powerful voice of conscience in today's world, also continues to prepare men for fortitude in the face of adversity and courage in the face of evil. And it prepares them too for the burdens and responsibilities of citizenship, however heavy.

This is a sane and measured balance much needed in our world of today, where we so often appear in fickle oscillation between blind hate and blind hope. Men of all faiths can only rejoice in the rejuvenated vigor of an institution whose settled wisdom we shall need in the trying years ahead—if we and our sister democracies are not to be led astray by prophets without truth and bemused by promises without substance.

THE CONTRIBUTION OF THE HOLY SEE TO WORLD PEACE IN THE AREAS OF DIPLOMACY, DEVELOPMENT AND ECUMENISM

(By Archbishop H. E. Cardinale, Apostolic Delegate to Great Britain, Boston College "Vatican and Peace" Conference, March 27, 1968)

When the organizers of this Conference invited me to speak, they were kind enough not to tie me down too closely to a particular theme. As a result they have been almost too openhanded in suggesting the general title: the contribution of the Holy See to world peace. Such a proposal brought to my mind that expansive moment in the life of a pastor who once Sunday announced that he would preach a sermon on "God, man and the universe".

My brief in fact is nearly as comprehensive as his. But before embarking on the arduous adventure I desire to say this, too, by way of preamble. Though I may assume in your eyes a dual personality, that of an archbishop and of a papal representative, I am not speaking here in any official capacity. This, in reality, is an advantage, for it allows more ample scope for my approach to the topic while it spares the Holy See all blame for the deficiencies of my exposition. The views I shall express are however the result of my personal experience and reflection in my twenty seven years service of the Holy See.

Apart from a few flashbacks here and there, I shall concentrate on the pontificates of Pius XII, John XXIII and Paul VI, who have raised the Holy See to a point of influence which might have seemed unattainable thirty years ago. Their lives and activities in some way or another are part of the experience of most of us who are gathered here tonight. It would be rash to presume to dispose of long years steeped with so much history in an hour's time. Much therefore which should be said will remain unsaid.

My theme then will be concerned with the work accomplished by the Holy See in the interests of world peace in three different areas of the international order: political, social-economic and religious. Such a division is based on the assumption that three main ways lead to the attainment and maintenance of peace on earth: diplomacy, development and ecumenism. Diplomacy aims at persuading nations to live together and to collaborate for their own good and that of all mankind. Development purposes to convince those-who-have to assist those-who-have-not in reaching a stage of reasonable prosperity. Ecumenism strives to induce the Churches to overcome their differences in a spirit of charity and truth so as to fulfill God's will in unity of faith and order. It is obvious that the achievement of such aims contributes to the establishment and preservation of peace in the world. And it is reassuring to know that at a time when mankind is undergoing such a testing crisis, the Holy See is exerting herself to the best of her ability to improve the state of world peace through tireless efforts in the areas of diplomacy, development and ecumenism.

I. THE FIRST WAY TO PEACE LIES IN THE AREA OF DIPLOMACY

This statement may sound like a shocker to those who conceive diplomacy as a craft which uses language and gestures to conceal one's inner feelings, regards inaction as the safest course and when it does acts, ends up by complicating matters in an inextricable way. Such ideas, however, are completely outdated, even if they are kept alive by the frequent injection of extraneous elements into the field of true diplomacy. The general aims of diplomacy, according to the International Diplomatic Conference of Vienna (1961), are the maintenance of international peace and security and the development of friendly relations between states through diplomatic representation and responsible negotiation. Diplomacy therefore tends ultimately to securing the reconciliation and unification of the world through the prosperous growth of individual states in the harmonious concert of nations, solidly held together by rational, humane and juridical relationships.

Such a noble aim cannot fail to involve the attention of the Holy See and call for her collaboration. After the old relationship of Papacy and Empire was ruled out by the rise of nation-states, diplomacy became the accepted medium of communication between Church and state, and has proven itself a valid instrument in dealing with a fractioned world. Papal diplomacy commands great respect both because of its venerable age—it is the most ancient of all existing systems—and because of its success—in general—in safeguarding peace and developing collaboration between the ecclesiastical and political powers in the family of nations.

The ultimate end of papal diplomacy—to be sure—transcends the temporal sphere. It aims at establishing the kingdom of God among men by safeguarding the practice of the faith where it already exists and extending the knowledge of the faith where it is weak or absent. It has thus cut its own course quite independently from the well marked road of civil diplomacy. But because it agrees with that diplomacy in its broadest outlines and essential function, it has left its imprint on it by orienting and strengthening it in the pursuit of peaceful and brotherly relations, based on justice and charity as the prerequisites of international harmony and order.

Indeed the attitude of the Church to that order has not always been the same. The early Christians had a clear understanding of their approach to the world, as is evidenced in the traditional idea which St. Augustine illustrated in *The City of God*.[1] This City with Christ, King of kings as its central figure, will not come completely into existence until history has run its course. The earthly city, comprising all mankind bound together by a fellowship based on their common nature, rejoices in the goods it possesses; but because of the inadequacy of such goods to discharge all distress, this city is often divided against itself by litigation, quarrels and wars. Inasmuch as the two cities are commingled on earth, temporal peace, too, can be of great assistance to those who strive for the advent of eternal peace. The Church must therefore work also for the realization of temporal peace.

This approach of the early Church to the world gradually went into abeyance in the Middle Ages as temporal and spiritual authority slowly coalesced into one supreme theocratic power. The result of this merger was "the paradoxical spectacle of a society trying to organize itself politically on the basis of a spiritual framework which gives political life merely a relative value."[2] The abolition of papal temporal power, *pace* art. 76 of the Syllabus, did, after all, contribute in the greatest degree to the spiritual liberty and prosperity of the Church, for only then it became possible to redress the balance between the spiritual and the temporal. After 1870 in fact the Church, having rid herself of temporal concerns and ambitions, was able to develop a more independent and spiritual attitude to the problems of the international field. This was the dawn of the heyday of papal diplomacy, which was henceforth enabled to dedicate all its efforts to the good of the Church and mankind.

Papal diplomacy employs its efforts for peace not only in the specific area of political relations with and between nations, but also in those of development and ecumenism. Papal representatives abroad are charged in a special way with a mission of peace, which is at once political, social and religious. It is their duty to set in operation, in the interests of peace the whole machinery of the Church in their respective areas, through the episcopal conferences, the clergy and the faithful. Here then is a body of some 600 million Catholics in array willing to help the nations, the needy and the Churches to find that peace which must guide all mankind to the achievement of its supreme destinies.

Pope Benedict XV (1914–22)

One of the main interests of the Church, and hence of papal diplomacy, is to bring nations together in peaceful coexistence and to help them solve their common problems. A vast corpus of papal statements has developed in this direction from Benedict XV to our day. Until Benedict's time Christendom was still a political reality, with its heart in Europe. But its very foundations had been shaken, as the Pope wrote in his first encyclical letter *Ad Beatissimi* (Nov. 1, 1914), ever since it had ceased to observe the precepts and practices of Christian wisdom which contained the peace and stability of institutions. Nevertheless his appeal for a general reconciliation was not based solely on superior Christian motives, but also on practical necessity, for "nations are naturally drawn together by the need they have of one another and by the bond of mutual good will, which is strengthened today by the development of civilization and the marvelous increase of communication", as he states in his encyclical *Pacem Dei Munus* (May 23, 1920). Here in a nutshell is the whole theme of Vatican II's *Gaudium et Spes*, inspired by the significant emphases and gradual advances in thought and attitude found in the utterances of the popes of this century.

Pope Pius XI (1922–39)

Pius XI, confronted with the grave publems of the reconstruction of a war-torn world, likewise insisted on the need to recognize the basic unity of mankind even within the temporal sphere, where hatred, which was driving all towards destruction, was taking the place of "the great law of love and human brotherhood, that embraces and holds in a single family all nations and peoples with one Father who is in heaven", as he remarks in his encyclical *Caritate Christi Compulsi* (May 30, 1932). It is interesting to note that the first use in curial style of the expression *interdependence of all peoples* appears in a letter sent by Pius XI's Secretary of State, Cardinal Pacelli, to

[1] St. Augustine, *The City of God*, translated by M. Dods, New York, 1950.

[2] John B. Morral, *Political Thought in Medieval Times*, New York, 1958, p. 11.

M. E. Dubois, President of the *Semaines Sociales de France on* July 30, 1932.[3]

Pope Pius XII (1939–58)

Pius XII dedicated his whole pontificate to the cause of peace. Yet we witness in our day the incredible paradox of charges levelled out against his policy on this very score. He himself answered his accusers when, aware of the "bitter calumnies" directed against his efforts, he said in his 1950 Christmas message: "Sift the troubled twelve years of Our Pontificate; weigh every word that Our Lips have uttered, every sentence Our pen has written: you will find in them only appeals for peace".

Today one would be less justified in repeating the "bitter calumnies" of the past. The Secretariat of State of His Holiness is now making fully available to all researchers the acts and documents of the Holy See relating to the Second World War.[4] The publication of this systematic collection of wartime papers is a brave and unprecedented initiative which Pius XII himself had not anticipated because of "the circumstances of the times and the human passions".

Starting with his first broadcast (March 3, 1939) Pius continually made exhortations to peace and supplemented them with ingenious activities. The peace he asked for was "integral peace": peace of conscience, peace among families, and peace among nations, based on mutual help and collaboration in the interests of the whole human family. We all remember the pathos of those highly dramatic words of his appeal for peace (August 24, 1939) which Lord Halifax described as moving and dignified: "Nothing is lost by peace; everything may be lost by war".

Before the war broke out, he made desperate attempts to induce a settlement of the German-Polish differences, calling for moderation on each side, both directly and through his nuncios and delegates abroad and the diplomats accredited to the Holy See. After the invasion of Poland he continued his efforts for peace, undaunted by the negative response of the German political authorities, who even rebuffed the nuncio for asking them to inquire seriously into charges of S.S. cruelty to civilians in occupied territories. In his 1939 Christmas message he spoke of a series of deeds irreconciliable either with natural law or with elementary human feelings. In March 1940 he harried von Ribbentrop on German conduct in Poland and pressed, without success, for a permit to be granted to an apostolic envoy to visit that country. The telegrams of sympathy and protest he sent off to Holland, Belgium and Luxembourg, when those countries were invaded, were given the widest publicity at his own request.

The first volume of Vatican documents contains abundant evidence of the intense efforts made by the Pope, his Secretariat of State and his diplomatic representatives in close co-operation with the British and French governments to prevent the outbreak of the war. Once the war had begun with the Blitzkrieg over Poland, Pius applied himself with tireless energy to: (1) limiting the scale of the war, and bringing it to an immediate end; (2) attempting to relieve the victims; (3) counseling and encouraging the bishops and their flocks in the countries at war.

It is often repeated that Pius had to maintain a sufficiently neutral attitude to be on treating terms with both sides if his hopes of being accepted as a mediator were to be realized. Thus an explanation is given for his alleged reluctance to speak out in strong terms against the Nazi government. It is quite certain that he had to observe a strict impartiality between the warring factions in order to use his influence for a possible negotiated settlement. But there is no trace of reluctance in the language he used in his first encyclical *Summi Pontificatus* (October 20, 1940), which the Nazis considered directed exclusively against themselves, and in countless other documents now made available. The well-informed Dr. Robert M. W. Kempner, formerly Deputy Chief U.S. Prosecutor at Nuremberg, states that "the archives of the Vatican, of the diocesan authorities and of Ribbentrop's Foreign Ministry contain a whole series of protests—direct and indirect, diplomatic and public, secret and open."[5] Pius's willingness to pass on to the British government proposals from a group of Hitler's opponents enquiring what would be the Allied reaction to a new German government to be formed after Hitler's overthrow are a clear sign of his determination to go as far as he could to bring peace to the world.[6]

Following consultation with Mr. Myron Taylor, President Roosevelt's personal representative to the Holy See, Pius wrote a letter to Mussolini begging him to spare his country from the devastations of war and limit its disastrous extension. The Duce replied blaming the Allies and declining to give any guarantee about Italian neutrality. Bravely facing up to him, the Pope made a public peace appeal to the Italian people, which provoked anger and threats on Mussolini's part. The Pope went so far as to visit the King of Italy at the Quirinal Royal Palace, hoping to prevail upon him with counsels of peace (December 27, 1939). But it was all in vain. Italy entered into the war on June 10, 1940.

Much has been said about the Pope's policy with regard to the persecution of the Jews by the Nazis. All one could say till now, by way of explanation, was that little notice had been taken of Pius's temperamental and prudential reasons suggesting one course of action in place of another. But now we have a much clearer view of the situation. The Vatican documents just published throw new light on this subject. It is to be lamented that historians have hitherto so little exploited the wealth of information provided by this publication. Among other interesting documents which appear in the second volume are the 124 personal letters sent out by the Pope to German bishops during the war, with clear reference to the atrocities which were being committed. Pius's allusion to the new wave of Jewish deportations in his 1942 Christmas message was quite obvious: he spoke of the hundreds of thousands of persons who had been killed or tortured through no fault of their own, but only because of their race or nationality. The Pope later explained to the American Chargé d'Affaires, Mr. Harold Tittman, that he could not be more specific about the Nazis without also specifying the atrocities committed by the Bolsheviks, which their Western Allies presumably would dislike. Mr. Tittman himself, who had thought the Pope's words too vague, recognized that a more open condemnation of the Nazi atrocities might have occasioned even more terrible consequences. Cardinal Sapieha, Archbishop of Cracow, who knew Nazi terror less than none, was horrified at the reactions which Pius's public condemnations of National Socialism could have provoked in Poland. "The saddest and most thought-provoking conclusion," as Pinchas E. Lapide sums up the situation in his recent book *The Last Three Popes and the Jews* "is that whilst the Catholic clergy of Holland protested more loudy, expressly and frequently against Jewish persecutions than the religious hierarchy of any other Nazi-occupied country, more Jews—some 110,000 or 79 percent of the total—were deported from Holland to death camps than anywhere else in the West."[7]

In his recent book *While Six Million Died* Arthur D. Morse writes about what he calls "the long chain of apathy" and "acquiescence" of the United States government with regard to the holocaust "in which Jews in their hundreds of thousands were being ground through the Nazi mills".[8] He also refers to the "inactivity" and "indifference" of the British government. Undoubtedly these governments opined that great prudence was required in order to avoid reprisals against the Jews. Even the International Red Cross refrained from protest against the slaughter of the Jews because they "feared that their intervention would result in the suspension of their humanitarian work, under the Geneva Convention, all over Europe".[9]

Those who blame Pius XII for what he failed to do to save the Jews would do well to consider what the Pope actually did also through his personal representatives and other Church leaders in various countries. Mr. Lapide estimates that no fewer than 860,000 Jews [redacted] by the interventions of papal representatives.[10] David Herstig reaches the same conclusion in his book *Die Rettung*.[11] Both recognize the moderating influence of the papacy on the prevailing antisemitism. In *France* Monsignor Valeri and all the Catholic hierarchy strongly protested against the 1941 antisemitic statute and organized help for the persecuted Jews. In *Italy* Monsignor Borgongini-Duca received orders to talk "loudly and clearly" to the Fascist authorities in order to obtain maximal relaxations of the racial laws. The Catholic clergy and faithful extended help and asylum to the Jews all over the country. In *Slovakia* Monsignor Burzio and the hierarchy strongly opposed the so-called *Jewish Code* of 1941.

In *Switzerland* Monsignor Bernardini was a tireless contact between the Vatican and the International Jewish representatives, assisting a great number of Jews who had managed to escape persecution. In *Turkey* Monsignor Roncalli helped at least 20,000 Jews to escape from Nazi-occupied territory, by issuing safe-conducts which enabled them to obtain permits from the Turkish government to move on to a more secure abode. In *Bulgaria* Monsignor Mazzoli's interventions on behalf of the Jews, against King Boris's consent to their deportation in 1942, were crowned with success. In *Hungary* Monsignor Rotta intervened successfully against the inhuman character of the anti-Jewish legislation. In *Rumania*, which besides Germany itself was the only country where all the steps of the process of destruction of the Jews were implemented, Monsignor Cassulo's energetic protest and action "in the name of the freedom of souls" secured not only discontinuance of the deportations but also the alleviation of the terrible sufferings of thousands. In *Spain*, in response to papal exhortations, the government, in spite of alignment with Nazi Germany, extended

[redacted]

[3] *La Documentation Catholique*, Paris, vol. 28, col. 173.

[4] *Actes et Documents du Saint Siège relatifs a la Seconde Guerre Mondiale*, Libreria Editrice Vaticana. Vol. 1. *Le Saint Siège et la Guerre en Europe, Mars 1939–Aout 1940* (1965); vol. II, *Lettres de Pie XII aux Eveques Allemands*, 1939–1944 (1966); vol. III, *Le Saint Siège et la Situation Religieuse on Pologne et dans les Pays Baltes*, 1939–1945 (1967); vol. IV, *Le Saint Siege et la Guerre en Europe, Juin 1940–Juin 1941* (1967).

[5] Jeno Leval, *Hungarian Jewry and the Papacy*, London, 1968, p.x.

[6] *Actes et Documents, etc.*, vol. 1, pp. 92–93.

[7] Pinchas E. Lapide, *The Last Three Popes and the Jews*, London, 1967, p. 202.

[8] Arthur D. Morse, *While Six Million Died*, London, 1968, pp. 87–99.

[9] Alec Randall, *The Pope, the Jews and the Nazis*, London, 1963, p. 13.

[10] Lapide, *op cit.*, p. 215.

[11] David Herstig, *Die Rettung*, Stuttgart, 1967, passim.

asylum and assistance to the persecuted Jews. Spanish diplomats abroad were given full power to grant Spanish citizenship and protection to the descendants of the Sephardi Jews, who had been expelled from Spain 400 years before. At the intervention of the Spanish diplomatic representatives, in France alone some 6,000 Jews were able to survive Nazi persecution, while many other thousands were pulled out of concentration camps in their country of residence.

Time does not allow us to continue the long account of instances where papal representatives, in the name of Pius XII, acted in favor of the Jews in Holland, Belgium, Portugal, Greece, Latin America and in every other country where there was need to do so. In his book on Pius XII and the Third Reich, Saul Friedlander himself relates a conversation which took place in Cairo in 1944 between the chief rabbi Dr. Herzog and the papal delegate, Monsignor Hughes, at the end of which Dr. Herzog asked the Archbishop to convey to the Pope the thanks of the Jewish people, as well as the hope that he would continue his efforts in their behalf. He added that "the activities of the Catholic Church in favor of persecuted Jews enhance the beacon-light of religion throughout the world. . . . "May God guide the Pope's steps." [12] "Unfortunately, the Pope's influence was not sufficient to affect the fate of the Jews in Germany or Poland," writes *The Times Literary Supplement:* "Yet the good will demonstrated in this situation was the foundation upon this a new era of Christian-Jewish relations is now being built." [13]

All through the war Pius sought to prevail upon the parties in conflict in order to hasten negotiations for a peaceful settlement of the hostilities. He gave himself and all that he could of his own possessions to relieve the countless and unspeakable miseries of the war and its aftermath. Apart from the moral and material relief dispensed at his instructions all over the world, the Vatican Information Office, whose organization he himself had devised, sent out 1,180,000 messages to prisoners of war of all kinds.[14] As mankind prepared instruments of destruction even more frightful than those of World War II, he condemned as immoral the A.B.C. (atomic, bacteriological and chemical) war which would bring in its wake such widely spread evil effects as were completely beyond human control and was therefore not permissible on any account. (Cf. Addresses to Pontifical Academy of Science, Febraury 8, 1948, and to Military Doctors, October 19, 1953.)

The last of his great Christmas messages (1957) ended with an invocation for peace "so good, so precious, so productive, so desirable and so desired, that every effort in its defense, even with grave sacrifice of legitimate individual ambitions, is well spent." "A river of peace upon the world!"—for the realization of this wish, fervently cherished in his heart, he prayed and worked without respite.

Pope John XXIII (1958–63)

John XXIII continued and further developed his predecessor's remarkable magisterium and apostolate of peace. All his speeches and actions echo the human soul's anguished cry for peace, which he understood in the biblical sense of the Hebrew term "shalom", with all its implications of wholeness and fulfillment, extolled by the Prophets as the highest blessing and consummation of life. His idea of peace was permeated by the basic tenets of love and brotherhood, truth and justice. His whole pontificate can be identified with his great encyclical *Pacem in Terris.* (April II, X 1963).

I shall not expand on this subject, since our hearts are filled with loving memories of this great herald of peace on earth and good will to all men. But there is one aspect I should like to stress. In his encyclical on peace, John sponsored a new approach to communist countries. He distinguished false and dangerous philosophical doctrines from the movements which have grown out of them. Thus while rejecting the official atheist philosophy of communism, he suggested that it was possible to co-operate even with people with whom we are in disagreement on the ultimate meaning of life, in seeking the solution of international disputes which threaten the peace of mankind, and building up a world society founded on justice and love. To some he seemed to be adopting a policy which was contradictory to Pius XII's views on co-existence and dialogue with the communists. It is true that Pius did not fail to condemn the communists and expose the perils of their doctrine and policy as they emerged from certain well defined circumstances of outrageous behaviour. Nevertheless the attentive historian will discover in his attitude every care to avoid unnecessary reference or censure. In reflections such as these John found substantial grounds for steering papal policy towards a new course.

Without deviating in any way from the necessary doctrinal intransigence, he lost no time in responding favorably to advances coming from the communist countries to establish lines of communication. John yearned to alleviate the condition of Christian communities in those lands and to open a dialogue for the common good of the whole world; so he yielded to the invitation. His policy bewildered both churchmen and statesmen alike, but the world was reassured when it witnessed the immediate success which crowned his efforts. Delegations from all the episcopates behind the "iron-curtain." hitherto prevented from leaving their countries, were permitted to attend the Second Vatican Council. Even Communist China was reported to have shown a good disposition to permit the Chinese hierarchy to take part in the Council; but circumstances did not allow a more direct approach and all hope was aborted. Khrushchev availed of every opportunity to exchange friendly messages with John and proceeded to give signs of his good will. In January 1963 he released the Ukrainian Archbishop Slipyj, who had been in a Siberian prison since 1947. He declared himself moved by the peace appeal launched by Pope John at the height of the Cuban crisis on October 25, 1962, which was resolved with the Soviet missile withdrawal from Cuba the following day. In February 1963 it was rumored that he was making approaches through various channels to sound out possibilities of establishing diplomatic relations with the Holy See. He ordered the Soviet representative in Switzerland to vote in favor of the Balzan Peace Prize awarded to Pope John on March 1, 1963. He asked his son-in-law, Alexei Adzhubei and his daughter to convey his good wishes to the Pope, who received them in a private audience on March 7, 1963. He sent the U.S.S.R. ambassador in Rome, Mr. Kozyrev, to represent him at the conferment of the Balzan prize which took place in St. Peter's Basilica on May 10, 1963.

Norman Cousins appropriately observed in his editorial in the *Saturday Review* of January 19, 1963, following his visit to Pope John, that in world affairs Pope John did not believe his role was to denounce or assail. It was rather to utilize the full moral power of the papacy in relieving tensions and in helping to create an atmosphere in which important and fundamental measures could be taken, that could lead to a just peace under law. He believed the cause of human survival was too important for bluster or bombast. Moreover, in the event of a crisis, as in the case of Cuba, Pope John would have liked to speak from a position that would enable the Holy See to be as effective as possible in keeping that crisis from skidding into a nuclear disaster.

Mr. Cousins found Pope John in full agreement when he remarked that "the question of war and peace in today's world is no longer mainly a political or national issue. Nuclear war is primarily a spiritual and moral issue. Nuclear war smashes at the nature of man, and not just at man himself. That is, the effects of nuclear war are registered in the human germ plasm, deforming the basic unit of heredity, cheapening and disfiguring life for generations to come. Nuclear war is also directed against the vital balances of nature that make life possible. In this sense modern war is not just a war by nation against nation, or a war by man against man, but a war against God." [15]

On his death-bed, on that unforgettable Whit-Monday evening of 1963, Pope John offered the sacrifice of his life, as a victim on the altar, for the preservation of peace in the world.

Pope Paul VI (1963–)

Pope Paul VI's ideas regarding the function of papal diplomacy were well known before he assumed the supreme pontificate. Having worked in close association with great popes of peace such as Benedict XV, Pius XI and Pius XII, he had witnessed from within and validly contributed to the efficaciousness of the papal diplomatic system in establishing and maintaining peace in the world. In his own definition, diplomacy is "the art of creating and [redacted] international order, that is to say peace, not by means of force or the balancing of material interests, but by way of open and responsible settlements." On the basis of such a definition diplomacy is "entirely appropriate to the Catholic Church, which strives to achieve true, peace in the world. Furthermore ecclesiastical diplomacy offers civil diplomacy a model toward which it can look with assurance in its mission to reconcile and unify the world, not so much because of any technical proficiency that the Church might display or any success attending its efforts (for both of these elements may be lacking), as because of the ideal of universal brotherhood from which it takes its departure and toward which it tends." Paul expressed these ideas as Substitute Secretary of State in the famous speech he made on papal diplomacy in 1951.[16] He confirmed and further developed them in his allocution of January 8, 1968 to the Members of the Diplomatic Corps accredited to the Holy See. He could not share the pessimism of some who considered diplomacy to have outlived its purpose and become a museum piece. If the normal diplomatic channels were abandoned in trying to solve the terrible problems of our modern world those problems could become altogether insoluble, he remarked. Now that modern warfare has become capable of destroying the whole human race, who would dare prefer force to the peaceful means of negotiation? The horns of the dilemma are either total destruction or diplomacy. But "to despair of diplomacy would be to despair of man himself," concluded the Pope, "for diplomacy is the art of creating among peoples humane and reasonable relations, animated by a high moral ideal, and aiming at establishing the rule of right, justice and peace in the international community."

In his first encyclical *Ecclesiam Suam* (August 6, 1964) Paul made it clear that one of his main aims would be the quest for peace, to which he intended not merely to devote a watchful and understanding interest, but also to entertain a most as-

[12] Saul Friedlander, *Pie XII et le 111e Reich,* Paris, 1964, pp. 209–216.

[13] *The Times Literary Supplement,* London, March 14, 1968, p. 274.

[14] Igino Giordani, *Vita Contro Morte,* Arnoldo Mondadori Editore, 1956, pp. 319–324.

[15] Norman Cousins, *Present Tense,* New York, 1967, pp. 469–472.

[16] *Paolo VI e la Pontificia Academia Ecclesiastica,* Tipografia Poliglotta Vaticana, 1965, pp. 21–56.

siduous and efficacious concern. "This will be, of course, within the limits of our ministry and utterly divorced from purely terporal interests and strictly political forms, but it will be eager to make its contribution in educating mankind to sentiments and ways of acting contrary to violent and deadly conflict, and in fostering rational and civilized agreements for peaceful relations between nations". In speaking to the Members of the Diplomatic Corps (January 8, 1966) he expanded even further on his intentions to work ceaselessly for peace in the world: "For our part", he said, "we are ready to attempt all steps—even outside the generally accepted pastoral forms—everytime we believe that the Church can usefully bring to world leaders the weight of her mortal authority for the maintenance and progress of a just peace among men and peoples."

Paul was quick to substantiate his desire to place the services of the Church at the disposal of the community of nations in its work for peace. On March 21, 1964 he appointed a permanent observer of the Holy See to the United Nations Organization. This was the realization of a cherished dream of his, which went back to the days when he was Substitute Secretary of State. It represented a great step forward in the policy of the Holy See.

John Eppstein, then a British official of the League of Nations, recalls how in 1923 he had written to Cardinal Gasparri, Secretary of State of His Holiness, suggesting that some consideration be given to the possibility of establishing formal relations between the League and the Holy See. The Secretary of State replied: "The project can be accepted only in the sense that the Holy See would be at the disposal of the League for matters within its own competence: that is to say, the elucidation of questions of principle in morality and public international law; assistance to the League's relief works, where its aid would be of value to suffering people." [17] The reply echoed Benedict XV's refusal to recognize the League of Nations, which in his opinion lacked the necessary foundations for ensuring a lasting peace. Pius XI, in turn, had avoided permanent association with the League because of possible anticlerical reactions, originating especially in the attitude of the Italian representatives who opposed papal influence in international affairs. Furthermore, much of the League's activity belonged to the temporal order; it was hence considered outside the competence of the Holy See. Fascism perpetuated the official Italian opposition in art. 24 of the Lateran Treaty (February 11, 1929) by exacting from the Holy See an engagement to the effect that: ". . . With regard to the sovereignty pertaining to it in the field of international relations, the Holy See declares that it wishes to remain and will remain extraneous to all temporal disputes between nations, and to international congresses for the settlement of such disputes unless the contending parties make a joint appeal to its mission of peace; nevertheless, it reserves the right to exercise its moral and spiritual power in every case." [18] The concluding sentence was added at the demand of the Holy See, in order to guarantee fundamental freedom of action in matters pertaining to her competence.

Pius XII had shown deep interest in the United Nations Organization at its very outset in 1945. "Undoubtedly the thought of a new peace organization is inspired by the most sincere and loyal good will," he had declared. "The whole of mankind follows the progress of this noble enterprise with anxious interest" (June 2, 1945). Later, he expressed the wish that: "the United Nations become the full and faultless expression of this international solidarity for peace, erasing from its institutions and its status every vestige of its origin which was of necessity a solidarity of war" (Christmas message 1948). But as time went by he became less confident in the Organization. He voiced his anxiety in his 1956 Christmas message, when he observed among other things: "Although the United Nations' condemnation of the grave violations of the rights of men and of entire nations is worthy of recognition, one may nevertheless wish that, in similar cases, the exercise of their rights, as members of this organization, be denied to states which refuse even the admission of observers thus showing that their concept of state sovereignty threatens the very foundations of the United Nations."

The situation had improved under Pope John, and thus the way was paved for the establishing of an official contact between the United Nations Organizations and the Holy See. In his encyclical *Pacem in Terris* John had expressed the wish that the United Nations "should go from strength to strength, perfecting its constitution and its agencies to meet the extent and the grandeur of its tasks." John even sent Cardinal Suenens to speak to the United States Committee for the United Nations and to present an autographed copy of the encyclical to the Secretary General U Thant (May 13, 1963).

Most significant was the call that U Thant made on Paul VI only two weeks after the latter's coronation (July 11, 1963).

The interest of the Holy See in the United Nations Organization is based on the convergence of their general aims. The aims of the United Nations are in fact: to maintain international peace and security, to develop friendly relations among nations and to promote international economic and social co-operation. For this reason, even in the absence of a permanent link with the General Assembly, the Holy See has always maintained indirect relations with the United Nations Organization through representatives, appointed on either a permanent or a temporary basis, to the various specialized intergovernmental organizations affiliated with it through the Economic and Social Council in New York and Geneva and to other bodies depending on the General Assembly.

Paul spoke words of high praise and encouragement to the General Assembly of the United Nations on the occasion of his visit (October 4, 1965), which he confirmed in his encyclical on the development of peoples *Populorum Progressio* (March 26, 1967).

It was at the United Nations he launched his most pressing appeal for world peace with those incisive words: "No more war; war never again." It would be impossible to recall here all the peace utterances made by him up to the present time in less than five years of supreme pontificate. They were summed up in the moving message he addressed to the world on December 8, 1967, when he asked for the observance of an annual "Day of Peace" on January 1st. Peace, the message said, is threatened by the danger of (1) selfishness in relations among nations; (2) violence deriving from the desperation of oppressed populations; (3) recourse to frightful weapons of extermination; (4) use of deterrent and murderous forces in place of negotiations founded on law, justice and equity. The Pope invoked a true peace, which springs forth from the Gospel, starts from within, is founded upon truth, justice, freedom and love and spreads abroad in a world-wide brotherhood of all men, originating in the one, sovereign, most lovable Fatherhood of God.

In the same message Pope Paul distinguished peace from pacifism. It is obvious that it is not his intention to condemn pacifism as such, but particular forms of pacifism, such as he describes, which encourage citizens to shrink from their civic responsibilities through cowardice or lack of due concern; masks a base and slothful concept of life; aims at drugging the enemy one must overcome and smothering in men's minds the meaning of justice, of duty and sacrifice, and (as he has said in a speech to the press on January 29, 1966) ignores the rights and duties relating to the conflict in question and the negative consequences an unjust and unequitable solution may produce. Paul was well aware of what Vatican II had declared with regard to conscientious objectors: "It seems right that laws make humane provisions for the case of those who for reasons of conscience refuse to bear arms, provided however they accept some other form of service to the human community".

Pope Paul has made the quest for world peace one of the central themes of his pontificate. One problem which has been weighing constantly on his mind is that "typical, tragic and threatening war in Vietnam, at once ideological, civil and military" (Christmas message 1966). He had clearly foreseen the deadly extent of the destruction which would have resulted from the exacerbation of the conflict. The Vietnam Christmas ceasefire of 1965 was a consequence of Paul's appeal; but it was a limited success, for it was not extended to the New Year nor did it lead to a real truce and to a peace conference, as he had hoped. In a letter to the Vietnamese bishops dated February 15, 1966, he revealed that he was making efforts to bring about peace negotiations and to this effect had approached the responsible political authorities. He was referring to the personal messages he had [redacted]uary 1, 1966, to the heads of the State of North and South Vietnam, U.S.S.R. and to the Chairman of the Chinese Communist Party. He renewed his appeal for a truce, suggesting that the conflict could be settled by neutral arbitration under United Nations sponsorship. In October 1966 he sent Monsignor Pignedoli, then Apostolic Delegate in Canada, to preside over a special meeting of the Vietnamese Catholic hierarchy in Saigon. Through him he offered them his "unlimited collaboration for peace" and urged them to press upon the need for all to work in harmony if the war was to be ended and the so much desired political and social reforms were to be carried out. He kept entreating member-governments of the neutral International Control Commission, set up by the Geneva agreement in 1954, to do their best to bring the parties in conflict to a negotiated settlement of their differences. He is in frequent consultation with President Johnson and other statesmen on the Vietnam problem. It is worth noting that his action in international affairs has encountered no public hostility, but is accepted rather as altogether normal in all parts of the world. Together with Vietnam is the Pope's worry and action to bring peace to Nigeria, devastated by civil war. His emissaries were the only visitors from abroad who are known to have visited Biafra as well as Lagos. To those who begin to grow weary of his repeated peace appeals he replies that the Pope must continue to call the attention of the world to the great distress caused by the war; no one should accuse him of not having spoken clearly and loudly enough. As the London *Times* Rome correspondent, Peter Nichols, remarks in his recent book *The Politics of the Vatican:* "He wishes to show the Holy See fully functioning in a crisis so that no one can say that more should, and could, be done".[19]

It would be a grave omission to overlook the success achieved by Pope Paul in the interests of world peace with regard to relations with the communist nations, as is evidenced by (1) the exchange of good will messages with their leaders; (2) the gradual easing of the situation in Czechoslovakia following contacts with the Vatican since 1963 which

[17] John Eppstein, *The Catholic Tradition of the Law of Nations*, London, 1935, p. 320.

[18] *American Journal of International Law*, Washington, vol. 27, p. 194.

[19] Peter Nichols, *The Politics of the Vatican*, London, 1968, p. 250.

brought to the release from arrest of Monsignor Beran, Archbishop of Prague, and other bishops and priests on October 3, 1963; (3) the partial agreement with Hungary in September 1964; (4) his meeting with the U.S.S.R. foreign minister, Andrei Gromyko, at the United Nations on October 4, 1965, and later at the Vatican on April 28, 1966; (5) the signing of the protocol between the Holy See and the Federal Democratic Republic of Yugoslavia on June 25, 1966 and the subsequent visit of the Yugoslav prime minister Nika Spiljak to the Vatican on January 10, 1968; (6) Monsignor Casaroli's visit to Poland on February 25, 1967, to study "realities of the Catholic Church there and the context in which the Polish Church is living"; (7) the visits to the Vatican of the chairman of the Presidium of the Supreme Soviet of the Soviet Union, Nikolai Podgorny, on January 30, 1967, and the Rumanian premier Ion Gheorghe Maurer and his foreign minister Corneliu Manescu on January 24, 1968.

II. THE SECOND WAY TO PEACE LIES IN THE AREA OF DEVELOPMENT

The problem of development is to be seen as both an individual and a communal issue. As an individual issue its solution lies in the raising of the moral and material standards of every man, by helping him to improve his condition on all levels. As a communal issue it is related not simply to a national but also to an international context.

Before the First World War countries known as colonies were considered mainly as objects of exploitation. Little effort was exerted to elevate their standard of life while the prospect of an independent status was a long way off. Two world wars have brought peoples closer to one another. Countries which were not yet independent made a notable contribution in manpower and natural resources to the triumph of justice and freedom. All this called for gratitude, which was based on a deeper knowledge and appreciation of the true cultural values and potentialities of those ancient peoples.

Since the end of World War II the industrial countries have become increasingly richer, to the point that one-quarter of the world's population now owns more than three quarters of the world's wealth. This means that three-quarters of mankind must live in appalling conditions of hunger, poverty, disease and ignorance on less than one-quarter of the world's wealth. The differences entailed by such an imbalance are severely divisive, so much so that the poor countries are kept at a safe distance, and confined to a group which is well distinguished from the world of the privileged by the epithet of "Third" World.

Now that mankind is more conscious of belonging to One World based on the same human dignity of all men, the striking inequality which obtains in the distribution of wealth and of political power becomes an even greater obstacle to peace. The Church is more than ever aware of this state of affairs and of her duty to assist in remedying it. It has taken her some time to reach this awareness, but she has placed herself at last in the forefront of the war on moral and material want. Her consciousness was sparked by her deeper reflection on the dignity of the human being, the respect of his God-given rights and his position in the areas of labor and government. It then rose to the national level, where she was striken by the almost sudden discovery of the absence of social justice. Finally, in more recent years, her attention stretched out with balanced perspective to the international arena. Since then she has undertaken her great campaign directed at awakening the awareness of all men, as individuals and as national groups, to the problems of assistance and development of the world in need and at stimulating them to responsible action in order to remove the economic and social inequities of that portion of the human family.

Pope Leo XIII-Pope Pius XI

When Leo XIII was elected pope in 1878, he found mankind faced with a social situation which was without parallel in history. Relying solely upon the unchangeable principles drawn from right reason and divine revelation, the Pope wrote 12 great social encyclicals, which form the so-called "Leonine corpus". In them he authoritatively proclaimed the rights and mutual duties of the rich and the poor, of capital and labor. He described the part that was to be taken by the Church, state and all parties to improve the situation concerned. The most famous of these is the encyclical *Rerum Novarum* (May 15, 1891) on the conditions of workers, which was the answer of the Church at that time to Marx's *Das Kapital* and to communism and socialism. Since then the solution of the social question became one of the main interests and aims of the papacy. Pius XI restated *Rerum Novarum* in the shape of another encyclical *Quadragesimo Anno* on the former's fortieth anniversary (May 15, 1931). Furthermore, the Pope stigmatized exaggerated nationalism as irreconcilable with the precepts of right and Christian ethics, and stressed the need for an indigenous clergy in the mission field.

Pope Pius XII

Pius XII marked the fiftieth anniversary of *Rerum Novarum* by a radio message to the world (June 1, 1941) in which he dealt with problems relating to the use of material goods, to labor and to the family, and invited all to co-operate in the future construction of the new Christian social order. On many other occasions he stressed the dignity and claims of the worker especially the worker's right to partake in the organization of the economy on a footing of equality with the employers. He instituted the feast of St. Joseph the Workman (1955) in order to enhance the status of laborers. A particular mark of his teaching was the care for a proper balance to be established between freedom and social security, the two essential components of social justice. In his encyclical on the missions *Evangelii Praecones* (June 2, 1951) he urged the Church in the missions to adapt herself to local cultures, which colonial policies had frequently disdained but which contained values worthy of enhancement. He encouraged the growth of an indigenous clergy, promoted local priests to posts of high pastoral responsibility, and urged missionaries to pioneer work in the social field to improve the living conditions of their peoples.

Pope John XXIII

John XXIII marked a real thrust forward in the teaching of the Church in his encyclical *Mater et Magistra* (May 13, 1961), by tackling the whole social question in the present day context. His point of departure are not theological pre-suppositions but arguments of pure reason and scientific experience which reach the same conclusions as the parallel affirmations of revelation. The encyclical was written to celebrate the seventieth anniversary of *Rerum Novarum*. Of this it is, in effect, a startling extension in its conception of human rights and of what is required for the full development of the human personality.

It is John's merit to have expanded the papal vision of development from the individual, the family and the national scene to the international scene. This is another of his great contributions to world peace. His predecessors had dealt with political affairs on an international level but their specific concern for human problems of economic development was restricted to the national scene. John realized the importance of enlarging the process of social organization beyond the limits of the state for the benefit of the whole world, and especially of the developing nations, for which a fully competent and equipped world authority was to be encouraged. "The poverty, wretchedness and hunger in which millions upon millions of human beings have to exist" were the concern of the Church no less than of the United Nations, whose aim it is to promote international and social co-operation. The Church therefore should give that organization her support so that it may become a real "center for harmonizing the actions of nations in the attainment of these common ends."

John thus solemnly pledged the Church to "collaborate on a world-wide scale in a selfless, many-sided direct plan in order to make available to the developing countries enough capital and sufficient competent technical manpower to set in motion and carry through a simultaneous program of economic development and social progress." In his address to the 86 diplomatic missions which had come to the Vatican from the whole world, on the occasion of his eightieth birthday (October 12, 1962), he spoke of the moral force of Christianity, which is "a message of integral truth, justice and charity. On these foundations the Pope must devote himself to work in order to establish a true peace, destined to raise the peoples in the respect of their rights, promote agreements between states, put an end to strife between men of different origins and facilitate the provision of urgently needed aid for gradually developing nations and for their true welfare with the exclusion of any aim of domination" In *Mater et Magistra* he stated: "The nations which enjoy an abundance of goods should not [redacted] the grave internal difficulties of others, where hunger and want grind men down and deny them the enjoyment of even elementary human rights" for "no possibility of a lasting peace exists while glaring international economic and social inequalities persist." John stressed the idea of the *interdependence* of nations, which "are necessarily complementary and serve their own interests only to the extent that they serve at the same time the interests of all the others".

Pope John's enlightened championship of the rights of developing countries, strongly restated in *Pacem in Terris*, won the attention of the world. U Thant sent him a special message of appreciation for his endorsement of the work of the United Nations and his inspiring vision of its future role. John's teachings had a profound influence on the drawing up of Vatican II's pastoral constitution on the Church in the Modern World, which borrows many of its themes from his encyclicals, especially with regards to the brotherhood and interdependence of all men, socialization and the principle of subsidiarity.

Pope Paul VI

Paul VI reached the papal office steeped in the social doctrine of the Church. He himself had made a valuable contribution to that doctrine over his long years of service in a highly responsible position in the Holy See and as archbishop of one of the most important dioceses of Italy. His great advantage over his predecessors was to have undertaken two long journeys, one to Latin America in 1960 and one to Africa in 1962. He thus came into direct contact with the acute problems pressing on those continents full of life and hope. Later, as pope, further journeys in 1964 to both the Holy Land and to India enabled him "to see and virtually touch the very serious difficulties besetting the peoples of long standing civilizations who are at grips with the problem of development". He pleaded the cause of the developing countries before the General Assembly of the United Nations in 1965. In his desire to carry out the wishes of the Vatican Council and give specific expression to the great cause of those nations, he set up a "Pontifical Commission for Justice and Peace" charged with "bringing to the whole world of God's Peo-

ple the full knowledge of the part expected of them at the present time, so as to further the progress of poorer peoples, to encourage social justice among nations, to offer to less developed nations the means whereby they can further their own progress". It was against such a background that at Easter 1967 he addressed to all men of good will a moving appeal for "concrete action towards man's complete development and the development of all mankind".

A new chapter was thus added to the body of the Church's doctrine on social matters. *Populorum Progressio* (March 28, 1967) obviously restates familiar papal teachings on economic problems; but the imprint of Paul's personal genius appears not so much in the stronger emphases he places on them, as in the novelty of his penetrating analysis of mankind's economic situation today, of the need for personal and communal development. The encyclical contains a general coordination of doctrine and policy relating to the role of Church, state and individual in promoting human and social development, and of efficacious means to reach that end in a spirit of international solidarity and brotherly love.

For Paul it is not just a matter of eliminating hunger nor of reducing poverty, but a question of building a world where every man can live a fully human life, no matter what his race, religion or nationality. The peace of the world, he says, is threatened and the new name for peace is development. Peace cannot be limited to a mere absence of war, it is not merely the result of a precarious balance of forces, but it is something that is built up day after day, in the pursuit of an order intended by God, which implies a more perfect form of justice among men. The present situation must be faced with courage and the injustices linked with it must be fought against and overcome. Development demands bold transformations, innovations which go deep. The superfluous wealth of rich countries should be placed at the service of poor nations. A world fund should be established, financed from part of the money now spent on arms, to relieve the most destitute. The public authorities can check the demographic increase by diffusing appropriate information and adopting suitable measures which do not go against the moral law or the rightful freedom of married couples. Catholics are encouraged to collaborate with other Christians believers and all men of good will to relieve the sufferings of the developing world.

The encyclical was received with a mixed welcome. Those who read it through without prejudice, admired it as a balanced and appropriately timed report and endorsed its suggestions (*New York Times* and *The Times*). Others read into it "the strident tone of an early twentieth-century Marxist polemic" (*Time*) or "the prejudices of various schools of thought" in its strictures on "liberal capitalism" (*Il Globo*), a "warmed-over Marxism" (*Wall Street Journal*), or even found in it "nothing really new except the tone" (*L'Aurore*). But the developing countries hailed it as the Magna Carta of the poor.

In writing his encyclical Paul VI was detached, free, sharply critical and above all constructive. "For nations," he said, "as for individuals, greed is the most evident form of moral under-development." He challenged all and sundry to unite and to work for the shaping of a happier world, based on brotherly relations.

"Underdevelopment today represents an obstacle to the formation of solidarity between nations on a Christian or a truly human level" rightly observes Francois Lepargneur O.P. "It is a sign of our failure to achieve this goal. We need only point to the fact that most of the developed nations have refused to contribute one per cent of their national revenue to the underdeveloped nations, and that the gap between rich and poor nations is steadily widening".[20] No wonder the Holy Father employs such strong and unequivocal language in his encyclical!

The Church has been doing her best to provide needy countries with direct and immediate assistance in the way of trained manpower and financial aid. These countries are not insensitive to her care. Some 30 envoys from Afro-Asian nations alone are accredited to the Holy See. In their struggle against underdevelopment everywhere and always, and especially in time of crisis they look to the Holy See as an ally, who is willing to protect and to help promote their national interests. The Holy See's prompt and firm attitude has also influenced the World Council of Churches which in the meeting of their Fourth Assembly at Uppsala in Sweden next July is expected to dedicate a whole section to the study of the world economic and social development, very much on the lines of *Populorum Progressio*.[21]

III. THE THIRD WAY TO PEACE LIES IN THE AREA OF ECUMENISM

It is often repeated that the Catholic Church has been conspicuous in the past for her absence from the ecumenical scene. It may be hard to disprove such a statement, if we merely consider her reiterated refusal to take part in the various multi-Church ecumenical schemes. It would be unfair however to maintain that the Catholic Church showed no interest in this problem, even though it had been in the forefront of international Christian activities for over fifty years before Vatican II brought the full Catholic weight to bear on ecumenism.

The problem of Christian unity has in fact been the object of much Catholic ecclesiological study from Vatican I to our times. Justice can be done to the Catholic Church only if her former attitude is considered in relation to the attitudes of other Christians in the past. Non-Catholics approach the problem of unity today in a manner which is substantially different from that of a time, when typical Protestant liberalism and pragmatism permeated and inspired much of the thinking behind the ecumenical movement. As a result, the Catholic Church had become all the more cautious and entrenched in her view with regard to the movement. She could not overlook fundamental questions concerning Christian doctrine and the very structure of the Church for the sake of a union which was more in the nature of syncretism and confusion. She did however appreciate the evangelical aims which inspired the movement and showed her appreciation in cooperating with Protestants in various social activities of a charitable, moral or political character, such as "The Sword of the Spirit" in England during World War II, the "Christian Community" group in India in 1940, Trade Unionism and other associations. In his encyclicals *Caritate Christi* (May 3, 1932) and *Divini Redemptoris* (March 19, 1937) Pius XI formally called for such co-operation in the face of spreading social evils and dangers.

This co-operation paved the way toward a closer relationship which gradually brought the Church into the orbit of the ecumenical movement. This movement, in the meantime, had gone through a healthy process, thanks to which it had become more acceptable from a Catholic viewpoint, especially with regard to its renewed concept of the nature of the Church and the meaning of the sacramental life. Here we pause to pay a well-deserved tribute to the Orthodox members of the World Council of Churches who by their active participation have shown themselves to be vigilant guardians of the traditional doctrine. Meanwhile Vatican II has brought the Catholic Church to recognize in other Churches the presence in varying measures of most significant endowments which come from Christ and lead back to him. They derive their efficacy from the very fulness of grace and truth entrusted by Christ to the Catholic Church. Hence they constitute the basis of a communion which significantly, though still imperfectly, binds other Churches to her in Christ. The Catholic Church has also acquired a deeper realization of her own responsibility to be a more perfect embodiment of the divine-human society founded by Christ, and of the need to purify, widen and develop herself in such a way as to be able to embrace in unity, though not in uniformity, all those Christian Churches and Communities, which long for the restoration of unity according to the will of Christ.

At this point one may ask what is the relevance of ecumenism to the question of world peace. The simple answer is that it is very great. "Ecumenism", says Pope Paul, "is a good work for peace and unity". The Anglican-Catholic common declaration (March 24, 1966) expresses the hope that "with progress toward unity may there be a strengthening of peace in the world". Harmony and collaboration of all men in a spirit of true brotherhood are in fact the prerequisites of world peace. Such peace cannot be fully secured unless it extends to the religious, as well as to the political, economic, social and intellectual fields. One need not expand on the horrors which have come—and alas! still come—to mankind because men have not learned to l[redacted]e with one another even with regard to their religious differences. The ideal of Christianity, of course, is the "peace of Christ in the kingdom of Christ" established in the whole world. But the advent of this kingdom is gradual and it cannot be accelerated by human weapons. It is necessary to find a basis on which peacefully to live and collaborate with that part of mankind which either reject Christ or the very concept of God as well as with those Christians who differ from us in their acceptance and interpretation of the doctrine of Christ. The aim of the ecumenical movement, however, is to go far beyond that goal of peaceful coexistence, when Christians are concerned. It strives to recompose the organic unity of all the true followers of Christ, so that God's sanctifying will may be fulfilled and there may be a truer witness to Christ, their Saviour, who is the "Lord of peace" (2 Thes. 3:16).

History is steeped with the atrocities of wars of religion, originating in the tensions which arise from the absence of appropriate communication, brotherly love, understanding and mutual tolerance between Christians. Had it been possible to produce documents such as the Constitution on the Church, the Decree on Ecumenism, the Declarations on Religious Freedom and On Relations with Non-Christians at the very beginning of the rebellion against the Catholic Church's leadership, the situation today may be quite different in every field of individual, social and political relationships.

Ecumenism inspires men to work together for the common good of all mankind. The bond which unites Christians is expressed more vividly in the common service of the world. In recognition of this, Catholics have been urged by recent Pontiffs and Vatican II to collaborate more and more with others in the diverse fields of human activity, at home and abroad and especially "in regions where a social and technical evolution is taking place" such as the developing areas. Such co-operation among Christians is encouraged by the Decree on Ecumenism, in that it contributes to a just appreciation of the dignity of the human person, the advancement of humane social conditions, and the promotion of peace throughout the world (cf. art. 12 and 14).

---

[20] François Lepargneur, *Underdevelopment and the Christian Conscience of Brazil* in Concilium, vol. 9, n. 3.

[21] Cf. issues of *Church Times*, London, for the first half of 1926.

Popes Pius IX, Leo XIII, Pius X, Benedict XV, Pius XI

Pius IX opened the series of important papal texts on the question of unity which he conceived exclusively in terms of return to the Catholic Church. This explained why the Orthodox Churches eventually turned down his invitation to the First Vatican Council. Leo XIII insisted on the need of acquiring a better knowledge of our separated brethren and did his best to promote unity with the Orthodox and the Anglicans. He set up the "Pontifical Commission for the Reconciliation of the Dissident Churches" (1895) and dedicated over thirty documents to the problem of unity. Great events followed under the pontificates of Benedict XV and Pius X: the conversion of Fr. Watson, founder of the Society of the Atonement, whose work was extended and enriched by Abbé Couturier, and the invitation, which was declined, to the meeting of the World Missionary Conferences at Edinburgh in 1910 and the setting up of a Faith and Order Committee. Pius XI recognized the need of a mutual discarding of prejudices. He directed his attention mainly to the Orthodox Churches and in 1938 rendered autonomous the Sacred Congregation for the Oriental Churches whose origins go back to Pius IX (1862). Pius XI is less known for the keen interest he showed in what was styled unofficially as the "Anglican Uniat Movement" which had come up formally at Malines for the first time and was promoted later by Dr. Gordon George, whom he received in private audience in 1926. In reading the reports of their meeting, one is amazed at the deep insights their conversation contained into the developments of our present relationship with the Anglicans.[22]

Pope Pius XII

Pius XII's personality and pontificate prepared the way for the tremendous breakthrough which was to come with Pope John XXIII. He spoke and acted for the achievement of Christian unity, and received many leaders of different Churches. These visits were not publicized because the time was not considered ripe. For the same reason he had declined the presidency of the proposed "Christian Conference" consisting of Catholics, Protestants and Orthodox, for the defense of Christian values of the individual and mankind against totalitarianism, suggested by the Archbishop of Canterbury on March 20, 1939. In his great encyclicals *Summi Pontificatus* (1939) and *Mystici Corporis* (1943) and in many other messages, he addressed himself to all those "who are united with us in love for the person of Jesus Christ and faith in God." His doctrine on baptism and on the spiritual nature of the Church, and his liturgical reforms were the beginning of a broader, deeper and simpler religious experience. Anti-modernism was surmounted for the first time in *Divino Affiante* (1943) whereby he restored confidence to scholars and encouraged a more genuine return of theology to biblical studies. After the war, which had brought Christians of all allegiances together, he mitigated the rigid rules imposed on Catholics in their contacts with other Christians.

It was with his encouragement that various ecumenical initiatives were started, such as the review *Catholica* by Father Grosche and the *Una Sancta Movement* by Father Metzer in Germany in 1939 and the *Catholic Conference for Ecumenical Questions in Holland in 1952*. A remarkable series of ecumenical theologians came to the fore in the French Church, such as de Lubac, Congar, Bouyer, Ne'doncelle, Daniélou, Dumont. Ecumenical meetings were held at a high level, and Pius XII showed sympathy and interest in the results. Fr. Boyer founded the *Associazione Unitas* in Rome in 1945 and subsequently opened the *Foyer Unitas* for non-Catholic pilgrims, who flocked in to receive the Pope's blessing. In 1948 Pius sent Fr. Boyer as observer to Amsterdam, where the World Council of Churches was brought into formal existence. Anglican Bishop Stephen Neill was surprised to find so strong an interest in the ecumenical movement among the Curia members when he visited Rome in 1949.[23]

There is no doubt that had Pope Pius XII been given the ecumenical opportunities which were to come in later years, his leadership in the quest for Christian unity would have been no less enlightened than that so happily provided by John XXIII and Paul VI. History will not fail to bring out the part he played in starting off the slow process of thaw and reform, a part which has been overshadowed by the more charismatic personality of his successor Pope John and the more systematic approach of Pope Paul.

Pope John XXIII

John XXIII's entire priestly life was dedicated to the cause of Christian unity. He gave immediate expression to his abiding interest in his first public address (October 30, 1958): "We open our loving heart and extend our outstretched arms to all who are separated from the Apostolic See . . . The road to unity is charity, so little observed on either side." He repeated his appeal on numberless occasions. The union of Christians was another of the great intentions for which he offered the sacrifice of his life on his death-bed.

John brought the Catholic Church officially into the ecumenical arena. The radiance of his evangelical humility, simplicity, and love transformed the whole ecumenical atmosphere, as non-Catholics are the first to recognize. He taught Christians to look at one another as brothers and not as a prey to be conquered, to respect the integrity of consciences and to lay more stress on what united them than on their differences. No one was to demand unconditional surrender, but all should desire to share each other's authentic Christian values, after scrutinizing them together on the basis of the Gospel, in the unity of faith and order willed by Christ.

It was a great privilege to work under Pope John and to witness his extraordinary fatherly love and care for all people, regardless of creed. He knew little about the dissident Christians of the West, but was humbly eager to learn. He established the Secretariat for Promoting Christian Unity on June 5, 1960, and in August of the same year he sent observers to the meeting of the Central Committee of the World Council of Churches at St. Andrews. The following December he received Dr. Fisher, Archbishop of Canterbury, in private audience. The brotherly welcome he extended to his distinguished Anglican visitor opened the way to an almost uninterrupted stream of visits from representatives of the separated Churches. My function as interpreter at meetings such as these was greatly reduced by the immediacy of John's approach through the universal language of love and good will. In John's countenance and warmth Christians read the Gospel anew at its face-value and began to meet and love one another whatever their respective allegiances. Non-Christians were moved, and desired to take part in this challenge of brotherly love, even though ecumenism is *per se* a family concern of Christiandom. Khrushchev himself was touched, and declared himself ready to grant whatever John would ask for! We have already mentioned the happy consequences following upon this attitude. The de-frosting policy of the U.S.S.R. with regard to its relations with the Western world—the effects of which were witnessed in other "iron-curtain" countries—was not a mere coincidence, but an event to which the symbolic opening of Vatican ecumenical windows by Pope John was not altogether extraneous.

Pope Paul VI

At the outset of his pontificate on June 30, 1963, Paul VI declared his intention to follow in the footsteps of his predecessor "which contained so much hope and happy omen for the fulfillment of that 'unum sint' awaited so much by all and for which he offered his life". "Christian unity" Paul said in his first Christmas message, is the "most solid and hopeful basis for unity between men." The visits made by him to various countries bore the twofold purpose of peace and unity, which are the theme of his numberless ecumenical speeches and messages. It would be wrong, however, to consider him as a mere imitator of his predecessor; like him he looks forward, but he also looks over John's shoulder. He established the Secretariat for Non-Christians on May 19, 1964 and the Secretariat for Non-Believers on April 7, 1965. His many initiatives bear witness to his inventiveness and tenacity, combined with the necessary prudence, as he ventures into unchartered territory where even his predecessor would have feared to tread. His meetings with religious leaders, both Christian and non-Christian, on their own ground and at the Vatican, display brotherly love, deep sincerity and immense courage. [redacted]ly his friendship with His All-Holiness the Ecumenical Patriarch, Archbishop Athenagoras, has strengthened the latter's position. The warm reception he tendered to Dr. Ramsey, the Archbishop of Canterbury, as his personal guest in Rome, was heightened by his brotherly greeting: "Your steps do not resound in a strange house; they come to a home which you, for ever-valid reasons, can call your own." The friendship which he hoped would henceforth inspire and guide relations between Catholics and Anglicans, and all the separated brethren, is bearing precious ecumenical fruit. Great indeed is "also the civil importance which this example of well-initiated concord, and this proposal of practical collaboration", to use the Pope's own words, "can have for peace among the nations of the world."

An instance of such collaboration was given on March 20, 1963 when a call for peace was issued jointly, for the first time, by the Catholic Church and the World Council of Churches. The statement made an urgent plea to both sides of the Nigerian civil war to put an end to hostilities by concluding a lasting peace through honorable negotiations. It also requested (1) the African chiefs of state to contribute to the termination of the sad conflict by their counsel and mediation; (2) governments and international organizations to deny external military assistance to both parties; and (3) international relief-agencies to co-operate in meeting the grave needs of the peoples, which will continue long after armed hostilities have ceased.

Paul VI, following John's policy of no explicit condemnation of communistic nations, has improved relations in both the ecclesiastical and the political areas in those countries. Dialogue was developed with the Russian Orthodox Patriarchate and high-level meetings took place with other Churches, such as the Armenian, Coptic, Greek, Rumanian and Serbian Patriarchates.

About one hundred observers attended the closing session of the Second Vatican Council. Non-Catholic leaders from East and West poured into the Vatican to visit Paul VI: dissident Oriental Church leaders; Anglican bishops, clergy and faithful; Episcopalians; Methodists; Presbyterians; and countless others. They all seemed intent to soothe the

[22] *Drafts for Sections—Uppsala 68*, Geneva 1968 (preparatory and unofficial), pp. 52–71.

[23] Owen Chadwick, *The Church of England and the Church of Rome from the beginning of the nineteenth century to the present day, in Anglican Initiatives in Christian Unity*, London, 1967, p. 95.

loneliness the Pope had expressed to the observers as they took leave from Rome at the end of the Council when he said: "Your departure produces a solitude around Us unknown to Us before the Council, and which now saddens Us."

Thus the ecumenical peace based on reconciliation and renewal, declared and fostered by the papacy, extends all over the world. While creating an atmosphere of brotherly love and respect, which is basic to the harmonious relations and fruitful collaboration of the social body, and of all the human family, it offers new resources for a more concerted and effective impact upon the course of international affairs.

CONCLUSION

It is now time to come to a close, and the conclusion of a long talk must needs be short. It was my ambition in undertaking to write this essay to convey an adequate idea of the aims, usefulness and volume of the Church's activities in the international field. I should feel less guilty for taxing your endurance to the extreme limit if what has been said, has cast sufficient light, if need at all be, on the efforts of the Holy See to carry out her mission in the highest interests of world peace.

"Peace is not an independent good, but a resultant and derivative that presupposes and calls for an antecedent good which is none other than order, justice, and harmony of things" (Pope Paul's 1966 Christmas message). It is not built up only by means of politics. The Holy See is eager therefore, to partake in all those international activities that, conformably to her mission, are conducive to bringing about the context in which true peace can spring and flourish. By the exercise of papal diplomacy she seeks to help states to regulate their mutual relations by reason, justice and law, and not by force, deceit or fear. By contributing to the solution of social and economic inequities, she does her best to serve the world in need. By establishing a fruitful dialog in truth and love with all believers, she aspires to hasten the fulfillment of Christ's prayer "that they may become perfectly one" (Jn. 17:23). This is the spirit that animates the presence of the Holy See in the areas of diplomacy, development and ecumenism, as she strives to promote peace on earth with love, justice and freedom, working, as Pope Paul has enjoined, "for the good of the world, for its interests and for its salvation".

COUNTY SOLDIER, 20, KILLED IN VIETNAM BRIDGE ACTION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. LONG of Maryland. Mr. Speaker, Sp4c. John E. Mulcahy, a fine young soldier from Maryland, was killed recently in Vietnam. I wish to commend his bravery and honor his memory by including the following article in the RECORD:

COUNTY SOLDIER, 20, KILLED IN VIETNAM BRIDGE ACTION

A 20-year-old Baltimore county soldier was killed in Vietnam Friday, the Department of Defense announced yesterday.

He was Spec. 4 John E. Mulcahy, son of Mrs. Margaret J. Donahue and stepson of John Donahue, of 6 Terrace place. The dead soldier's father, Louis Mulcahy, lives in Baltimore.

LANSDOWNE GRADUATE

Specialist Mulcahy was killed while defending a bridge, Mr. Donahue said yesterday. He said that no other details were provided.

Specialist Mulcahy was a graduate of Lansdowne High School and enlisted in the Army, in April, 1966. He had been in Vietnam since last Christmas.

In his frequent letters, Mulcahy had said he was looking forward to coming home in December, Mr. Donahue said yesterday.

THE DANGER OF COMMUNISM

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. MYERS. Mr. Speaker, my constituent, Mr. Brian Bex, has requested that I call to the attention of my colleagues a report which he has written discussing the evolution of communism and its present danger to capitalism in America.

Under unanimous consent I include Mr. Bex's remarks in the RECORD as follows:

THE ONSLAUGHT OF COMMUNISM OR THE REBIRTH OF CAPITALISM

So you say that you're against Communism?

Let's never forget . . . We can no more save our Republic from Communism merely by saying we are against Communism, than parents can save their children from polio by fervently being against polio. To conquer any disease requires intelligent study to isolate the germ and discover the vaccine. As the number one killer in the world today, Communism is a disease which merits our urgent study. We must never forget that the defense of the cherished freedoms secured and handed down to us by our fathers is the responsibility of each American. Knowledge of the enemy, alertness to the danger, and everyday pride in country are the foundations with which we can build an invisible shield against the disease of collectivism.

To understand any disease we must begin with a basic understanding of the type of germs which carry and produce that disease. Where and what produced this disease we have labeled collectivism? The founders of modern Communism were Karl Marx and Friedrich Engels. Marx formulated the main tenets of Communism from the ideas of the German philosophers Hegel and Feuerbach. As Marx was purely a philosopher, he had little time for the facets of the work-a-day world, to the extent that his entire family practically starved. On the other hand, Friedrich Engels was the son of a wealthy man, thus enabling Marx to continue his writings, while he, Engels, supplied the group with necessities.

Basic Communist philosophy is centered on the concept of Dialectical Materialism. The term dialectics means simply that everything in the universe, whether a blade of grass, a human being, or society itself, is constantly changing and, at the same time, is in conflict. Materialism means that man is what he eats, that God does not exist, and that the world is composed of "living" matter. Hence, man is walking dust, without spark or image of his divine Creator. Communism is thus atheistic.

Based on Dialectics and Materialism, Marx was able to establish his own theory of the origin of life. To do this he utilized three laws which he espoused as being the foundations for Dialectical Materialism:

1. The law of opposites; i.e., that energy is in all matter for there is a constant struggle of the opposite forces within the matter creating the energy.

2. The law of negation; i.e., that before the death or negation of any matter, it recreates itself in greater number.

3. The law of transformation; i.e., that nature's different creations come about as a result of a leap in nature, which is caused by an accumulation of matter from which life emerges.

The final segment of Marxian philosophy which we are today concerned with is the Communist concept of Historical Determinism. The major part of Historical Determinism is that the whole recorded history of the world is a story of class struggle. Marx explained this struggle by means of a special formula, commonly called the thesis-antithesis-synthesis dialectic. To understand this concept, we must divide the formula into its three distinct components. First, the Thesis; the class which is the dominant power in society, controlling the means of production. In terms of the class struggle, the capitalists or bourgeoisie are the Thesis. The Antithesis is the opposing class that arises which seeks to overthrow the first class. When concerning oneself with the class struggle, the Antithesis is composed for the workers or proletariat. The Synthesis is the new class that arises after a fight occurs, and which, according to Marx and Engels, incorporates only the best of both old classes. The Communists believe that Communism is the final Synthesis.

With this brief and basic understanding, one can see the Marxian view of history. Slavery was replaced by Feudalism. Feudalism was replaced by capitalism. And capitalism will be overthrown by collectivism, which then turns to the final stage of human society, that of communism.

With this as [redacted], one now possesses a very elementary understanding of the origin of the germs of Communism. Let us now view the beginning of the infection, the beginning of the decay caused by these germs. To understand and view this picture, we need to go back in history only a half century. The Russian Revolution stemmed from the fact that the populous of Czarist Russia was unsatisfied and impoverished, while the aspects of feudalism still were present. This, combined with the extreme hardships resulting from World War I, opened the doors to the germs of collectivism.

Revolution broke out in March, 1917. At this time a militant hardcore socialist by the name of Alexander Kerensky gained control. The Czar and his family were arrested, and all political exiles were permitted to return to Russia. This, by the way, was to prove a fatal move on the part of Kerensky, for one such exile was Vladimir Ilyich Ulyanov. This man was to become known as the "action-man of Communism", for this was Lenin. Shortly after his return, Lenin overtly indicated that he refused to cooperate with the Kerensky government, and armed with his Bolsheviks, he gained power in the second Russian Revolution, in October of 1917. The first official act of the new "people's choice" was to kill many of the people. Everyone who opposed the new regime was shot. During the first three years of Lenin's reign, over 30,000 men, women, and children were liquidated, including the Czar and his family. Lenin set up the entire philosophy of Marx and the communists took control of the economic system, including property, industry, livestock, and the like.

Because of this enactment of communist ideology, factory production dropped 87% of what it had been before the war. Agriculture production dropped 50%. Within a few years Lenin's power structure was in trouble. He therefore instituted a portion of the "capitalistic" environment: he allowed the people of Russia to own several sticks of furniture, a dog, or a cow. Soon Lenin died; and, after a long and bloody struggle for power with Trotsky, Joseph Stalin became entrenched in Russia. This was 1930. Immediately thereafter Stalin enacted his first five year plan, revoking all the capitalistic tendencies which Lenin was forced to install. Stalin confiscated all the property and

exterminated any who disagreed. One of Stalin's henchmen, guilty of the extermination of some seven million persons, was none other than old soft-line Khrushchev.

With communism again in trouble, something happened in 1933 which enabled the collectivist menace to breathe again. This in turn allowed Stalin to remain in power and, subsequently, to conduct his infamous political purges from 1934 to 1938. Next came the Second World War.

Until 1945, the collectivist disease had infected the bodies of some 175 million persons. These persons were spread out on the continental Soviet Union, covering about 8.6 million square miles of land. This was 1945. If we pause for a moment and recap: we find that the Communists had moved into power and complete control of a nation of 175 million persons in a period of some twenty-five years. Not bad for an idea in the minds of a few men. From 1918 until 1940 the Communists took Byelorussia, 1918; N. Caucasus, 1918; Armenia, 1920; Azerbaijan, 1920; Turkestan, 1920; Ukraine, 1920; Georgia, 1921; Estonia, 1940; Latvia, 1940; and Lithuania, 1940.

Now came the war, with Russia, the cancer of the world, on our side. So said the Washingtonians. At the beginning of the Second World War, Soviet Russia held about 175 million persons under her control, or about seven percent of the world's population. Since 1945 over 700 million persons have fallen to this disease. From seven percent to forty percent—from 8.6 million square miles of land to 18 million square miles; East Germany, 1945; Rumania, 1945; Albania, 1945; Yugoslavia, 1945; Bulgaria, 1945, N. Viet Nam, 1946; Poland, 1946; Hungary, 1947; Czechoslovakia, 1948; China, 1949; North Korea, 1951; Tibet, 1956; and Cuba, 1959.

Ladies and gentlemen, the followers of Christianity, in the 2,000 years of its existence, only number ¾ billion. In fifty years, the Communist disease has conquered one billion persons. If for a moment one eliminates the uninhabitable parts of this earth, what is left to be free? What left to be free?

At this point one may ask: How do they do it? The techniques of Communist takeovers vary from country to country, yet each is tailor made.

The Case of Hungary: Hungary was a democratic country with an educated population and a good standard of living. Communists infiltrated the government and, with the aid of the Soviet Army, set up a provisional government under Soviet auspices. The Communists disregarded the Yalta agreement while the Red Army and occupation authorities terrorized anti-communists in and outside the government.

The Case of Poland: Poland was invaded in 1939 by German troops on one side and Soviet troops on the other while Germany and Russia were still allies. Then when Germany turned on its former ally, the Communists quickly repudiated all prior agreements which they had made with the Germans and announced that they were the "good" friends of Poland. The resulting war found the Polish people crushed by the Germans while the Soviets stood by and watched. After the war, Russia moved in and Poland became Communist.

The Case of Cuba: If we are interested in getting closer to home, how about moving one hour from Florida: Cuba, with a good standard of living; intelligent, educated, and highly religious countrymen. Yet it is today Communist. Cuba is a Communist outpost capable of striking, at any time, any citizen in the United States of America with a missile.

Let us recap for a moment: 1917, the beginning; 1945, 175 million persons and 8.6 million square miles; 1967, 1 billion persons and 18 million square miles.

In fifty years the collectivist disease carrier has grown until today one out of every three human beings is a slave behind either the iron, bamboo, or sugar curtain. Is that a pleasant thought for the future you will give your children and their's?

If we go back for a moment we can view the entire plan, as it was set down by Lenin—that is right, the blueprint for world domination. You don't think that a single philosophy could have conquered a billion persons in fifty years by mere chance. From the collected works of Lenin, Vol. 10, p. 172, comes the following quotation: "First we will take Eastern Europe, then the masses of Asia, then we will encircle the United States, which will be the last bastion of capitalism. We will not have to attack. It will fall like an overripe fruit into our hands." It will fall like an overripe fruit into our hands.

The modern-day version of this plan was laid in 1953 when Khrushchev and Mao Tse-tung outlined the precise steps by which this original plan was to be completed. Let us look at several of those steps, and, while doing so, ask yourself if they are being successful:

1. Britain must be placated by being convinced that there is a possibility of settling the major issues between the East and West and that those countries can live in peace.

2. The cold war must be kept cold; yet we must continue in spreading the U.S. forces throughout the world.

3. Propaganda efforts must be continued; anti-communist forces must be smeared and made ineffective.

4. Communism must be instilled into the West as being a mere progressive philosophy, another politcial party. The revolutionary aspects must be hidden, until the time comes. (Socialism)

5. Internal security laws of the United States must be weakened, to allow a freer hand in the dissemination of propaganda.

Ladies and gentlemen:

The Communist hook is prepared and baited. The task is to get the suckers to nibble. The fisherman conceals his deadly hook in succulent bait. Similarly, the proponents of communism seldom forthrightly proclaim the ends they seek to achieve. Their barbed reality is hidden behind the glowing promise. The communist line—a "promissory note"—is fed out, and the naive nibble at the bait. Once hooked, the victim is played exhaustively before he is reeled in to become a cipher in a massive machine. Today that machine continues to crunch its ruthless way forward over the death of individual freedom.

How can the inexperienced recognize the hidden hoods of communism? This is not any easy question to answer. Perhaps the greatest danger lies in underestimating the patience of those who seek to sovietize the United States of America. The communist is sophisticated. You would reject the direct approach, and the communist knows it. And so, like the angler who throws chum overboard to draw fish, he scatters bait which he hopes will entice your mind and gradually attract it to the totalitarian hook. The plans of the communist are long-range; his patience, infinite. He measures his advance not in days but in decades. He uses an endless variety of tactics which are designed to augment communist influence and to divide, weaken and confuse anti-communist opposition. He seeks to project communism as a progressive, enlightened, humanitarian philosophy which champions the poor and the oppressed . . . For the reality of communism is not to be found in abstract theory. The reality is concealed by fraud, falsehood, blatant hypocrisy and unending deceit.

Communism feeds on ignorance. It lives on lies. The element of deceit inherent in this evil philosophy dooms honor and dignity, destroys integrity, and subverts the very qualities which give the human creature the right to call himself a man.

Reduced to its simplest form, the ideological warfare in which the whole of mankind is currently involved is a struggle between the spiritual and the material. For the illusory benefits to be doled out master-to-slave in a world of coercion known as communism, the individual is requested to relinquish his birthright of freedom earned through centuries of struggle.

Here, in our country, the conspirators seek to place a shameful slogan on American lips. Parroting "Better Red Than Dead," they strive to promote fear and despair by means of which they hope to induce inertia and submission. These incredible swindlers, seeking to impose a conform-or-die system of absolutism on mankind everywhere, are attempting to direct hoodwinked Americans into doing their evil work for them. They hope to use American hands to sovietize—collectivize—the United States of America.

Thus far we have determined what the germ is; we have isolated the problem. Now we must hurriedly find the correct vaccine. What is the cure—what is the necessary saving vaccine? How shall we restore the American Republic?

America has been different from any other nation yet born on this earth. Here is why. The men and women who cut the pattern for Americans a century and ¾'s ago, held a deep conviction that men—all men—are born with qualities that give them a unique status. The simple fact of man's being born a human being, they felt, marks him as the most important thing ever created—and entitles him to a certain dignity and to self-respect. They beli[redacted]n this sense men are born equal and are endowed with certain God-given, not man given, rights—each being free to live, to be free, to build his life without the handicap of any interference that can be avoided.

These profound thinkers designed our government on the basis of this conviction, as a new kind of government that would be operated by the people themselves. Jefferson said that this was to be a great experiment which would determine for all time whether or not "men may be trusted to govern themselves without a master." He predicted future happiness for Americans "if we can prevent the government from wasting the labors of the people under the pretense of taking care of them."

This country was not built by men who relied on someone else to take care of them. It was built by men who relied on themselves, who dared to shape their own lives, who had enough courage to blaze new trails and enough confidence in themselves to take the necessary risks. This self-reliance is our American legacy. It is the "secret" that makes Americans go. Some call it individual initiative; others, backbone. But whatever it is called, it is a precious ingredient in our national character—one which we must never lose.

The time has come for us to re-establish the rights for which we stand—to reassert our inalienable rights to human dignity, self-reliance—to be again the kind of people who once made America great. And how shall we approach this problem? And will our answer be the needed vaccine for the rendering impotent of the collectivist cancer? I think it shall. I think the answer lies in this:

Today in America everyone is a negativist, i.e., one who is anti: anti-Communist, anti-Nazi, anti-Federal aid to education. Now, there is little wrong with being a negativist, except when it prevents the same from being constructive. You see, the first thing a person is going to ask you when he knows you are anti-something is: What are you for? What do you believe in? No fairer question could be presented. Now the problem arises due to the fact that those of the anti-grouping seldom can find the answer to this all-important question: What do you propose? This is the very problem. Not what a person is against, but what he is for; not anti, but pro; an

alternative, something better, not merely more of the same under a different label.

I suggest that we become pro-free enterprise, pro-capitalism, rather than anti-communism. Now, for the person who understands the systems in question, he will readily understand and realize that to be for one, you by definition must be against the other. To be a communist, you must be against capitalism; to be a capitalist, you must be against communism. Rather than talking about the evils of collectivism, speak on the benefits of capitalism, the advantages of living in a free enterprise, competitive society.

You see, Americans in general regard the collectivist system, no matter what the 'ism, as something alien and unrelated to America, and in turn they would never join the Socialist or Communist Parties. Yet, they clamor loudly for every piece of socialistic legislation which is offered—so long as it is sugar-coated with an American label or wrapped in the American Flag. It seems to me that this must be very disheartening to sincere socialists to note the continuing impotence of their party, while, at the same time, a pseudo-socialism in free enterprise wrappings has been able to command such a tremendous following from the rank and file. This is indeed a sad commentary on the political and economic ignorance of the American people. They dismiss socialism with a wave of the hand, and then line up in droves behind social security, socialized medicine, industry, housing, and education. They denounce collectivism, and yet innocently and ignorantly spout its doctrines day in and day out. The reason for this is so simple that we Americans often overlook it: we just do not understand our own system. We as Americans do not understand capitalism, which just happens to be the only system yet devised by man which allows for human freedoms and justice in the same breath.

There is little question that the collectivistic proposals seem logical, just, and humanitarian. They would like the idealistic answer for a muddled world's prayer. In one breath, they denounce the slavery of totalitarianism and the "crazy quilt of capitalism", and offer the Utopian "middle way", which eliminates the liabilities and retains the assets of both collectivism and individualism. They mix the oil of one with the water of the other and present their mixed formula as perfection. It is all very intoxicating and consoling—until one realizes that oil and water do not mix. When one arrives at this conclusion in the discussion, the proponent of such a heaven on earth begins to delete himself from the dialogue.

The collectivist explains that the coalitions of socialists with communists in Europe as "a grim necessity at a critical moment", yet this is but half a truth. They neglect to point out what a broad base of common ground exists between the two parties. Both believe in public ownership, and both are buddies in their hatred of capitalism, the system which makes it possible for them to delve into their diabolically ridiculous ideas. They both downgrade the profit motive and free enterprise. The socialist and the communist only differ in degree, and herein lies the greatest danger of socialism. Actually it is the economic philosophy of communism. And those of us who repudiate it do so for two very definite reasons:

1. We believe that economic and political philosophies go hand in hand and are inseparable. We believe it is no accident that "free enterprise" developed along with a free republic, and that it is equally no accident that where a collectivist economy was installed, individual freedom was sacrificed.

2. Despite the continued emphasis on increased production via collectivism, we can find no examples of such results in proof. All on paper, nothing in reality. Show me a socialized or even a half-socialized country which has remotely approached our free enterprise record of production and plenty. Show me a socialized or half-socialized country which has produced a higher standard of living for workers than capitalistic America. Show me where socialism has produced cheaper cars, telephones, radios, movies, gadgets and comforts, and where they have been more widely distributed among the average people. Show me a collectivist society where 72% of the population have life-insurance policies and 49% have bank accounts. If you know a better, happier, more envied workers' republic than we have right here in America, where is it? Please show us.

To this the collectivist has no answer. And why? He knows that capitalism and free enterprise have made it this way. This system, based on individual initiative and profit, has produced the best for the most. Socialists and communists make the same mistake: they place security ahead of freedom. America is the prime example of a nation which founded itself on the basic principle of individual freedom. Our Constitution bristles with limitations upon the government—and the result has been (exclusive of the last thirty years) a great measure of security for Americans than for all other nations. America offers unlimited rewards for initiative, enterprise, and wisdom, and she must never guarantee the same for laziness, incompetence or failure. This free way of life is a rugged, painful business at times; but it has paid the biggest dividends on earth and is well worth every weary mile of it.

You see, freedom appeals to man's strengths; socialism and communism appeal to man's weaknesses. Freedom teaches a man to stand independently on his own feet; the others teach him to lose himself in the protective herd.

The argument for capitalism is that America has proved beyond any doubt that she has the best economic and political system yet devised. This is proven by her glorious record, not by some hypothetical blueprint that some over-educated-under-worked humanitarian visioned in a dream. America did not become the breadbasket, the factory, the bank, and the hope of the world by following the wrong systems or believing the wrong principles. Her solution is visible in every home, in every city, in every store, in this country.

Americanism is capitalism and capitalism is the system based on the recognition of individual rights, including property rights, in which all property is privately owned. In the American-capitalist society, all human relationships are voluntary. Men are free to cooperate or not, to deal with one another or not, as their individual judgments, convictions, and interests dictate. They have the right to agree, but more importantly they have the right to disagree. And this is the cardinal difference between capitalism and collectivism.

In closing, it must be remembered that capitalism has never failed. At times some capitalists have not done justice to their system, but the system itself has never failed.

This is our vaccine; this our cure; this is our future. We must educate ourselves to the responsibilities as well as to the benefits of capitalism, for this is the single method by which our glorious past may become our most sought after future. Capitalism, when compared with the same in the day of Marx, has made tremendous strides: yet when compared with the stars of tomorrow, it is an unknown ideal. A potential for the production for and by the most, of the best. Perhaps as a people we are not morally strong enough to be free. If that is the case, then we certainly shall lose our freedom, and it will not matter much which "ism" supplants the Americanism called Capitalism. But this will not prove that our free way of life was not the best way. It shall merely prove that we were not worthy of holding it.

Hopefully—the beginning!

A BRIGHTER FUTURE FOR THE C. & O. CANAL

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, last Saturday, April 27, a record number of conservationists joined Justice William O. Douglas and the officers and members of the C. & O. Canal Association for the association's 14th annual reunion hike along the towpath of the historic canal. At one point along the hike, which went this year from Weverton to Shepherdstown, officials counted 843 participants, a real tribute to the growing fame of this occasion and the increasing popularity of the canal.

I am very pleased that this year friends of the canal can report real progress in the long fight to restore this historic waterway and to develop its vast and varied recreational potential.

First, the Department of the Interior has finally given more attention to the need for immediate development of additional facilities along the canal and engineering work to stabilize the many canal features [redacted] suffering from over 40 years of neglect. The departmental budget this year, as cleared by the Bureau of the Budget and presented to the Congress, includes almost half a million dollars for construction and development projects on the canal. I trust that this request will be endorsed by the Appropriations Committee and by the Congress.

Second, at the association's annual banquet Saturday night, Mr. W. Dean McClanahan, general superintendent of the C. & O. Canal-Antietam National Park Service Group, announced that the nature conservancy has agreed to purchase small parcels of land needed for immediate canal development, and hold these properties until the Department of the Interior is authorized to acquire additional acreage for the canal. This generous offer, which will greatly accelerate recreational improvements along the canal, is a real breakthrough, and I know that all of the canal's advocates are grateful to the officers of the nature conservancy for their perception and interest in this national asset.

To me, these advances reemphasize the need for immediate congressional action on H.R. 7201; the Chesapeake and Ohio Canal Development Act, now pending in the House Interior Committee. As my good friend, Congressman GILBERT GUDE, pointed out in his keynote address to the association banquet, intensive work on the canal, right now, is imperative to protect and preserve its fragile engineering features and its history. If we wait until larger, more expensive, and more controversial programs can be refined, authorized, and funded, we will run the risk of losing this vital part of our national heritage.

I include in the RECORD at this point an excellent article by Mr. Aubrey Graves, outdoor editor of the Washington Post, from the Post of Tuesday, April

30, summarizing the events of the 14th annual C. & O. Canal Association reunion.

RAY OF HOPE SEEN FOR CANAL PARK

(By Aubrey Graves)

Outdoorsmen attending the banquet climaxing the 14th annual reunion hike of the C&O Canal Association were given "more than a ray of hope" that the historic waterway is about to be brought back to life.

"We have finally awakened the Department of Interior, and a true park is emerging," declared W. Dean McClanahan, Superintendent of the C&O Canal National Monument.

He reported that the appropriation bill for 1969, now before Congress, contains $500,000, to be used to restore deteriorating locks and aqueducts, to provide parking areas, campsites and other recreational facilities. "Interior", he said "at long last had requested $1 million for this purpose, but the Bureau of the Budget had cut it in half."

Legislation to give the protection of National Park status to the federally owned strip of wilderness stretching from Washington to Cumberland, Md., has been sidetracked by an Administration-sponsored bill to set up the Potomac National River.

This comprehensive "package" deal covering 67,000 acres would involve an expenditure of more than $77 million in the first five years alone.

The pending Chesapeake and Ohio Canal National Historic Park development bill, sponsored by Rep. Charles McC. Mathias, Jr., Rep. Gilbert Gude and other congressmen, calls for the expenditure of $3 million during the first three years.

Interior Secretary Stewart L. Udall, long a supporter of legislation to establish the C&O Canal National Park, has modified his position and wants to give priority to the Potomac National River bill, which would include the canal property, but would rob it of its historical name and take away its identity.

The C&O Canal Association strongly objects to this.

A record "army" of 843 persons joined last weekend's 14-mile reunion hike from Weverton to Shepherstown. Referring to them, Justice William O. Douglas, said: "I hope that figure of 843 will put an end to this procrastination.

"The Potomac National River bill will involve perhaps $100 million and require years and years of effort to get it through Congress.

"In another five or ten years, he added, "we will lose the C&O Canal, its aqueducts, and its lockhouses, as a matter of old age. We can't wait on this pipe dream of a great Potomac National River. Let us have the canal property designated as a National Park and get on with its development."

Rep. Gude, guest speaker at the banquet, declared that "the two bills should go together. But language in the Potomac National River measure would abolish the C&O Canal National Monument and throw away the name of C&O Canal National Park.

"Because of its important history, the canal should have a separate entity and separate administration."

The national river bill would be "tremendously costly," Gude added. "And with the costs of the Vietnam War, our welfare programs and other projects being what they are, the comprehensive bill would not move rapidly in Congress. Secretary Udall himself has said that it is "highly improbable" that it will pass either this year or next."

"Let us do something now," Gude urged. "History is fragile."

In a message read at the banquet, Mathias urged "a modest and concentrated investment now to meet the needs of today and tomorrow.

"Now is the time," he said, "to build on what we already have in the Potomac Basin. The C&O Canal is the most logical place to start, since it is already federally owned and attracts thousands of people every year."

A resolution proposed by Anthony Wayne Smith of the National Parks Association, as amended at the suggestion of Colin Ritter of the Interior Department stressed these points:

That the Association reaffirm its position that the C&O Canal development act be passed at once, as a first step in the eventual realization of the full recreational potential of the Potomac River Valley.

That the fresh water intake in the estuary of the Potomac, proposed by engineer Ellery Fosdick be constructed at once to solve Washington's water problem in case of extreme drought or other emergency.

That the Association again go on record as opposed to the construction of any Army Engineers type of dams on the Potomac River or its tributaries.

In another resolution, the Association gave its Board of Directors authority to accept gifts of money to be turned over to the National Park Service to buy additional lands adjacent to present holdings in the C&O Canal area, if there are no legal difficulties involved.

Officers for 1968–9 were elected as follows: President, George W. Kline; Vice president, Ralph Donnelly; Secretary, W. Douglas Lindsay, Jr.; Treasurer, Ken Rollins.

PROPOSED AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT OF 1965

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 1968

Mrs. HECKLER of Massachusetts. Mr. Speaker, the disclosure that immigration from Ireland has been adversely affected by our new immigration law came as a real disappointment to me, and I was only too happy to introduce remedial legislation to do away with the inequities.

Any law that practically shuts off immigration from one of our ancestral nations is a shortsighted law. The contribution of the Irish to modern-day America is almost legendary, and I believe that to choke off further immigration from the Emerald Isle would be to deprive the United States of some of her basic strength.

Especially in New England are we aware of what the Irish have meant to America. Already there are third and fourth generation descendants of the great wave of Irish immigrants of the 19th century living today in New England, and from their midst have come Senators, Congressman, Governors and, yes, even a great President.

Frankly speaking, we in Massachusetts are completely opposed to any legislation that would reduce Irish immigration which would be the result if the current law stands.

The governing law is the Immigration and Nationality Act of 1965, which was designed to remove inequities that had long existed in the U.S. immigration laws and policies. Basically, it abolished the longstanding national origins quota system by which the residents of certain favored nations were granted preference in admittance to the United States.

Prospective immigrants from Portugal, as an example, benefited greatly from the passage of the 1965 act. While I was not a Member of the Congress at that time, I would have voted for the law, had I been here. It is basically a good law, but should have been more carefully drafted to avoid just the situation which has accurred in relationship to Ireland.

Unfortunately, an unintentional result of the 1965 act was an almost complete cessation of immigration from northern and western Europe. Ireland, with an annual quota of 17,756 persons, found herself sending fewer than 2,000 to the United States in 1967.

Mainly, this comparative trickle of newcomers from Ireland came about because the 1965 act, in declaring the national origins quotas to be unfair, required that future immigration should be based on two principles: the reuniting of families and the attraction of immigrants with needed skills.

Albeit the 1965 act provides that no reductions in the old quota are to take place until July 1, 1968, prospective new arrivals must meet the other requirements of the act. For example, they must have close relatives in the United States, or be able to meet exacting labor certification requirements. This sociological bias of the 1965 act favors immigrants from countries from which entire families wish to emigrate. When the 1965 act becomes fully effective 2 months from now, immigration from the 13 countries involved will decline even further. In addition to Ireland they include Belgium, Czechoslovakia, Germany, Great Britain, Norway, Sweden, Austria, Denmark, Finland, France, the Netherlands, and Switzerland.

In the case of Ireland, the number of potential immigrants is especially affected because of the sociological nature of Irish immigration. The long-familiar vision of an entire family arriving from Ireland is now largely a nostalgic one. Clearly, the great wave of Irish immigration to America lies many years behind us.

My bill amends the 1965 act to protect all nations. It would permit immigration from Ireland and the other 12 nations without returning to the old national quotas system. At the same time, it would in no way affect the liberalizing provisions of the 1965 act which made it easier for such people as the Portuguese to enter the United States.

The bill provides that any nation, whose immigration has dropped below 75 percent of its yearly average during the 10-year base period, 1956 to 1965, will be allotted additional places in excess of the worldwide quota to bring its total up to 75 percent of the base period average annual immigration. In no case would it exceed 10,000. Nations which have gained under the provisions of the 1965 act will not be affected. Only those nations for which historic patterns of immigration have declined sharply will benefit.

Ireland, for example, used to send an average of about 7,000 immigrants. Under my bill, its floor would be 75 percent of that number or about 5,300.

In short, the bill preserves the fair parts of the 1965 act while doing away with the unfair parts. The added num-

ber of immigrants would be relatively small and the United States will be the richer for permitting the sensible immigration of additional persons from those countries which have already contributed so much to her greatness.

WHEN WILL THEY EVER LEARN?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. ASHBROOK. Mr. Speaker, as the Soviets celebrate May Day, 1968, the Philadelphia, Pa., Inquirer of May 1 carries this headline on page 1: "Graves at Hue Bare 1,000 Dead in Red Atrocity."

The Inquirer article begins by recounting the latest example of inhuman brutality committed by the North Vietnamese variety of communism:

Enemy troops executed more than 1000 persons, burying some alive and shooting or beheading others, while they occupied Hue in February, the U.S. Embassy confirmed Tuesday.

The account further related:

One Buddhist monk told investigators that almost nightly from a field behind the pagoda he and other monks heard cries for mercy and shots.

The Soviets can take part of the credit for this massacre for they trained Ho Chi Minh in Moscow in the 1920's and are even now militarily aiding him in his program of butchery. Their inhuman philosophy, which dictates that any act is good which furthers the Communist cause, is the motivation behind Minh's long struggle. It was in Moscow that Minh learned Lenin's position on terror:

We have never rejected terror on principle, nor can we do so.

Testimony before committees of Congress have confirmed that the followers of Lenin faithfully followed the doctrine of terror in various parts of the world. The House Select Committee on Communist Aggression in 1954 produced a monumental work illustrating the indescribable horror visited upon innocent peoples in various countries. For instance, the committee received testimony on the Vinnitsia region of the Ukraine and what happened to inhabitants of that area:

One of the most prolonged periods of terror and mass executions carried out by the Communists occurred in Ukraine in what is called the Vinnitsia region. An estimated 10,000 persons were executed during 1937–38 in Vinnitsia and buried in 38 mass graves. This was only 1 of 19 similar episodes carried out during that period in various regions of Ukraine, according to witnesses.

The above-mentioned committee held public hearings in the United States and Europe, taking the testimony of 335 persons, most of whom were eyewitnesses to Communist aggression against the enslaved nations and peoples of central and eastern Europe.

A report entitled, "Korean War Atrocities," was issued by the Senate in 1954, which described the brutality committed by Korean Communists against Koreans and American troops:

During the ensuing 3 years of warfare, the Communist enemy committed a series of war crimes against American and United Nations personnel which constituted one of the most heinous and barbaric epochs of recorded history.

The tragedy at Hue is but the latest chapter in a 50-year record of brutality by the followers of communism, whether the actual perpetrators are Vietnamese, Korean, or Soviet.

I sincerely hope the American people will become aware of the danger to which all free nations are exposed from this common enemy. Moral responsibility and indignation demand that our clergy take a forthright stand against this threat; our educators make sure our students are receiving adequate training on this vital subject; our public officials, especially those on the national scene, come to grips with this worldwide plague instead of ignoring the issue from year to year, as some of them do.

The above-mentioned cases of Communist brutality are just a small sampling of information which is available on this subject. Volume upon volume from congressional and other sources have documented the nature of the enemy and those leaders are morally derelict who chose to ignore it further.

I place the enraging and depressing account of the tragedy at Hue in the RECORD at this point:

GRAVES AT HUE BARE 1,000 DEAD IN RED ATROCITY

SAIGON, April 30.—Enemy troops executed more than 1,000 persons, burying some alive and shooting or beheading others, while they occupied Hue in February, the U.S. Embassy confirmed Tuesday.

Most of the victims were South Vietnamese, but they also included two French priests, three South Koreans and a Hong Kong Chinese who was a British subject, the embassy said.

There have been piecemeal reports of the slaughter of civilians while the North Vietnamese and Vietcong occupied the old imperial capital during the Tet offensive, but this was the first time any officials gave an over-all picture.

An embassy spokesman said it took two months to compile the reports from allied sources and South Vietnamese police because officials wanted to be sure of accuracy.

One South Vietnamese political warfare officer estimated that fully half the victims were buried alive.

"Many had been shot, some beheaded," said the embassy report. "A number of bodies showed signs of mutilation. Most were found with hands bound behind their backs.

"Evidence also was discovered of victims having been clubbed unconscious prior to being buried alive."

TRAGEDY RECALLED

One Buddhist monk told investigators that almost nightly from a field behind the pagoda he and other monks heard cries for mercy and shots.

In all, 18 mass graves were found in and around Hue, the embassy said. The largest grave, containing 201 bodies, was found near the imperial tombs.

"Victims included Father Urbain, 52, and Father Guy, 48, French priests from the nearby Benedictine mission at Thien An," the report said.

"Father Urbain was bound hand and foot and buried alive with 10 others. Father Guy was forced to kneel and shot through the head."

SOME BURIED ALIVE

Another large grave was found at Gia Hoi high school. Almost 200 bodies were found there, and about half the victims apparently were buried alive, the embassy said.

Twenty bodies in a grave outside Hue were reported to be those of civilians seized by enemy troops from their refuge in the Redemotorist church at Hue Feb. 8 and taken on a death match.

"They were interred alive, with hands bound," the embassy said. "The victims included Tran Vien, one of five elected senators from Hue in the the National Assembly."

Other bodies were found "bound together in groups of 10 to 15, eyes open, with dirt or cloth in their mouths," the report declared.

LAW DAY, U.S.A., 1968

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. LONG of Maryland. Mr. Speaker, today is Law Day, U.S.A., and—as it has done in past years—the Daily Record newspaper of Baltimore, Md., is performing a valuable public service by publishing a special Law Day edition. It is designed to give the widest possible coverage to the Law Day theme, "Only a lawful society can build a better society," and to further the purposes of the observance, which are to foster respect for the law, to increase public understanding of the place of law in American life, and to point up the contrast between freedom under law in this country and governmental tyranny under communism.

I described my views on the need for a lawful society in an article prepared for the Daily Record's special Law Day issue, and I would like to insert it in the RECORD on this occasion:

LAW DAY, U.S.A., 1968

(By Representative CLARENCE D. LONG)

"Only a lawful society can build a better society." The Law Day USA theme this year affirms a truth that has been the foundation of this nation's prosperity and orderly progress since the days of Lexington and Concord and Valley Forge—only through the Rule of Law can society achieve its goals and its dreams.

We have often heard the saying: "Ours is a government of Law, not of men." But what does that mean?

It means that we, the people, have set up rules to guide our conduct and have agreed to abide by those rules. It means that every citizen, high or low, has an invisible fence—his Rights—around him, which no other citizen, or even the Government itself, can penetrate.

But it also means that every citizen has an equal obligation to organize his life so that it does not conflict with the right of others under the Law. It means that if government by Law is to survive, the great majority of the people must accept the rules and live under that Law. The Law is the same for all men—the Big Shot and the Little Guy—and all men must obey it.

Without the Rule of Law there can be no liberty for the individual. Without respect for the Law—and a law-abiding citizenry—there can be no orderly society. As Montesquieu well said, "The deterioration of gov-

ernment begins with the decay of the principles on which it was founded."

Thus, continuing—and strengthening—respect for the laws of the land becomes for each loyal American a matter of the survival of his individual liberty and way of life.

Respect for the law demands an unquestioning obedience to its mandates. Of course, our laws are not perfect. Of course, every citizen has the right to advocate changes in the laws. Of course, every citizen has the duty to try to secure improvements in the laws that will eliminate or ameliorate harshness and injustice—that will correct society's problems, whether they be the crime rate, our children's education, inflation, or jobs.

But, as the American Bar Association asserts, we cannot build by destroying; we cannot strengthen some freedoms by weakening others. In our communities, and in the nation, we can only advance through united action within the framework of law.

One of the surest ways to bring about the downfall of the United States is to break down the traditional American respect for law and order. We may not like a particular law, but once it is promulgated, we have no choice. If we do not accept the Law, if we lack the self-discipline that respect for Law demands, then democracy will break down and there will be no alternative except dictatorship—rule by men instead of Law.

People who burn and loot and destroy to express their dissatisfaction with certain laws are expressing disrespect for the Rule of Law. People who cheat on their income tax, crash traffic lights, evade health and safety regulations, are showing disrespect for the Rule of Law. All these people are undermining the foundations on which society rests—the bases of their own freedom and liberty.

The Rule of Law demands more than lip service. Unless on Law Day and every day, each one of us pledges to observe, protect and advance our system of Laws, and to transmit respect for Law to our children, then future generations who will pay the price of our failure will denounce and dishonor us.

But we will not fail. This society has the strength, the resilience, and the moral fiber to retain its respect for the Rule of Law, to safeguard our legal heritage, and to preserve our individual liberties, while improving the lives of all of us. If we live up to our responsibilities, we will continue to live under freedom.

RETIREMENT OF MAJ. GEN. ROBERT H. CURTIN, DIRECTOR OF CIVIL ENGINEERING, U.S. AIR FORCE

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. SIKES. Mr. Speaker, yesterday marked the retirement of one of the most dedicated and responsible military officers it has been my privilege to know or work with. Maj. Gen. Robert H. Curtin has been Director of Civil Engineering for the Air Force since July 1963. In this important position he has been responsible for the management of a real property plant valued in excess of $16.4 billion scattered at 4,000 different locations. He has supervised and programed, with outstanding success, the construction of facilities ranging from exotic test, research, and ballistic missile projects to the more mundane but equally important requirements of airfield pavement, family housing, and the like. His tour of duty in this responsible position has seen the Air Force, under his leadership, respond to the challenge of Southeast Asia operations in manners which have not only been innovative but which have resulted in getting the job done in a reasonable and efficient manner.

Subsequent to his selection as Director of Civil Engineering, General Curtin served in other positions in the Directorate and in Europe. Throughout these tours of duty he was known and admired by many Members of Congress, particularly by those of the Appropriations and Armed Services Committees. We have not only received briefings from him in the field, but for 9 consecutive years, fiscal years 1960 through 1968, he has presented the Air Force military construction program to the Congress. On all of these occasions, his testimony and actions have been marked by frankness, candor, and factual representations which have provided our committee with the information required to make proper decisions.

Although Bob's loyalty to the Air Force and to the Defense Establishment was unquestioned, he did not allow this loyalty to enter into his testimony and/or actions to be used to the detriment of other organizations in the Defense Establishment or to his responsibility as as American citizen and taxpayer. It appears he has devoted 24 hours a day to his role as an Air Force civil engineer, dedicated to providing the necessary facilities from which the Air Force can fly and meet its requirements and to continue to operate, maintain and upgrade these facilities in the proper manner.

Mr. Speaker, the Air Force Civil Engineering organization has a motto, "Can Do—Will Do." The true spirit and fulfillment of that motto is completely reflected in the dedication, enthusiasm, and professional ability which General Curtin brought to his role as an Air Force civil engineering officer and as Director of Civil Engineering, U.S. Air Force.

I insert in the RECORD at this point, as a portion of my remarks, the official U.S. Air Force biography of General Curtin:

BIOGRAPHY OF MAJ. GEN. ROBERT H. CURTIN

Major General Robert H. Curtin is the Director of Civil Engineering, Deputy Chief of Staff, Programs and Resources, Headquarters United States Air Force, Washington, D.C. He is responsible for the management and direction of Air Force programs involving design, construction, maintenance, and operation of real property facilities. This includes the acquisition and disposal of real estate, provision of fire protection, base master planning, and the development of engineering standards and criteria.

General Curtin was born in Winchendon, Massachusetts, on July 27, 1916, and attended grade and high schools there. Graduating from Murdock High School in 1934 he attended Rensselaer Polytechnic Institute, New York, for one year and then received an appointment to the U.S. Military Academy at West Point.

In 1939 he was commissioned as a second lieutenant and assigned to the 11th Engineering Regiment, Canal Zone. He returned to the United States in July 1943 for a brief assignment as Plans and Policy Officer and later Executive Officer, Headquarters 30th Engineer Aviation Unit Training Center, MacDill Field, Florida. In June of the following year General Curtin was assigned to the Engineering Division, Supreme Headquarters Allied Expeditionary Forces, and later in the European Theater of Operations, he performed duties related to tactical and other airfield construction in Europe. This was followed in 1946–1947 by assignments with the European Aviation Engineering Command and as Air Engineer, United States Air Forces in Europe.

Returning from Europe in May 1947, the general attended Harvard University where he obtained a master's degree in civil engineering. His next transfer was to Washington, D.C., with assignment in the Directorate of Installations, Headquarters U.S. Air Force. In 1952 he was made Deputy Director of Installations for Engineering and Construction, and for his service during this period was awarded the Legion of Merit.

Following his Pentagon tour, General Curtin attended the Air War College at Maxwell Air Force Base, Alabama, and in August 1954 returned to England as Assistant Chief of Staff, Installations, Third Air Force. Returning to the United States in 1957, he attended the Industrial College of the Armed Forces at Ft. McNair, Washington, D.C.

His next assignment, in June 1958, returned him to Air Force Headquarters as Deputy Director for Facilities Support, then as Deputy Director for Real Property, and following that, as Deputy Director for Civil Engineering Operations. In 1961 he was named Deputy Director for Construction and in July 1963 was a[redacted] his current position as Director of Civil Engineering.

In addition to the Legion of Merit, the general's decorations include the Bronze Star Medal with one oak leaf cluster, the Air Force Commendation Medal, and foreign awards.

The General is married to the former Jane Quinn of White Plains, N.Y. They have two children, Robert H., Jr. and Jane H.

NUCLEAR ARMS CONTROL

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. GALLAGHER. Mr. Speaker, last Monday the Senate passed an authorization for the Arms Control and Disarmament Agency of $17 million for fiscal years 1969 and 1970, with a limitation of $7 million over the 2-year period on outside research projects.

This authorization, if approved, would represent a substantial reduction from the $33 million authorization which the President had requested for the next 3 fiscal years and which the House Foreign Affairs Committee had approved. This authorization also represents a significant reduction from the 2-year authorization of $20 million voted by the House of Representatives on March 6.

Mr. Speaker, I believe the Senate action is unfortunate. After many years of effort, we are closer than we have ever been before to reaching agreement within the world community on a treaty to prevent the proliferation of nuclear weapons. The Arms Control and Disarmament Agency, with authorizations and appropriations the size of a pinhead when compared to the skyscraper budgets devoted to military armaments, has played the principal role in bringing the

United States and the rest of the world to the point where our prayers for controlling the spiraling arms race may be realized. An excellent tribute to Bill Foster's dogged pursuit of this objective is contained in a feature article in the April 23 Washington Evening Star. I include this article by George Sherman, captioned "The U.S. Arms Negotiator and a Practical Treaty."

Of course, this is a time for pulling in our belts and for achieving significant economies in our budget, but these economies should not be false economies. The relatively small taxpayers' investment in arms control could yield large dividends. Not only would the security of the world be improved by international arms control and reduction agreements, but such agreements could also result in cutting billions of dollars from our defense budget. Such programs should not be jeopardized, therefore, under the guise of economy. What the Agency asked for was an authorization average of $11 million per year for 3 years. The cost of the war in Vietnam is over $68 million per day.

President Johnson has called arms control "the most urgent business of our time." Similarly, in an address before the United Nations General Assembly in 1960, former President Eisenhower said armaments must be controlled "if civilization is to be assured of survival."

The Arms Control and Disarmament Agency has been charged by Congress with the principal responsibility within our Government for this awesome task. I am sorry that the Senate made the cut it did. In this connection, the following editorial from the April 24 Washington Post is pertinent.

Mr. Speaker, I hope the House conferees on this bill will insist on their position. I for one do not want it said of me that I failed to support peace for the sake of a crumb in our economic loaf—particularly when that crumb might well be the leaven to prevent the whole loaf from being incinerated.

The articles follow:

[From the Washington Post, Apr. 24, 1968]

DISARMING DISARMAMENT

Congress is shamelessly abusing the Arms Control and Disarmament Agency. This might be understandable, although not excusable, if the Agency had palpably failed to produce results. But the shabby treatment is being accorded by legislators precisely at a moment of exceptional achievement by the Agency—just as the nonproliferation treaty is about to be signed.

It is bad enough that Congress demeans the Agency and its purpose by refusing it permanent status. It is worse when Congress refuses, as it just has, to grant a three-year authorization and instead keeps the Agency on a two-year, every-election-year leash.

For a two-year budget, the Administration sought $22 million. The House slighted its Foreign Affairs Committee's enlightened recommendation and cut that to $20 million. The Senate last Monday allowed only $17 million. In a display of nitpicking, Senator Fulbright decided the Agency's research was not up to his standards and induced his fellow solons to limit research funds. His admirers might fairly have expected that, as an intellectual deeply concerned with peace, he would have understood the difficulties of exploring the Agency's vital new fields.

At this point, Congress can do little to lend the problem of arms control and disarmament the respect and resources it deserves. Its conference committee, however, which meets this week to fix the Agency's authorization, can at least accept the higher figure approved earlier by the House.

[From the Washington (D.C.) Evening Star, Apr. 23, 1968]

BULLDOG TENACITY PAYS DIVIDENDS—THE U.S. ARMS NEGOTIATOR AND A PRACTICAL TREATY

(By George Sherman)

He is either the respectable Republican businessman who has managed to keep arms control alive in a government obsessed with a war or he is only urbane camouflage for the fraud which passes for an arms control policy.

Both views exist in official Washington about William C. Foster, 71, chief disarmament negotiator for both Presidents Kennedy and Johnson and head of the Arms Control and Disarmament Agency for the past seven years.

Both views are partly correct.

The latest godchild of Foster's operation is the treaty banning the spread of nuclear weapons, which both the United States and the Soviet Union begin defending tomorrow before a special session of the United Nations General Assembly.

The debate, which could be long and bitter, is a final hurdle for the biggest advance in practical Soviet-American cooperation since the July 1963 treaty prohibiting nuclear explosions in the atmosphere.

President Johnson considers this "NPT" (Non-Proliferation Treaty, in the jargon of disarmament) the greatest monument of his administration to arms control in the nuclear age. He is determined to get it ratified by the Senate this year.

Yet Foster is not an aggressive visionary, not the "softheaded disarmer" which hostile congressmen and military men considered his predecessor, Harold Stassen.

Foster and his 237-member agency are dedicated to the practical—not to making high policy, but, in the words of a partisan, "to being a well-honed thorn in the side of the policymakers."

The complaint is that this thorn seldom, if ever, goes deep enough to draw blood in the Pentagon or State Department.

Foster does not believe in rocking the establishment with unorthodox schemes or provocative public prodding.

To no one's surprise, he lined up loyally behind Johnson in his decision to follow Soviet suit in limited deployment of the anti-ballistic missile (ABM) defense system, despite long and hot protests behind the scenes against opening a new and costly round in the nuclear arms race.

Nevertheless, the treaty against the spread of nuclear weapons remains concrete proof that this addiction to the unspectacular does pay dividends.

The final draft is the product of two years of exhausting, often petty, often dreary negotiations with the Russians. Western allies and non-aligned states at the 18-nation disarmament conference in Geneva.

Even the harshest critics admit that the outcome is a tribute to the bulldog tenacity of Foster and his shop in working out an agreement.

What worries many treaty advocates today is that the prolonged and highly complicated negotiations may now obscure the dramatic importance of what has been achieved.

In the space of two years, the NPT has shifted from a stock propaganda maneuver in the cold war to a practical embodiment of a community of nuclear interests between the two competing superpowers.

The list of ground-breaking "firsts" in the treaty is impressive:

The Russians are braving the challenge of Communist China and publicly deepening the breach in the Communist world despite the war in Vietnam.

The Soviet Union and the United States have joined in a pledge to protect other nations against "nuclear blackmail" through coordinated action in the U.N. Security Council.

A worldwide treaty has been negotiated which contains a mandatory international safeguards system.

Through this safeguards system, ground rules for competition in the peaceful development of nuclear energy are laid out, and laid out so as to guarantee nondiscrimination between nuclear and non-nuclear states, maximum efficiency, and the beginning of control over polluting byproducts of nuclear plants.

The two superpowers agree to take new steps toward their own nuclear disarmament. Although the steps are unspecified, all treaty signatories will be able to challenge and review them at a conference five years after treaty ratification.

The biggest first remains the contractual containment of nuclear weapons to the present nuclear club. The danger of nuclear holocaust through accident or design of an unstable government is diminished.

Although two of the existing five countries with nuclear weapons—France and Communist China—will not sign the treaty, neither have shown any inclination to share its weapons or military know how. Nor will France or China be able to share, if all their potential customers sign the treaty.

The basic idea of the treaty is simple. Participating nuclear powers—the United States, Russia and Britain—agree not to transfer nuclear weapons or technical know how to non-nuclear states. The non-nuclear powers agree not to receive or make nuclear weapons for at least 25 years, the initial life of the treaty.

"The NPT keeps nuclear weapons at a dangerous, but manageable level," said one American advocate. "No one else could join the club. On this basis we and the Russians can try to manage a reduction of our own nuclear arsenals."

Translating this simple containment idea into a treaty of 11 specific articles, with an agreed preamble of intent, has required hard decisions on all sides.

The United States has had to turn its back on controversial "co-ownership" schemes for parts of the American nuclear deterrent inside the Atlantic alliance. But the Russians have had to accept the hard fact that no treaty will be allowed to disrupt American nuclear deployment and security commitments in Europe.

And both the Russians and Americans have had to agree that the safeguards system to control plutonium from peaceful nuclear plants in West Europe will operate through the integrated West European atomic agency, European; as part of the larger, more amorphous, International Atomic Energy Agency (IAEA) in Vienna.

But the hardest decision, one still to be made in many cases, is up to the non-nuclear states. So-called "threshold powers," those with the know-how and economic resources to manufacture nuclear weapons, must legally renounce them. Former Secretary of Defense Robert S. McNamara has estimated there are between seven and 10 nations which could make their own nuclear weapons over the next 10 years, led immediately by West Germany, Japan and India.

West Germany and Japan, plus such other Western "could-be's" as Canada and Italy, can rely on the nuclear shield of the United States rather than producing their own weapons.

But India, facing Communist China in Asia, and other "neutrals" such as Sweden and Israel, must depend for their ultimate security on the vague Soviet-American pledge to work through the Security Council—veto

and all—to protect them against nuclear blackmail or outright aggression.

In the General Assembly debate ahead, as in the months of negotiations past, these "threshold" states will mask their objections in various technical guises. But all of them ultimately must decide whether they can afford to sacrifice the status, power and security they might gain by manufacturing their own nuclear weapons.

Up until 1966, this was not the question. In session after session of the General Assembly, India and other non-aligned states ardently sponsored resolutions demanding that the nuclear powers stop the spread of nuclear weapons. But no serious negotiations had begun despite the hopeful beginning of the partial test ban.

The big break came in October 1966, when Soviet Foreign Minister Andrei Gromyko met in Washington with Johnson and Rusk.

By then, the United States had quietly retreated from the "hardware solution" for nuclear sharing in the Atlantic alliance, known as the MLF (multilateral nuclear force), substituting instead allied participation in over-all nuclear strategy planning.

After his talks, Gromyko told reporters that his government was convinced the way was open for negotiation of a non-proliferation treaty. Foster and his Soviet counterpart, Alexei Roshchin, immediately opened private negotiations in New York. By the time the full disarmament conference reconvened in Geneva on Feb. 21, 1967, the two had reached agreement on the first two articles outlining the mutual obligations of nuclear and non-nuclear powers—the heart of the treaty.

But the quick progress broke down over Article III, the safeguards article. The American government had moved too far too fast. West Germany and other members of Euratom charged that the United States was preparing to sell out European economic and security interests for the sake of quick agreement with the Russians.

The Johnson administration was caught in the middle. Although it basically agreed with the Russians that IAEA should provide for inspections on non-nuclear territory, it could not side with the Russians in sabotaging integrated Euratom, one of the few institutions uniting Europe.

The argument became intensely bitter. It took a year of commuting between Washington, Geneva, Paris and Brussels for Foster and his deputy, Adrian Fisher, to break it. American officials began to suspect that Article III had become the scapegoat for West German and other European unwillingness to forego the nuclear weapons option.

A compromise was reached Jan. 18, essentially along lines proposed by the Swedes. In effect, the completed Article III brings Euratom and the inspection systems under the IAEA umbrella.

The comprehensive Vienna system—already woefully short of competent personnel—is to verify inspections carried out by these local systems, much as auditors check the books supplied to them by member banks.

On March 11, just four days before the General Assembly mandate ran out, the full conference agreed to send the final revised Soviet-American draft to New York for general debate. Just four days before that, on March 7, the two superpowers—together with Britain—made their final bid to soothe Indian fears with a joint resolution affirming Security Council obligations to act against nuclear blackmail.

The resolution represents no dramatic new commitment for either the Russians or Americans. Their freedom of action remains intact. But the symbolism was lost on no one. The Soviet Union had made a gesture with the United States squarely aimed at Communist China.

No one in the arms control establishment here is quite sure where this "new realism" will next take Soviet-American cooperation—if any place.

The most logical start would be a freeze on deployment of offensive and defensive missile systems on both sides.

The Russians have agreed to discuss a freeze, but so far they have refused to name a time and place. Teams in the Arms Control and Disarmament Agency, particularly in its Science and Technology Bureau, are working on schemes for a freeze without the intrusive inspection hated by the Russians.

And again there is a split over how effective Foster and the agency will be in pushing these or any other substantive disarmament measures with the Soviet Union.

Partisans argue that the agency is finally coming into its own. Its advice is sought in the highest councils of government. Its representatives sit in on all major decisions over conventional arms sales around the world—after being ignored for years.

With the treaty against the spread of nuclear weapons, the agency has further proved it can mobilize State Department machinery for meaningful negotiations with the Russians.

Critics are more skeptical. They note that the NPT was really no political challenge. The core idea was obviously in tune with the security interests of both the United States and the Soviet Union. It certainly presented a minimum of controversy inside the American government.

The critics, some of them inside the agency, fear that it lacks the dynamics essential to the next crucial stage of negotiations.

The structure of the agency is lopsided. Morale at the lower levels is a constant problem.

Of the $9 million budget in each of the past three years, over half has gone in parceling out and monitoring contracts for research projects in outside organizations.

To encourage more research inside the agency, the Senate yesterday voted for new authorizations of funds to restrict outside research to a total of $7 million for fiscal 1969 and 1970—out of a total budget of $17 million for the period. But critics doubt that this goes to the heart of the problem.

About 100 of the 237-man staff are professional people—scientists, civil servants, lawyers. Of these, about 15 at the top are actually charged with developing arms-control positions, digesting research and negotiating agreement.

The rest are sprinkled throughout five bureaus, working on disarmament research which many feel is tailored to a never-never world.

Many disillusioned younger scientists have left, feeling that their work has no contact with reality, that their superiors—many of them on assignment from the State Department and Pentagon—do not really believe in arms control.

Apologists retort that belief and dedication are both relative. They admit that discontent and alienation exist in the agency. Arms control in the world of nuclear power politics is a frustrating business.

They also admit that Foster is not as forceful as he could be in using his explicit authority to go directly to the President over the heads of the power potentates in the government hierarchy.

But they claim he is more, not less, effective because of this restrain. He and his lieutenants have learned that disarmers are only as powerful as their ability to influence the policy-making bureaucracy. Without the support of the secretaries of state and defense—and Congress—they get nowhere, regardless of formal access to the President.

Research, recommendations and day-to-day negotiations on arms control are their unglamorous job, whether the outcome be an NPT or a revolutionary missiles freeze with the Soviet Union.

BOB GOALBY—THE MASTERS CHAMPION

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. PRICE of Illinois. Mr. Speaker, as a sequel to my previous remarks on Bob Goalby, the new Masters Golf Tournament champion, I want to include the St. Louis Post-Dispatch article of April 21, recounting Bob Goalby's career and the personal victory he gained for himself as a result of his Masters' win.

It is a fine tribute to a great golfer and a great champion. It is a pleasure to have the opportunity to again tell my colleagues about Bob Goalby, the champion.

Under unanimous consent I include herewith the Post-Dispatch article:

BOB GOALBY OUT OF THE ROUGH—BELLEVILLE GOLFER WON MASTERS TOURNAMENT AFTER YEARS OF FRUSTRATION AND DEFEAT

(By Bill Beck)

This week in Las Vegas, Bob Goalby, a 38-year-old golf professional from Belleville, had a brand new set of problems.

There was almost no time to get ready for the prestigious Tournament of Champions. Too many [redacted]re knocking at the door of his well-appointed suite in the Stardust Hotel.

A representative of the tournament sponsor dropped by to determine if Goalby had any objection to a proposal that Argentina's Roberto DeVicenzo be invited to play.

The press secretary of the tournament stopped in and asked if Bob wished to have his press conference managed so that no unpleasant questions would pop up.

A New York promoter called, hoping to sign him for a midseason television spectacular, 18 holes of golf at Firestone Country Club, for viewing in prime time on a Thursday night.

In each case, Goalby said, "no," possibly regretting the necessity of turning down the $15,000 or $20,000 fee the New Yorker had offered.

Belleville's Goalby was living a brand new role. Only last Sunday, he had joined the select company of 32 Masters golf champions with an impressive, come-from-behind victory at the Augusta National Golf Course. And, even though the triumph was flawed by a circumstance over which he had no control, Goalby was determined to conduct himself as he thought a Masters champion should.

Goalby had no objections to DeVicenzo competing at Las Vegas even though he was well aware of the nature of the invitation. The sponsor was seeking to capitalize on a national outpouring of sympathy for DeVicenzo, much of it at Goalby's expense.

By signing an incorrect scorecard after the final round of the Masters, DeVicenzo had inadvertently increased his score from 277 to 278. The 277 would have tied Goalby for the lead and forced a playoff the following day. Thus, the sympathy. Thus, the flaw.

While the T. of C. had always been limited to winners of United States tournaments, Goalby was quite willing to accept Roberto, the British Open champion.

As for the press conferences, the Secretary wanted to stop any reference to the Masters mix-up.

"They can ask me anything they want," Goalby insisted. "There is no reason why they shouldn't be interested in what happened in Augusta."

The New York offer was something else. The round would be advertised as a belated playoff for the Masters championship, DeVicenzo vs. Goalby. The winner would get $20,000 and the loser $15,000. It would not, of course, change the official result at Augusta. DeVicenzo was willing.

In Goalby's book this was a gimmick. If he took part, it would be a reflection on the way the Masters was conducted. It would be tacit agreement that Roberto somehow had been treated unjustly in Augusta. It was not the type of thing a Masters champion should do for any amount of money.

And Bob's mind was racing ahead. In the moments after his Masters victory, he had said he would not take part in the British Open because of his desire to support tournaments here at home and because he had no taste for the flight over the Atlantic.

But that was plain Bob Goalby talking. On sober reflection, Masters champion Goalby was close to another conclusion. Didn't the Masters deserve to be represented in the British Open? Within a few days, Goalby is expected to announce that he will compete.

Unlike Ken Venturi, whose genuine tears after victory in the 1964 United States Open dramatized the payoff of a lifetime struggle, Goalby has underplayed his accomplishment.

He has made no reference to the black despair that descended on him after his banner season of 1962 and all but choked him until he fought back and became the PGA's comeback player of the year in 1967. He has never mentioned that the Masters title is the proof and vindication he has always struggled to achieve.

Only his wife, Sarah, knows how close he came in 1965 to quitting the golf tour and accepting a club job.

"I wanted to in one way, yet in another, I was afraid I would cheat the club that was kind enough to hire me," Goalby remembers now.

"I couldn't really quit the tour while I was down," he said. "If I did, I would always be fighting myself, thinking about coming back."

So he struggled, a seething bundle of self-doubt. He was not the kind of fellow conditioned to struggle. As a youth growing up, athletic accomplishments had been a dime a dozen.

George and Helen Goalby, Bob's parents, lived about a 3-wood shot from the clubhouse at St. Clair Country Club in Belleville.

"I caddied there in 1911 for 15 cents for nine holes," his father remembers. "Bob caddied there, too, when he was about 8. Then when he was 10, they let him pull weeds on the greens. But they never let him play. He'd sneak on the course about a half-hour before dark. Lots of times he'd come home and say, 'Dad, they run me off again.'" In reprisal, Bob carved his initials on the steering wheel of a tractor still used at St. Clair.

George Goalby, a bull of a man, drove a truck for Swift & Co. There was enough money for necessities for Bob and his sister, Shirley, but none for a country club membership. Bob eventually worked himself into the regular summer greenskeeping crew, a job he held each summer he was in high school, but he had moved away from golf. He was more interested in other sports.

As a football quarterback, Goalby threw 20 touchdown passes his senior year of 1947 but that isn't what Belleville fans remember most. In the big Thanksgiving Day game against East St. Louis, the 190-pound back returned a punt 40 yards for a touchdown in a 6–0 victory.

"In basketball, I think I set a record by fouling out of 14 straight games. My coach, Frank Scott, would say, 'Bob, you can't help me sitting on the bench.' But I had come straight from football and when somebody would take the basketball away from me, I couldn't help it, I had to go get it back, no matter how many whistles were blowing," said Goalby.

When he was finished, he had won 11 letters in five sports and a football grant-in-aid at the University of Illinois. He had also established a reputation as an athletic perfectionist unwilling to accept less than perfect performance from himself.

At Illinois, he was suddenly a small frog in a large puddle.

"As I look back on it, I know now I was doing okay," said Bob. "We had 72 freshmen but I made the squad of 33 they picked to scrimmage the varsity. Yet I felt lost."

George Goalby remembers it, too.

"He'd come home and mope around. Seemed like he couldn't find his right place at the University."

Goalby quit and in the fall of 1948, he went to Southern Illinois University. Because of his transfer, he couldn't play football but he became a star on the baseball team. When spring football rolled around, Bob knew he was expected to turn out. He did for one week.

Then, home for a weekend, he decided not to go back. Instead, he went to Ranken School of Mechanical Trades in St. Louis, determined to become an auto mechanic. In 1951, he was drafted and wound up with the Fourth Infantry in Germany.

Back home in 1953, he found the University of Illinois on his doorstep with another scholarship. He took it and this time he easily worked into practice. But then, they remembered his varsity baseball at SIU and he was declared ineligible.

At first, Goalby intended to hang on for the year necessary to regain his eligibility and then play football. But with time on his hands, he began to play golf in the afternoons after classes and found the game fascinating.

After spring football in 1953, he quit school and took a job selling cars in Belleville. He also joined the St. Clair Country Club. Before long, he was winning area amateur tournaments.

In 1955, he won the St. Louis district championship and in 1956, he was runner-up to Jim Frisina in the Illinois Amateur. In Florida, Bob won the Lakewood Invitational and, Jan. 1, 1957, Bob turned professional.

But before tackling the tour, he had to put in a six-month apprenticeship as assistant pro at Darien, Conn. He joined the tour in January 1958 and it took him only four months to score his first victory. That was at the Greater Greensboro Open. In all he won $11,052 that first year and was named golf's rookie-of-the-year.

Goalby didn't win in 1959 but he climbed from thirty-first to eleventh on the official money list with $24,413. In 1960, he won the Doral Open at Miami and earned $24,998. In 1961 he won the Los Angeles and St. Petersburg Opens and a total of $30,918.

At the St. Petersburg Open, he put himself into the PGA record book with eight straight birdies, a mark that still stands.

Bob expected at this point a certain amount of recognition. It wasn't forthcoming.

Writers, aware of the record, were inclined to ignore it, contending that the course was a "rinkydink" layout, a sort of pitch-and-putt course.

True, it was short. But it had been laid out by Walter Hagen and was one of the oldest courses used by the tour. Hagen, Gene Sarazen, Byron Nelson, Ben Hogan, Sam Snead and Arnold Palmer had all won tournaments there and none had made eight straight birdies.

This began for Goalby what was to develop into a running feud with certain segments of the press. It broke out for real in the U.S. Open that year. Goalby, in a fine 70–68 finish, thought he had the tournament won. Gene Littler came in later to beat him by one stroke.

"This reporter asked me if I was surprised to finish as high as second and I blew up," Bob remembers. "I thought I had a pretty good record."

Bob has learned since that he should not expect every writer to know all the facts about him. He has since developed a reserve of patience which he draws on when needed.

Goalby was better than ever in 1962, winning the Insurance City (Hartford) and Denver Opens and running his cash take to $46,240, fifth best on the money list. He also missed the PGA championship by one stroke.

But he had not developed patience or humility.

Goalby was trying to change his game. He wanted perfection from tee to green. He considered it somehow degrading to stray out of the fairway or save par from a trap. It irritated him to be called the finest sand player on the tour.

The time would come when he would long to make some of the recovery shots that characterized his earlier game.

Goalby, at 32, with five years of monk-like dedication to the game, had a more immediate problem. He had fallen in love with Sarah Dillahan, a peaches and cream blond airline stewardess from Little Rock, Ark. And there is a twist to that story too.

"Bob met another stewardess first," Sarah remembered. "I practically stole him away from her. She was killed in a crash a couple of months ago.

Sarah didn't really like athletes.

"There was this boy in my senior class at Little Rock. All he did was play sports. I told him if he didn't quit playing all those games and start stud[redacted] turn out to be a tramp athlete," she said.

The young man in question is probably the only boy from that senior class whose annual wage compares somewhat with Goalby's. He is Brooks Robinson, star third baseman for the Baltimore Orioles.

Bob and Sarah were married Dec. 22, 1962, and headed off on the Caribbean golf tour for a honeymoon. In February, Bob suffered a severe attack of food poisoning at Caracas, Venezuela.

He was bedridden for a week and did not fully recover for two months. Once back on the golf tour, he appeared to have lost his touch. He dropped from fifth to forty-third on the money list, barely saving his position on the Ryder Cup team.

Goalby won his matches with the British, but he didn't halt his downward plunge in 1964, sinking to sixty-second in earnings. He was only slightly better in 1965, when he climbed back to forty-third.

"It wasn't the money," said Bob. "Prize purses had grown so large that even down where I was, I was picking up $15,000 or $20,000 a year. But it was so frustrating. I was a good putter and a good iron player who couldn't get off the tee."

It was a hard cross to bear for Goalby, who had been one of the longer drivers in the game. So, in a day when the golfing public worshiped the power of Arnold Palmer and Jack Nicklaus, Goalby discarded his driver for a 3-wood, swallowed his pride and began merely to attempt to keep the ball in play.

It paid off. In 1966, he climbed back to fourteenth on the money list with $49,515. He also scored his first victory since 1962, even though it was a minor one. Bob won the Eastern Missouri PGA championship at Glen Echo in St. Louis.

The tempestuous, proud Goalby who suffered through the lean years of 1963–1965 and had battled reporters, galleries, and caddies, had learned a lesson.

"Sam Snead told me how my temper was killing me. Tony Lema—the day before he was killed—told me how much it had helped him to try and enjoy the game, to live a little," said Goalby.

"In the last couple of years, I've been able to handle my temper. I'll never be a Julie Boros because I can never agree that it

doesn't matter. And I have to get a little fired up at myself to play well. But I'll never get like I was, either."

Goalby still pays the price for some of his outbursts. At the PGA last year, Goalby was in contention in the third round and struggling to save par on a difficult hole. A man in the gallery said audibly, "I hope the caddie killer takes a dozen."

Bob gave no sign that he heard. Instead he ran a nervous 13-foot putt along a ridge to save par.

The man had read a story about how Goalby reprimanded his caddie in Hartford.

"That was a bum rap," said Bob. "The fellow who wrote it was just looking for something. I had made a seven where I should have made four. I told my caddie to stay close to me. That was all."

Goalby has many friends among the caddies. Some who caddied for him as teen-agers have grown up and become businessmen. They follow him faithfully.

Last year, the new Goalby began by winning the San Diego Open and finished tenth on the money list with more than $77,000 earned. But he still had not won the big one.

This year, he was off to his poorest start ever and going into last week's Masters, he wasn't even among the top 100 money winners.

"But I was working on my game. I was trying to reroute my swing. I really felt I was playing better than ever."

Now, Bob and Sarah Goalby have two sons, Kye, 4, and Kel, 1. They live in an attractive home on a St. Clair Country Club fairway. But that isn't where Sarah and the children were Sunday when Bob was winning his title.

They were in Little Rock with her parents watching on television.

"All I could do was cry," said Sarah. "I kept asking Kye, 'Do you know what your Daddy has done?' He said, 'Yeah, Daddy made an eagle.' "

Over in Belleville, George and Helen Goalby watched, too, and it was nervous work.

"Every few minutes," said George, "I had to get up and mix myself a drink."

QUEST FOR EXCELLENCE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. ROSENTHAL. Mr. Speaker, Charles Y. Lazarus, president of the F. & R. Lazarus Co. and of the American Retail Federation, and vice president of Federated Department Stores, Inc., is one of the country's outstanding civic-minded businessmen.

In a recent speech at Miami Beach, Fla., Mr. Lazarus called for a new kind of corporate statesmanship. His excellent analysis of the businessman's responsibilities and opportunities follows:

QUEST FOR EXCELLENCE: A BUSINESSMAN'S RESPONSIBILITY

Some of the best minds in America are now telling us that our nation today faces the most severe domestic crisis that we have confronted since the black hours of 1863.

The newspapers report that we have set new records for violent crime in our streets.

The scientists say that our air is too often unfit to breathe and our water unfit to drink.

The sociologists report that too many of our people are crammed into quarters that self-respecting rats would not tolerate.

Engineers say that Manhattan traffic now moves at an average rate of less than eight miles per hour, and—as our Federal Chief of Transportation recently commented in jest—we can take comfort from the fact that it may be another two hundred years before the whole system comes to a grinding halt.

Last summer, about 100 of our cities erupted in racial violence that left more than 100 dead, some 2,500 injured—plus property damage estimated at hundreds of millions of dollars. Events have already made it clear that we can look for nothing better in the summer months ahead.

There is, of course, nothing new in this brief report on the "State of the Union". I have repeated it only because it provides a backdrop, a kind of "mood music", for the subject I want to discuss with you today.

I come here with two convictions:

My first conviction is that the urban crisis cannot be exaggerated. We are not faced with a minor and distracting ailment that can be cured with aspirin tablets and bed rest. We are dealing with a deep-seated malignancy that can be mastered only by daring and imaginative procedures that, very possibly, lie beyond the present frontiers of human knowledge.

My second conviction is that no single group can cure this ailment by itself. This is a job for everybody—for business, for government, for labor and for you in education, particularly business education.

Let me make it clear that I am not so presumptuous as to think that I know how to solve the urban problem. I appear here, not as an expert, but as a businessman who has become convinced that it is now in the public interest to rock the boat of apathy just as hard as we can rock it.

Earlier this year, in my capacity as President of the American Retail Federation, I told my colleagues in business how delinquent I feel business has been in recognizing and facing up to our urban problem.

Similarly, in conversations with a variety of Washington officials, I have wondered how our government can so casually assume that a rebellion can be quashed by a few million federal dollars doled out through federal agencies or channeled through what they, hopefully, call, "the private sector".

Today, I want to raise some questions about your field, education for business, not to tell you how to conduct your affairs, but, hopefully, to stimulate you to undertake the kind of painful self-examination that the emergency requires.

It seems to me that most of us have forgotten how we got into this mess in the first place. My experience qualifies me to testify only for business—but here the record seems clear.

Look at business as it existed 50 to 75 years ago. Then, business tended to be a personal, family enterprise, dominated by great individual entrepreneurs—pioneering titans who were widely known and highly respected. Perhaps they did not understand modern public relations techniques. Maybe one of them did say "the public be damned". But, they also had a clear comprehension of the intimate relationship between business and community. They were personally involved in local government. They built schools. They built roads and hospitals. They formed the Community Chest, the Boy Scouts, the YMCA. They spent time and money training their people how to create an environment in which both people and business could flourish. In fact, the cities we now call obsolete are the cities they built generations ago. Just look at the date on the cornerstone of your City Hall or State House and you'll know what I mean.

Over the years, our people multiplied, and their home towns grew in size. The personal family enterprises gave way to the inexorable demands of growth. Merger and acquisition gobbled them up. The concerned home-town owner—who felt that his destiny was pretty much bounded by the city limits—was replaced by the paid professional manager whose markets were national and whose personal ambition was to get transferred to the home office where his ultimate goals could be achieved. In short, we have taken the permanence, the heart out of our cities, and we have replaced it with an antiseptic competence that cared about our communities on a merely temporary basis. We have merged the business sensitivity to local environment pretty much out of existence.

Public relations replaced personal involvement. The corporate contributions program was substituted for the hard, sweaty toil of devoted people. Top management moved out of what, by now, were branch office cities and moved into the remote, impersonal skyscraper suites far from the madding crowd. While all this was going on, government also forsook Main Street. It moved to Washington and talked to the electorate on television instead of on street corners.

It seems to me that you, in education, also took your cue from the new, impersonal society. Out of our business classrooms came a new kind of graduate—better educated, better trained in the traditional skills of management, but almost totally insensitive to the need for deep, personal involvement in and understanding of community affairs and totally lacking in comprehension of the fact that the corporation can grow and prosper only so long as it creates an environment in which people grow and prosper as well, wherever it operates. If you doubt that statement, just ask yourself how a whole generation of corporate executi[redacted]ve their Cadillacs through the slums of America and not know that, one day, these ghetto-poor would rise to threaten both the corporate balance sheet and the whole fabric of American life.

Now, obviously, I don't want to charge you, as educators, with sole responsibility for what I regard as inexcusable national callousness. But neither do I exonerate you. Here are three pieces of evidence that suggest that education may, unwittingly, have contributed to our current dilemma.

As Exhibit A, consider first, the emphasis that our colleges and universities give to urban problems.

I have made no national survey, but I did thumb through the faculty and staff directory of Ohio State University, located in my home-town of Columbus. I count well over 300 full-time people who represent agricultural interests—not including the multi-million dollar agricultural research and development center at nearby Wooster, Ohio. Agriculture is important. It may well require this kind of manpower. But, by contrast, I could find only twelve people who had even the remotest connection to urban problems. I suspect that this local sample would be borne out nationally. How could it be otherwise when our nation has; for years, spent far more of its dollars on corn and hogs than on the ills of its cities.

As Exhibit B, I want to tell you about a survey of business school graduates that is being conducted by Dr. John F. Mee, Mead Johnson Professor of Management at Indiana University. Dr. Mee will, ultimately publish a full report of his findings. Meantime, he has given me permission to release to you a few of his preliminary results.

Briefly, what Dr. Mee is doing is to audit the attitudes of representative M.B.A.'s toward their understanding and participation—and their company's understanding and participation—in community affairs. He is getting his answers in two ways. First, he is conducting a mail survey of young M.B.A.'s who received their degrees within the last eight years and who now hold executive jobs in junior and middle management. The survey covers graduates of many of the well known business schools who are now working in all sections of the country, in cities small and large.

Dr. Mee buttressed this mail survey by a second step. A group of ten M.B.A.'s submitted to an intensive taped interview conducted by a clinical psychologist. Again, the object was to determine what these young men now do in community affairs; what they think they ought to be doing; what their educations did or did not provide by way of preparing them for real life experience.

Let me hit a few highlights, based on this research. Even these early results point up the need for both businessmen and business educators to take a new look at themselves.

Dr. Mee finds that one out of three of these rising young executives participates in his community in no way whatsoever.

Perhaps even more revealing is the kind of involvement by the two-thirds who say they do participate. The largest group is involved in raising money for United Appeal; the second largest group in University fund raising; the third largest group, in church fund raising. In fact, these three categories account for the only meaningful activity by the group as a whole. Far be it from me to deplore these worthy money-raising efforts, for I'm somewhat involved in these myself. But I ask this question: Is business really facing up to the urban problems when the best trained people in its employ either don't participate in the community at all—or, at best, participate only on the fringe of the crisis area?

The concern I express is, in fact, echoed by these young M.B.A.'s themselves. The Mee survey found that virtually all believed community understanding and participation was of great importance to the business executive. Almost universally, they felt that they, themselves, should be much more deeply involved than they are.

That is the paradox. They aren't doing what they know they ought to be doing.

Why?

Again, Dr. Mee comes up with some answers.

Only three out of ten respondents felt that his company considered it "essential" for an executive to participate in community affairs.

Equally important, the respondents report that only one out of six of their community activities was viewed as being "very important" to the corporation.

Those answers suggest three things:

1. That middle management people do what they think the boss wants done;

2. That most of our big business enterprises are ignoring most of the problems on the community front;

3. That the training provided in business schools has placed little emphasis on the importance of community activity. If it had, the boss would be giving different instructions to his people.

The assertion is borne out by another of Dr. Mee's findings. Two-thirds of this M.B.A. group reported that they had received no training at all in graduate school that helped them participate effectively in the community—or understand why they should participate. In case you feel that this is not a proper function of a graduate school because the subject is taught at a lower level, I can report that Dr. Mee also questioned undergraduates on this score. Even more of them—about three-quarters—said that they had had no instruction in their undergraduate careers that helped them in the field of community action.

This testimony in Dr. Mee's survey is confirmed by another piece of evidence assembled by my friend, Dr. W. Arthur Cullman, Director of Graduate Business Programs at Ohio State. Dr. Cullman has made a study of the graduate programs offered at 50 of our leading business schools. This is what he found:

The 50 schools offered a total of 101 courses that had some bearing on the subject of business-community relations.

Only 31 of these courses—less than one per school—were required.

Only fifty-two of the 101 courses paid major attention to the subject of community participation.

Eight schools did not offer any course at all that touched the subject in any way, even minimally.

That is the statistical evidence. Now, listen to the spontaneous comments of the participants in the Mee survey. These young men tell us two things, loud and clear:

First, they tell us that they don't like the way things are. They know what's going on. They want to be involved, but they're hemmed in by strangling corporate attitudes and by lack of personal preparation. Here is one voice crying in the wilderness. Let me read what he said:

"As I fly towards Washington, D.C., it seems particularly appropriate to complete this questionnaire. As an individual, I am very concerned about some of the major social and political issues confronting us as individuals and as citizens. I have found, however, that almost any attempt to deal with these issues ends in frustration, because I have no individual or institutional power base from which to operate. I am limited in both personal time and funds which I may commit. Furthermore, I am unable to commit corporation funds or influence. Consequently, I find myself expending 99% of my efforts on my professional responsibilities where I can influence all levels of management, from the president down to local plant managers, in my special area of expertise. Thus, I see the fruits of my efforts ripen into effective action. What other influence I may have and what other time and energy I may have, seems best devoted to my family and our individual relations within our local community. I do not like this state of affairs, but I see little other alternative at this stage in my life. I take this time to indicate my feelings to you, in case it is representative of others who may also be involved deeply in their professional careers in middle management, yet who are dissatisfied with the way things are".

The second thing that these young men confirm is that their educations gave little emphasis to—and no preparation for—understanding of and participation in community affairs. Again, listen to these M.B.A.'s talk:

"When I was in school, there was never a discussion regarding social responsibility".

"I don't recall any allusion to the problem at all".

"I think it is something that cannot be avoided in any responsible curriculum. . . . If you are going to learn about business and the environment in which a corporation operates, you can't help but try to absorb things about the society, for the society is the corporation's environment".

What that last young man said was:

"The Society is the Corporation's Environment".

Nothing could be more obvious. And yet, that single phrase has tied business in knots for two generations. For when we suggest that the corporation should do something constructive about that environment—should invest some of its time and some of its dollars in improving that environment—we run into a good deal of criticism from business itself. A lot of businessmen earnestly argue that profit is the only legitimate corporate goal. They see no connection between environment and profit. They describe those of us who advocate community involvement as "bleeding hearts". In fact, even the staunchest business advocates of social participation lamely describe their community activities as "enlightened self interest". They seem to be half ashamed to admit that a big corporation cannot, by itself, control its own destiny. None of us likes to tell his stockholders that profits depend on something more than how we run the business. In consequence, many of us pretend that our companies are little islands—safe from the winds of social and civil upheaval. And yet, you and I know that no corporation can earn a predictable profit in the years to come unless we meet the present rebellion with workable answers. And I don't mean answers acceptable only to the corporation, but answers that can be endorsed by the whole community.

That fact seems obvious to me; nevertheless, let me document it. I am a retailer in Columbus, Ohio. Fortunately, our town has a good business climate and environment. But I know that in other cities, many of my colleagues are not so fortunate.

To put it bluntly, when riots occur, business comes to a shuddering halt. Customers stay home. Buses don't run. Employees can't get to work. Our physical plant is endangered. Police costs mount. Taxes go up. The impact of riot on the balance sheet can be enormous. Am I justified in trying to help Columbus do those things that will improve its business climate and environment? I think I am.

But some will argue that riot is the extreme, the exception. Let us hope that it remains so. Even without community chaos, however, our profit statement is geared to the Columbus climate in a thousand ways. Take the case of the bright young man we want to recruit for our business. We bring him to Columbus to meet our people and see our store. He makes a judgment of us as employers and as colleagues. But he also judges Columbus as a place for his family to live—and that judgment rests on the quality of our schools and hospitals, the opportunities for jobs and recreation, the spirit of our community. Question: What balance sheet value should we pla[redacted]pression that our community makes?

Or take the case of the manufacturer who is seeking a new plant location. He weighs such physical factors as water, transportation and convenience to his markets. But he also weighs the quality of our community life. Our store would like to see that manufacturer come to Columbus—bringing, say, a thousand new jobs along with him. Those jobs could mean a thousand new customers for us. The decision, however, will rest, not on how good our store is, but on what that manufacturer thinks of Columbus as a place for his people to live and work. We don't control the decision. But we do have to live with it—another unseen item on our corporate score card.

And that brings me full circle in my argument. I add up the problem this way:

The crisis in our cities is real. It is here. It is not going to go away unaided.

Business cannot solve the problem by itself—nor can it ignore it. The evidence is clear that business cannot prosper apart from the communities in which it operates. We, and every other element of our society, have to stop being part of the problem and start becoming a part of the solution.

To be part of the solution, we need more corporate top executives who understand the problem and who accept the size of the commitment that they, personally, must make to their communities, both to those where they live and to those where their corporation operates. The boss can't send a delegate. He, himself, must set the tone and do the job.

We are making some progress in this regard. Executives who, a year ago, couldn't be bothered about civil rights are, today, standing up to be counted on such touchy subjects as jobs and housing. But not enough—and with nothing like the speed that is required.

How do we accelerate this trend? That's the question I bring to you who are training tomorrow's top executives. I do not presume to answer it. I can tell you what I would like to see.

A friend of mine who is a college president has told me that it is far easier to move tombstones in a graveyard than it is to get educators to make a change in the curriculum. Nevertheless, I think business has no alternative now but to turn to you for help.

We need your scholarship in helping us define how business can work more effectively at the community level. We want to enlist your aid in teaching young executives what they need to know to provide community, as well as corporate leadership. And we want to challenge you to figure out how a corporation can best apply the traditional disciplines of the profit system to an expanded definition of what profitability really means today, both at the corporate national level and in every American community in which that corporation operates. Business needs help in new, ingenious and imaginative organizational techniques to place the responsibilities for local environment as high on the balance sheet as volume and profit, and it needs help in devising new techniques to measure the contribution of its local management to that local environment.

The major elements of our society—business, government and education—have all gotten so big and so impersonal that we have departed from the basic strengths that made America what it is today. We need to take the thrust of American life back to the individual in his local urban environment, where he lives where he does business, where he practices his chosen profession, where he teaches and where he participates in government.

I'd like to see every one of you accept a personal responsibility—as an educator—for doing what you can to help America in this hour of crisis. The record is clear that too many of your graduates have little, if any, sense of the true relationship between business and the community in which it lives. Decide for yourself. Is it, or is it not, a proper function of your school to teach people not only the traditional skills of business, but the new skills of producing an environment in which local business—along with all the rest of urban America—can survive and prosper?

Then, ask yourself this question: They say that a lot of our brightest youngsters are turning away from business careers. Could it be because business—and schools of business—have pretended that the corporation can largely ignore the major problems of American life? Are these youngsters pursuing other careers because they have been taught that a business career is an end in itself and not a means to an end and that business could care less about what happens to the nation and its people? Are they turning their backs on us—and on you—because we haven't told them what a corporate executive can really contribute to his city and country? You may have to do what you made business do years ago. We had to learn how to alter our jobs to fit the brighter people you sent us. You may need to figure out how you can fit education to the problems that our cities and our country presently face. You may have to rewrite some of your textbooks and develop new teaching techniques so that tomorrow's executives will have a clear understanding of the social and community implications of our profit system; so that your students will have an even clearer understanding of the real nature of our urban problems and the businessman's responsibility to help solve them.

All this, I should point out, sounds far more revolutionary than it really is. Every executive that I know would agree that the first duty of a corporate executive is to protect the assets of the company—today and in the future.

The simple fact is that those assets can no longer be protected by the traditional business disciplines alone. A new kind of corporate statesmanship is required. The new corporate statesman does not believe that it is his job to manipulate his community into meek acceptance of the corporation's private and selfish goals. Rather, he accepts his full share of responsibility, not only for the products he markets, but for the schools we operate, the air we breathe, the water we drink, the government we support, the pictures in our museums, the music in our concert halls, the health of our citizens, the peace and tranquility of our neighborhoods, the health and viability of our communities—in short, he accepts his share of responsibility for the environment in which he operates. And he brings to all these community needs the full weight of his company's knowledge, experience and resources—knowing that tomorrow's balance sheet cannot be separated from the quality of our community life.

Yes—there was a clamoring in the streets last summer. It made a lot of people take a new look at themselves and what they're doing. I was one of those That's why I wanted to talk to you today. I think our country and all of the elements of the society that make up this great nation, have a big job to do. We need to train some new business statesmen. I'm hoping that you will help us do it.

CADET DANIEL WORTH INGWERSEN

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, I was saddened by the news of the tragic death of a fine young man, Cadet Daniel Worth Ingwersen, as the result of an automobile accident in New York State on December 17, 1967.

Cadet Ingwersen, the son of Mr. and Mrs. Harry E. Ingwersen of Rockville, Md., was one of my appointees to the U.S. Military Academy in 1964. During his 3 years at the Academy, he compiled an outstanding record in his academic work, in many activities, and in military service. During his second class year, he was selected as the outstanding squad leader in his company, and during his first-class summer he was cited for superior leadership ability for his performance as a training officer and platoon leader. His untimely death is a great loss to his friends and to the country which he was training to serve.

I would like to extend my profound sympathies to Cadet Ingwersen's family, and include in the RECORD in tribute to him the following announcement by Maj. Gen. D. V. Bennett, Superintendent of the U.S. Military Academy, and a eulogy from the Assembly, the magazine of the association of graduates of the Academy.

The material follows:

HEADQUARTERS, U.S. MILITARY ACADEMY,
West Point, N.Y., December 18, 1967.

ANNOUNCEMENT OF DEATH

[General Orders No. 281]

It is my solemn duty to announce the death of *Cadet Daniel Worth Ingwersen*, a member of the Class of 1968, United States Corps of Cadets, which occurred as a result of an automobile accident near Stony Point, New York, on 17 December 1967.

The late *Cadet Ingwersen*, the only son of Mr. and Mrs. Harry E. Ingwersen, was born on 21 September 1944, in Middletown, Ohio. He graduated from Walter Johnson Senior High School in Rockville, Maryland. During High School he was very active in the Biology Club and received a National Merit Scholarship Letter of Commendation. Upon graduation he attended the Citadel, Charleston, South Carolina, for two years, where he was a Dean's List student, and achieved the rank of Cadet Sergeant.

Cadet Ingwersen was appointed to the Military Academy by Congressman Charles Mathias of the Maryland 6th Congressional District in 1964. During his three years at the Military Academy he was an active participant in the Rocket Society, French Club, Military Affairs Club, Behavioral Science Club, Debate Council and Forum, and Student Council on United States Affairs. In addition to these activities he was President of the Audio Club and Sports Editor of the Howitzer. He competed in Intramural Athletics and was a member of the Brigade All Star Waterpolo Team. During Second Class Summer he was selected as the outstanding Squad Leader in 8th New Cadet Company, 1st Detail. He served with Company C, 1st Battalion, 3rd Training Brigade, Fort Polk, Louisiana, as Training Officer and Platoon Leader during his First Class summer for which he was cited for superior leadership ability and performance of duty. During his three years at the United States Military Academy he had an outstanding academic record achieving Dean's List honors, validating ten courses, and being selected for Individual Engineering projects. Because of his outstanding ability he completed more elective courses than normally required. This year he was selected to serve as Company Academic Sergeant and Platoon Leader.

Throughout the three years at the United States Military Academy, *Cadet Ingwersen* displayed those qualities that identified him as an outstanding cadet. Unselfish and considerate of others he displayed enthusiasm and a sincere desire to assist. To all those who knew him h[redacted]e friend. *Cadet Ingwersen* exhibited at all times the cherished ideals of the Corps. The United States Military Academy will always be proud to claim him as its own.

I wish to extend to the parents and sister of the late *Cadet Ingwersen* the sincere and profound sympathy of all the officers, cadets, and other members of this command. His death will be mourned by all who have known him as a great loss to them personally and to the military profession.

D. V. BENNETT,
Major General, USA, Superintendent.

[From Assembly magazine]

DANIEL WORTH INGWERSEN

Cadet Daniel Worth Ingwersen died 17 December 1967 as a result of an automobile accident while returning to the United States Military Academy from leave. His passing marks a deep personal loss to both his family and to his many friends in the Corps of Cadets. "The Old Man" as he was affectionately called, brought a broad background with him to the Academy.

Dan was born on 21 September 1944, in Middletown, Ohio. However, the subject of many of his conversations was his grade-school days in Australia. Returning to the United States he graduated from Walter Johnson Senior High School in Rockville, Maryland, where he was very active in the Biology Club and earned a National Merit Scholarship Letter of Commendation. Plebe year at West Point saw Dan far ahead of his classmates as a result of his two prior years at the Citadel, Charleston, South Carolina, where he was a Dean's List student and held the rank of Cadet Sergeant.

Dan's three years as a cadet brought out his finest qualities and were a tribute to Congressman Charles Mathias of Maryland who, recognizing this wonderful talent, appointed him to the Military Academy in 1964. Here he was an active participant in the Rocket Society, French Club, Military Affairs Club, Behavioral Science Club, Debate Council and Forum, and the Student Conference on United States Affairs. In addition to these activities, Dan was President of the Audio Club and Sports Editor of the Howitzer. Always a valuable member of any intramural team, he was selected to the Brigade all-star

waterpolo team. During his Second Class year while a member of the New Cadet Barracks Detail, Dan was chosen as the outstanding squad leader in his company. First Class summer he was assigned to Company C, 1st Battalion, 3rd Training Brigade, Fort Polk, Louisiana, as training officer and platoon leader and was cited for superior leadership ability and performance of duty.

Academically Dan was an exception at the Academy. He maintained an outstanding record on the Dean's List and validated ten courses. As a result he was able to complete far more elective courses and worked on several individual engineering projects. As a First Classman he served as academic sergeant and platoon leader.

While Dan was outstanding in cadet activities, he was even more outstanding as a friend. Always interested in the other fellow he displayed consideration and enthusiasm in all that he did. His unselfishness and sincerity in assisting others endeared him to many and to all who knew him he was a true friend. It will always be a privilege for us to have been counted among his friends.

A. L. D.

CONSUMERS SHOULD GET GOVERNMENT TEST RESULTS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. ROSENTHAL. Mr. Speaker, our own Federal agencies perform thorough and sophisticated product testing on a wide range of consumer goods. This testing should be widely hailed in Congress because it leads to better buying by Federal agencies and, thus, better value for the taxpayer.

If this is so, how much more improvement in the knowledge of American consumers would there be if this federally generated data were fully available to the general public? If the Government holds the information useful to the citizens we are here to represent, I can see no reason for withholding it. It seems completely obvious to me, for example, that the U.S. Bureau of Standards should report findings of safety hazards not only to interested Federal agencies, but to all Americans.

I am very pleased to note that a growing body of concerned consumers supports this view. An editorial in the January 24, 1968, St. Paul, Minn., Sunday Pioneer Press gives welcome and eloquent support for making governmentally derived information available to consumers. The editorial follows:

BUYERS SHOULD GET RESULTS OF U.S. SAFETY TESTS

Federal testing laboratories make exhaustive checks on the quality and safety of innumerable products bought by government agencies, but the general public has no access to the information thus developed.

Since taxpayers put up more than $50 million a year for the testing services, should they as consumers be entitled to see the laboratory "score cards" which guide government purchasing agents in making their desions?

Members of Congress, increasingly aware of voter interest in consumer problems from clean meats to safe autos, are opening up the government testing questions. A House subcommittee on government operations headed by Benjamin Rosenthal of New York has been digging into the matter. Says Rosenthal: "The people paid for this research. They deserve the fullest benefits of its application."

There is much disagreement whether such a policy could be put into effect without unfairness to some products. Government purchases often are for special uses under particular conditions. The testing for one purchase may not include all comparable products which are sold to the public. Such complications have resulted in the government keeping its test results for its own use exclusively.

To some extent this policy of not announcing invidious quality comparisons may be justified. Perhaps consumer organizations and their special magazines and reports are better suited for such activities.

But there is one field where government testing results should by all means be made public property. This is where risks to human safety are shown to exist. For example, thousands of people have suffered severe burns, sometimes fatal, from inflammable fabrics used for clothing, draperies, bedding and other household purposes. Congress last year got around to passing new protective legislation.

What is not generally realized is that the U.S. Bureau of Standards, through its tests, had for years been aware of such fire dangers, but reported its findings only to government agencies which might be considering purchases.

The government requires that various appliances it buys meet rigid safety standards. It has found that some appliances are dangerous to use. This information has not been made public.

Auto tires are another illustration. For many years the Bureau of Standards ran checks on tires bought by federal agencies to assure their safety, but it was only last November that the Department of Transportation finally got around to starting a program which it hopes will eventually assure the ordinary citizen of being able to know what quality tire he gets when he makes his selection. Yet substandard tires are a definite risk to life.

The Rosenthal subcommittee is doing a worthwhile service by delving into the problems of government product testing and public information on the results. Whatever its findings with regard to other aspects of the matter, it should support a policy of open information for consumers wherever risks of death, injury or damage to health are found.

CHARLES BELLIE: GALT MAN OF DECADE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 1, 1968

Mr. LEGGETT. Mr. Speaker, last week it was my pleasure to address the citizens of the city of Galt, Cailf., in my congressional district, on the occasion of their honoring their man of the year, Charlie Bellie.

Charlie's life story is an introspect into the success of America. The work of this foreign-born Swiss in his adopted land with young farmers, in civic, business, and political endeavor is a story worth telling. Charlie was cited by resolution for his efforts of a lifetime for people by the California Legislature and Sacramento Board of Supervisors. A brief review of his accomplishments follows:

Charlie Bellie, Galt city treasurer since 1946 when the city was formed, announced this week that he would not seek reelection. He cited health reasons for stepping down.

Charlie has been one of Galt's most active citizens. He was field representative for the Pet Milk plant for 34 years and retired when the plant closed down several years ago. His territory extended as far north as Woodland and he drove as many as 2,000 miles a month meeting and helping dairymen.

Born in Gronow, Switzerland, he attended grammar school, high school, and agricultural college in his native land. He worked his way through college by holding jobs in Swiss hotels during the summer months.

Not long after finishing college, Bellie decided to come to the United States, landing in Eureka, Calif., where a sister had preceded him. He farmed in Humboldt County for several years while studying for his citizenship exams. They proved little difficulty for him, who incidentally speaks four languages: English, Italian, French, and German.

His next move was to Willows, in Glenn County, where he went to work for the Western Meat Co. He became foreman of the butter plant and began to take an interest in outside activities.

Turning to politics in his adopted country, he joined the Democratic Party and later was a member of the county central committee. He was active in the Druid Lodge and was a district deputy of the Knights of Columbus.

His company sold out to Swift & Co. and he joined the Golden State Dairy Co. as a field representative and salesman serving the Orland area.

While in Orland he met and married Ida Ambrosini. They were married on February 19, 1927. The couple have four daughters, Mrs. Dennis—Eleanor—Hillyard who is active in the radio and TV field at Lake Tahoe. The Hillyards have three youngsters, Dennis, Richard, and Suzanne. Two daughters reside with their families in Sacramento. They are Mrs. John—Florence—Reamer, children Luke and Sally; and Mrs. Jim—Cecile—Phillips, children Terry, Jim, John, and Katherine. Mrs. Dennis—Linda—Delinger and her husband live in Freemont and they have two children, Bradley and Steven.

I liked the field work but didn't like the selling job—

Bellie said—

So, when I saw a chance to go to work for Sego as a full-time fieldman, I jumped at the opportunity.

In September of 1937, Galt gained one of their most valuable citizens.

Among his many accomplishments, including his tenure as city treasurer, Charlie has been past president of the Galt Chamber of Commerce. During his presidency he chalked up such gains as the incorporation of the city of Galt, the establishment of the Galt branch of Farmers & Merchants Bank—he spent months proclaiming to Farmers & Merchants the need for a bank in Galt—the formation of the Galt Irrigation District. He was one of 10 organizers to form the district. "Water is still the agricultural man's biggest problem" and with the

formation of the Folsom South Canal another vision of Charlie's may be realized.

Signing the city charter in 1946 were Laurence Littleton, Albert Steiner, Fred Wing, August Pahl, and Glen McFarland as councilmen; Herb White was city clerk and Bellie, treasurer. Another chamber project headed by Charlie was the pressure to have a library and justice court for Galt. This was also accomplished.

During the war he was chairman of the war drives, chairman and served as a member of the U.S. Citizens Defense Corps, was given citation for his work as an observer for the U.S. Army Air Forces ground corps. His chamber sent gift boxes to many local servicemen.

He received many awards for his work in the Red Cross field, including his 20-year pin for outstanding service.

Always active in the youth of the Galt area he worked with 4–H and FFA youths and started the first boys 4–H group in Galt. He was instrumental in the 4–H award in the annual Dairy Herd Improvement Association's competition. He received one of 4–H's highest awards, a diamond 4–H pin in appreciation for his work. He served on the Galt High School board of trustees for two terms and started the annual senior banquet night at the school. He formed the safety committee at the school also.

He also served as judge for many 4–H and FFA projects. He served on the 52d Agricultural Fair Board, Sacramento County, and was a leader in attempting to get the grounds back into city hands for recreation after the fair moved. He was successful in getting board approval, but as residents in Galt well know the land is still in the fair board's hands. Another chamber of commerce president, Herman LaVine, is now ramrodding the project, some 15 years later.

In addition he is a past master of the Valley Oaks Grange, served on the dairy advisory board, was secretary of the Galt Gun Club, won the State Grange award for husbandry, past president of the farm bureau.

His hobby is collecting labels from evaporated milk cans and has a fascinating book of labels from plants in all parts of the country and foreign lands. He has over 1,000 labels in his collection.

One goal—

He said—

was the return of the fair property to the city with a recreation program and facilities for our youth. I hope I can see the day when this is accomplished.

THE IMPORTANCE OF FAMILY FARMS

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. McGOVERN. Mr. President, a woman in the Quincy Valley, in the State of Washington, has taken up her pen for the maintenance of family-type agriculture and urged, among other things, the enactment of the bill introduced by the Senator from Montana [Mr. METCALF], S. 2613, to deny nonfarmers the privilege of using farm losses to offset city income in making out their income tax returns.

Because what Mrs. Orissa Schulz has written for the Quincy Valley Post-Herald reflects a growing view in agriculture in many areas of the Nation, I ask unanimous consent, that an article and the letter from Mrs. Schulz be printed in the RECORD.

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

IS THERE A PLACE FOR THE SMALL FARMER IN TODAY'S ECONOMY?

(EDITOR'S NOTE.—The following article, written by Mrs. Orissa Schulz, attempts to outline the present and future problems of the small farmer and calls for action that farmers and businessmen should take to preserve the agricultural system that has helped to build America.)

(By Orissa Schulz)

Everyone in farming has been aware of the lack of positive interest or help to the small farmer by our Federal Government. No one seems to care until now the deepest poverty in the United States is in the rural areas, in some places even worse than the 1930's. And just because you are not classed as a "small farmer" does not mean that you will be exempt from the effects of this poverty. The price-cost squeeze can and will put you exactly where they are if something isn't done soon.

No business, and farming is a business, can receive less for what they sell and pay more for what they buy to produce what they sell, and survive. The complete apathy towards the farmers plight, and the belief that elimination of the small farmer and the takeover of corporation farming would be in the best interest of the consumer are threatening the very backbone of American agriculture.

The Food and Fiber Commission reported last year that "the small farm is outdated and hopelessly lost in the backwash of the technological revolution" and implied "good riddance". (Their classification of a "small farm" would include many Basin farms.) They then called for policies to move about 40% of the farmers to the cities as workers in industry by 1980. This Commission, oriented to strict economics rather than sociology, took a hard-boiled approach to all farm units with under $10,000 gross sales and said they must go.

How can this attitude of encouraging monopoly control of farm lands in this country be tolerated while we are financing a massive Vietnam program which completely reverses this trend of dividing large holdings into family operated units? Is the welfare of Vietnam farmers of more importance than our own?

Our Government, strangely, does not seem to feel that our economy would benefit from the elimination of small business. They are offered many types of help to enable them to compete with the big concerns. The Small Business Administration has been one of the most effective of Government projects and is certainly worth-while.

So the small farmer goes under. For most of them, farming is all they know. Some of them go to work on other larger farms but most of them pour into the cities at the rate of 600,000 a year. Unskilled in industry, they find themselves competing for jobs they are not qualified to hold. Statistics show that a very large percentage wind up on welfare.

When decent hardworking people are forced to leave their homes and resettle in the alien atmosphere of big cities, keep track of kids who are suddenly chore free, compete for jobs they aren't trained for, finally taking welfare to keep alive, the loss of personal dignity and the depression that follows is inevitable. They add their stress and strain to the powder keg of the cities.

The privilege of work and earning a living cannot be taken away without a corresponding decline in morality. The growing demand for something for nothing the "me first" attitude, are all reflected in the spiraling crime rate.

Belatedly (too late?) the consequences of the uncontrolled exodus to the cities are coming into focus. The Department of Agriculture, the Rural Poverty Commission and the Farmers Home Administration have been the first to waken and now are beginning to move to combat this rapidly deteriorating situation. They have studied the reports, investigations, probes and research on the riots in the cities last year and they now see that keeping small farmers on the farm will directly affect the welfare roles, the overcrowded cities and the crime rate.

These Federal Departments are now proposing aid to small farmers in the form of loans to make operations more efficient and to enlarge those farms too small for commercial operation. They are urging changing rules of existing farm programs to include small farm operators (the 1.3 million commercial farms with under $10,000.00 gross sales receive less than ⅓ of the Government support payments, only a few large and corporation farms take the remaining ⅔). Further suggestions are special programs emphasizing credit, farm management and cooperatives in order to more efficiently compete in the market. The USDA has also issued a directive calling for any and all future facilities to be located in rural areas and is urging manufacturers to build new plants in farming areas. Both of these latter suggestions, if followed, will be of immeasurable aid to overcrowded cities by cutting down the influx of unemployed, and to the small towns in providing employment to part time farmers, young people and wives of small farm operators.

After the riots in the cities last summer there were all kinds of investigations, resulting in the foregoing conclusions by one segment of the Federal Government most closely interested in the farmer.

However, you know as well as we, that in the Government the left hand doesn't know what the right hand is doing so the following shouldn't surprise you.

The Federal Employment Security Department and the Department of Health, Education and Welfare came out in January, 1968, at the National Labor Conference in New Orleans, La., as favoring the complete elimination of the small farmer and retraining them for city jobs. (You must realize the resulting increase of funds needed by these departments for all this free education.) At this meeting they reported that all Government bureaus are geared for bigness and consolidation of small farms and to the retraining of these people to be "employees". The labor unions are ecstatic at the very thought of all these new members and you can be sure they will use all the considerable power at their disposal to back these programs

Can you envision all the millions of dollars these Government bureaus and departments are spending, to come up with and fight for, such diametrically opposite programs? Using our own money to move us off our land!

Do you know what will happen to just the Columbia Basin towns if 40 percent of our farmers were to be eliminated? Our retail institutions would be in a bad way, since the larger the farm operation the less they spend

at home, and the more likely they are to buy at the source. They too feel the price-cost squeeze and if they can get it "wholesale" they do.

What is to be done by the ordinary citizen who sees the danger, is genuinely concerned and feels a desire to "do something." First of all, read everything you can get your hands on, ask questions, talk it out with your friends, go to farm meetings, the Grange, the Farm Bureau, etc. Hear all sides and make up your own mind then write your legislators, both Federal and State. Make your voice heard in no uncertain terms. The city dominated Congress does not readily understand farm problems so it would be very helpful if you wrote your friends and asked them to write their Congressmen.

You may feel as so many do these days, what good will that do, no one will pay the slightest attention to anything I have to say. Well, would you suggest that we make some signs, join the exhibitionists, pout and cry and stamp our feet and scream for our own way? It seems that if each one of us did his duty, to right what he thinks is wrong, taking action in our democratic way through our legislators, only good could come of it. This responsibility rests on every one of us. We can't sit back and let George do it, you've got to admit George has done a miserable job up till now and if you want something done well, do it yourself. This is an election year and your letters will count far more this year than next. Write, to Congress to the papers, to your friends.

When you write mention this bit of information that would mean a very great deal to all farmers.

Among the family farm's biggest handicaps is the growing practice of corporations, hobby farmers, professional people, and business with too much taxable income buying farms and ranches at a loss and operating at a loss in order to use those losses as a write off on their income tax. This is deadly competition for the farmer who must pay his own losses and cannot pass them on to other taxpayers. (There's one example here in the Basin where hay was sold under market price by a hobby farmer and the market stayed depressed for the rest of the year.)

Senator Lee Metcalf of Montana has a bill before Congress, S. 2613, which has been referred to the Senate Finance Committee for study, which will remedy this situation. Metcalf's bill would permit only those deriving the major share of their income from agriculture to deduct farm expenses and losses from their income tax. The Internal Revenue reported a recent study that showed that out of 119 farm operations reporting annual incomes of over $1 million, 73 or two-thirds of them were running in the red. Just think of all that money pouring into the Treasury if those people had to pay their just income tax! And certainly those same people would make a greater effort to make their farm operations pay off by raising their prices instead of cutting our throats. Senator Metcalf's bill should be passed as soon as possible. Business already has its lobbyists working hot against it so it behooves us to get cracking. Maybe it will stop some of those corporations moving into agriculture for the tax loopholes. Write and urge passage of bill S. 2613.

OPEN LETTER TO OUR CONGRESSMEN AND THE GENERAL PUBLIC

It is imperative that a long hard look be taken at the efficiency of corporation farming, especially in the light of the government attitude towards big and small farmers as outlined in my article printed in the Quincy Post Register of March 7, 1968.

And since when has it been the prerogative of our federal government to actively favor one segment of the economy over another, bigness over the commercial family farm? If this is the case, we can look forward to the elimination of the small Town, (cities are much more efficient) small schools (can't possibly offer a decent education, just look at what the big school has to offer, drugs, hippies, etc.), well, you get the idea.

I believe that time will tell (if we have the time) that the loss of tax revenue to our government from corporations and hobby farming is beyond belief! The USDA reports that California, in 1965, had $896 million net farm profit (these figures got lots of publicity and its no wonder the consumer believes the farmer is rollin' in clover) but the Internal Revenue says that California farmers filed tax returns showing a $16 million farm loss. "Farmers" in the Los Angeles-Long Beach area alone claimed net farm losses of $41.8 million so there must have been a few genuine farmers out in the hinderlands that showed a profit to bring the net from the State down to $16 million. This is only one state!

We are justified in questioning the "bigger the better" philosophy when two-thirds of the farm operations reporting over one million in income are operating in the red, "Look Ma, no tax."

We are not asking for handouts or "free" anything. We must have the right to better bargaining power and then with marketing agreements we can fight the processors who now refuse to recognize us. This is one of the first things that must be done in Congress!

Then get the corporation and hobby farmers off our backs and let all that lovely green flow into the treasury where it belongs. We want Senator Metcalf's bill S. 2613 passed, made law and enforced.

It would be wonderful to see a bill passed in the peoples best interest rather than some peoples best interest. By people I mean the consumer, and there are lots more consumers than corporations, and it's certain the majority would be benefited by Senator Metcalf's bill.

They say the farmers trouble is the result of overproduction. Whose overproduction, my neighbor's 20 acres of potatoes or the corporation that recently bought up 91,000 acres in Oregon, put the whole thing under sprinklers and planted potatoes? We are not trying to stop private enterprise, but we do want to stop this kind of enterprise when its used as a tax dodge. And so does the Internal Revenue.

Have you written your letters to May, Jackson and Magnuson yet?

ORISSA SCHULZ.

SPECIAL ANALYSIS OF THE FEDERAL BUDGET FOR THE 1969 FISCAL YEAR

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. COLLIER. Mr. Speaker, the "Special Analysis of the Federal Budget for the 1969 Fiscal Year," which was recently published by the American Enterprise Institute for Public Policy Research is undoubtedly one of the most thorough studies of the budget that has ever been made. It contains a wealth of statistical data which those of us who are privileged to serve in this body can study with profit.

The study reveals that total spending authority available to the executive branch during fiscal 1969 would aggregate $389 billion if Congress approves President Johnson's budget in toto. The institute explains its $389 billion figure for total budgetary authority in this way:

This sum represents the total available authority for government agencies to incur obligations, and thus to generate activity in their own programs and in the economy. The budget estimates that $241 billion of its authority will actually be obligated by federal agencies in 1969. (The administration mentions $195 billion but does not include $46 billion available to the federal agencies mainly out of receipts from their enterprises.)

Total 1969 authority is anticipated from three major sources:

(1) $214.6 billion from congressional appropriations of new budget authority. . . . Of this new budget authority, $141.9 billion requires current action by Congress, and $72.7 billion will become available without further action by Congress.

(2) $33.4 billion from authority granted by Congress, outside of the appropriations process, to respend receipts from the public. . . .

(3) $140.6 billion from authority granted by Congress in previous years. . . . Of these balances, $78.8 billion resides in trust accounts, $61.8 billion is contained in non-trust accounts.

Mr. Speaker, it is absolutely imperative that we make every possible effort to reduce the $241 billion which will otherwise ac[redacted]obligated by Federal agencies during fiscal 1969. In order to make it easier for the Members of this body to find fertile fields for cutting, I have compiled a table which shows where over one-half of the $241 billion will go if the President's budget is approved as is.

The table, which covers the fiscal years 1967, 1968, and 1969, includes all activities—except those pertaining to defense and veterans—where obligations incurred will increase by at least $1 million per activity from fiscal 1968 to fiscal 1969. While I am confident that savings could be effected in both the Department of Defense and the Veterans' Administration, it is inevitable that there total obligations incurred will increase as long as we are fighting the war in Southeast Asia and new veterans are constantly being added to the rolls.

The following paragraphs from the AEI's special analysis explain the term "obligations incurred":

USE OF OBLIGATIONS INCURRED TO MEASURE PROGRAM ACTIVITY AND ECONOMIC IMPACT

It is generally acknowledged that expenditures (either checks issued or paid) do not provide a satisfactory measurement of the activities of government programs, or of their impact on the economy. For example, the President's Commission on Budget Concepts found checks issued and check paid to be 'basically deficient as indicators of the time when expenditures are actually made.' . . . A statement in a recent *Treasury Bulletin* provides a useful definition of obligations incurred, and points out their value as indicators of economic impact.

" 'Obligations' are the basis on which the use of funds is controlled in the Federal Government. They are recorded at the point at which the Government makes a firm commitment to acquire goods or services and are the first of the four key events—order, delivery, payment, consumption—which characterize the acquisition and use of resources. In general, they consist of orders placed, con-

tracts awarded, services received, and similar transactions requiring the disbursement of money.

"The obligational stage of Government transactions is a strategic point in gauging the impact of the Government's operations on the national economy, since it frequently represents for business firms the Government commitment which stimulates business investment, including inventory purchases and employment of labor. Disbursements may not occur for months after the Government places its order but the order itself usually causes immediate pressure on the private economy."

In general, until an obligation has been incurred, the government is not formally and finally committed to make an expenditure. Congress may rescind authority previously approved, or the executive may not utilize authority approved by Congress. Most authority must be apportioned to the agencies by the President, who acts through the Bureau of the Budget. (Certain funds are not subject to apportionments; notably trust funds, interest on the public debt, and payments of claims, judgments, refunds, and drawbacks.) The President may impound budget authority "to provide for contingencies or to effect savings." For funds subject to apportionment, this constitutes authority to determine when—or whether—obligations authorized by Congress shall actually be incurred. Obligations represent the last control point for financial management, for once an obligation has been incurred, expenditures will follow.

I am not at this time arguing the merits or demerits of the many programs that are included in my tabulation; let us suppose for the sake of argument that they are all constitutional, meritorious, and in the public interest. It is my studied opinion, Mr. Speaker, that just about every governmental program can be carried out with less money and without a sacrifice of efficiency, in fact, some programs might be conducted more successfully with a smaller expenditure of taxpayers' funds.

It may well be that savings could be accomplished in the programs that I have not included, in which some cuts have already been made. Be that as it may, let us start somewhere to make meaningful reductions. The multitude of programs listed below is as good a place to begin as any.

The table follows:

BUDGET AUTHORITY AND OBLIGATIONS INCURRED IN THE FISCAL 1969 BUDGET

[In thousands of dollars]

Program	Fiscal year—		
	Actual 1967	Estimated 1968	Estimated 1969
Federal old-age and survivors insurance trust fund	19,885,831	21,616,876	24,697,311
Interest on the public debt	13,391,068	14,350,000	15,200,000
Federal intermediate credit banks	7,178,951	8,555,175	9,723,745
Contribution to the postal fund	6,022,119	6,695,648	7,161,736
Reimbursement to Commodity Credit Corporation, National Wool Act	6,086,679	6,203,609	6,255,979
Federal-aid highways trust funds	3,778,223	4,110,045	4,781,045
Federal hospital insurance trust fund	2,598,004	3,468,406	3,962,791
Unemployment trust fund	2,863,567	3,163,152	3,202,250
Export-Import Bank of Washington fund	2,325,940	[redacted]	2,769,932
Federal disability insurance trust fund	2,077,342	2,273,551	2,695,807
Bank for cooperatives	1,899,314	2,186,087	2,477,944
Civil service retirement and disability fund	2,093,585	2,153,337	2,393,565
Operating expenses, Atomic Energy Commission	2,126,446	2,193,677	2,393,267
Economic opportunity program	1,659,505	1,748,500	2,176,500
Grants to States for medical assistance	1,186,568	2,092,642	2,118,300
Federal supplementary medical insurance trust fund	768,703	1,627,470	1,827,563
Railroad retirement accounts trust fund	1,437,620	1,421,873	1,493,490
Agricultural Trade Development and Assistance Act of 1954 program	1,517,000	1,175,500	1,448,143
Payment to trust funds for health insurance for the aged	924,050	1,279,659	1,360,227
Grants and other programs, Agency for International Development	1,297,473	1,176,971	1,280,550
Construction, general, Corps of Engineers, civil	936,171	978,941	1,016,452
Higher educational activities	1,018,629	876,946	928,599
Development loans revolving fund, Agency for International Development	764,624	612,363	875,275
Federal Housing Administration fund, mortgage credit	385,177	402,815	811,757
Plant and capital equipment, Atomic Energy Commission	292,569	320,259	728,851
Operations, Federal Aviation Administration	572,723	619,781	663,079
Administrative operations, National Aeronautics and Space Administration	646,813	640,648	648,479
Agricultural credit insurance fund	561,497	538,970	648,113
Model cities programs	750	74,750	647,500
Social services, administration, training, and demonstration projects	392,928	539,724	594,800
Rural housing insurance fund	452,925	559,490	585,860
Alliance for Progress, development loans	383,137	473,215	582,165
Annual contributions, renewal, and housing assistance	727,255	520,252	579,665
Business loans and investments	401,212	469,370	560,369
Compliance, Internal Revenue Service	472,479	497,236	547,551
Employee health benefits fund, Civil Service Commission	376,537	454,577	537,995
Tennessee Valley Authority fund	491,610	476,920	537,590
Salaries and expenses, National Science Foundation	465,169	506,322	527,600
School assistance in federally affected areas	444,591	420,162	442,074
Manpower development and training activities	391,520	386,207	413,096
College housing loans	314,993	363,106	411,484
Reserve training, Coast Guard	348,395	371,867	391,610
Grants for rehabilitation services and facilities	259,720	312,334	376,490
Employees' life insurance fund, Civil Service Commission	549,555	226,201	355,831
Civil supersonic aircraft development	189,827	168,000	340,000
Maternal and child health and welfare	222,558	235,300	297,500
Hospital construction activities	276,109	276,252	294,817
Operating expenses, Public Buildings Service	256,463	270,755	278,763
Mental health research and services	215,776	246,092	277,653
Appalachian regional development programs	140,802	251,474	277,243
Salaries and expenses, Agricultural Research Service	228,425	244,450	254,671
School lunch program	211,846	222,202	248,768
Food stamp program	116,299	184,945	245,000
Construction grants for waste treatment works	133,922	174,442	242,000
Subscription to International Development Association	104,000	104,000	240,000
Operation and maintenance, general, Corps of Engineers, civil	173,027	204,263	230,700
Health manpower education and utilization	115,534	175,447	230,586
Payment for special benefits for the aged	0	0	225,545
Salaries and expenses, Federal Bureau of Investigation	181,831	194,895	206,695
Education professions development activities	149,598	163,850	215,913
Administration of foreign affairs	190,242	197,147	205,968
Development facilities, Economic Development Admin stration	198,998	175,000	203,000
Comprehensive health planning and services	117,061	155,325	200,383
Construction and rehabilitation, Bureau of Reclamation	214,887	187,668	194,368
Urban mass transportations grants	156,925	140,000	190,000
Revenue accounting and processing, Internal Revenue Service	172,557	179,267	188,563
National Cancer Institute	170,408	181,714	187,707
Removal of surplus agriculture commodities	179,730	176,052	179,767
Research and training, Office of Education	77,306	90,167	171,881
National Heart Institute	163,552	165,748	169,735
National Institute of General Medical Sciences	145,770	159,046	165,777
Salaries and expenses, U.S. Information Agency	152,236	155,851	163,654

BUDGET AUTHORITY AND OBLIGATIONS INCURRED IN THE FISCAL 1969 BUDGET—Continued

[In thousands of dollars]

Program	Fiscal year—		
	Actual 1967	Estimated 1968	Estimated 1969
Higher education facilities loan fund	202,626	159,330	162,818
Education and welfare services, Bureau of Indian Affairs	118,237	131,395	154,723
Construction of health educational facilities	131,524	135,400	151,458
Land and water conservation, Bureau of Outdoor Recreation	131,201	138,200	150,000
Panama Canal Company fund	133,126	143,675	149,308
Expenses, Agricultural Stabilization and Conservation Service	134,224	144,342	147,188
National Institute of Arthritis and Metabolic Diseases	132,568	142,344	146,489
State and community highway safety programs, liquidation of contract authorization	1,961	25,000	140,039
Refunding Internal Revenue collections, interest	120,094	133,900	136,900
Work incentive activities	0	40,000	135,000
Community mental health resource report	78,260	100,548	132,300
National Institute of Neurological Diseases and Blindness	112,509	126,552	131,195
Consumer protective, marketing, and regulatory programs	83,501	98,031	119,846
Salaries and expenses, Environmental Science Services Administration	102,057	107,140	119,841
Construction, Bonneville Power Administration	108,446	110,321	119,396
Contributions to international organizations	104,126	109,080	118,628
Air pollution	35,814	71,311	117,733
Conservation operations, Soil Conservation Service	111,265	114,893	116,313
Acquisition, construction, and improvements, Coast Guard	108,750	103,900	116,030
Facilities and equipment, Federal Aviation Administration	83,653	110,500	115,500
Surveys, investigations, and research, Geological Survey	99,598	107,358	115,448
Peace Corps	104,525	107,500	112,800
Regional medical programs	29,256	53,786	99,822
National Institute of Allergy and Infectious Diseases	86,705	93,502	98,562
Salaries and expenses, Bureau of Customs	87,670	90,109	98,215
Payments and expenses, cooperative extension work, Agriculture Department	92,534	93,488	97,629
Housing for the elderly or handicapped fund	78,053	93,362	97,520
Indian health activities	76,245	84,988	96,016
Unemployment compensation for Federal employees and ex-servicemen	78,234	89,984	92,200
Grants-in-aid for airports	61,389	86,331	88,000
General research and services, National Institutes of Health	67,623	79,335	87,500
Salaries and expenses, Immigration and Naturalization Service	78,505	83,704	86,941
Cropland adjustment program	62,000	84,500	85,700
Educational improvement for the handicapped	37,301	52,650	85,225
Open space land programs	68,944	77,500	85,000
Federal payments to District of Columbia	61,394	73,499	83,482
Sugar Act program	[illegible]	80,000	82,300
Proposed legislation for control of crime	xxxxxxxxxx	30,000	80,000
Federal ship mortgage insurance escrow fund	16,792	48,607	76,799
Permanent appropriations, Forest Service	68,363	72,038	76,572
Operating expenses, Federal Supply Service	65,302	71,781	76,534
National Institute of Child Health and Human Development	64,418	68,035	75,394
Payment to civil service retirement and disability fund	73,000	71,000	72,000
Patient care and special health services	56,067	65,537	71,616
Salaries and expenses, Food and Drug Administration	60,902	65,625	69,801
Loans to District of Columbia for capital outlay	21,450	26,800	68,000
Rehabilitation research and training	60,263	63,913	67,925
Internal Revenue collections for Puerto Rico	59,803	65,000	67,000
Salaries and expenses, Bureau of Prisons	60,698	63,200	66,902
Salaries and expenses, Selective Service System	57,937	61,590	63,568
Payments and expenses, Cooperative State Research Service	58,599	58,958	62,179
Assistance to refugees in the United States	45,594	53,461	60,274
Community health services	21,878	37,594	59,500
Salaries and expenses, Farmers Home Administration	52,336	57,641	59,132
Industrial development loans and guarantees, Economic Development Administration	55,634	55,000	58,500
Washington Metropolitan Area Transit Authority Federal contribution	0	4,165	58,252
Operation and maintenance, Bureau of Reclamation	45,952	53,438	57,934
Administering the public debt	53,773	55,198	56,987
Rural housing direct loan account	36,369	39,229	55,690
Urban planning grants	33,093	45,019	55,000
Resources management, Bureau of Indian Affairs	45,118	49,351	53,588
Alien property fund, World War II	1,787	4,057	53,006
Retired pay, Coast Guard	44,569	48,000	51,056
Management and investigations of resources, Bureau of Sport Fisheries and Wildlife	38,732	44,927	46,354
Salaries and expenses, Office of Education	33,648	37,520	46,100
Urban and industrial health	35,249	41,085	45,611
Mutual educational and cultural exchange activities	46,463	43,763	44,862
Salaries and expenses, Bureau of Accounts, Treasury Department	32,974	40,095	42,999
Patent Office	36,989	38,810	42,742
Mental retardation	42,707	25,763	42,056
General investigations, Corps of Engineers, civil	28,575	38,489	40,114
Miscellaneous appropriations, Bureau of Sport Fisheries and Wildlife	35,918	37,133	39,705
Conservation and development of mineral resources	35,047	36,915	39,010
Salaries and expenses, Civil Service Commission	23,411	36,306	39,309
Operating expenses, Panama Canal	34,283	36,000	37,869
Salaries and expenses, St. Elizabeths Hospital	30,860	34,937	37,064
Research and technical services, National Bureau of Standards	30,768	32,504	36,839
Salaries and expenses, renewal and housing assistance	29,943	32,493	36,360
Trust Territory of the Pacific Islands	18,858	25,181	36,350
Grants for neighborhood facilities	8,831	32,000	35,000
Salaries and expenses, National Labor Relations Board	30,360	32,095	35,074
Salaries and expenses, Manpower Administration	31,441	30,483	34,022
Maintenance and rehabilitation of physical facilities, National Park Service	27,649	30,392	32,990
Salaries and expenses, Howard University	25,714	29,512	32,457
Teachers Corps	11,306	13,500	31,235
Scientific activities overseas	9,226	15,000	30,850
Operating expenses, property management and disposal services	27,008	28,000	30,500
Traffic and highway safety	9,927	21,034	30,305
Housing and urban development legislation	0	0	30,000
Disease prevention and environmental control, chronic diseases	24,557	27,837	29,779
Buildings and facilities, Public Health Service	12,714	9,547	29,298
Federal National Mortgage Association loans to secondary market operations fund	0	20,000	28,000
Salaries and expenses, Office of the Commissioner, Social and Rehabilitation Administration	21,325	24,504	27,800
Planning, technical assistance, and research, Economic Development Administration	21,038	25,833	27,780
Research and development, Environmental Science Services Administration	20,646	25,636	27,432
Operation and maintenance, Office of Saline Water	26,792	26,220	27,358
Salaries and expenses, Smithsonian Institution and National Gallery of Art	22,656	24,385	27,130
Management and investigations of resources, Bureau of Commercial Fisheries	22,023	23,725	27,014
Salaries and expenses, Wage and Labor Standards	22,411	24,208	26,210
Development of programs for the aging	8,241	16,409	26,000

BUDGET AUTHORITY AND OBLIGATIONS INCURRED IN THE FISCAL 1969 BUDGET—Continued

[In thousands of dollars]

Program	Fiscal year—		
	Actual 1967	Estimated 1968	Estimated 1969
Assessment funds, Office of the Comptroller of the Currency	21,217	24,321	25,933
Salaries and expenses, Foreign Agricultural Service	24,316	24,270	25,532
Construction of Indian health activities	13,319	17,162	25,136
Juvenile delinquency and youth offenses	7,312	0	25,000
Salaries and expenses, general legal activities, Justice Department	21,786	23,089	24,852
Salaries and expenses, Bureau of Labor Statistics	20,534	20,985	22,669
Salaries and expenses, international activities, Commerce Department	11,926	13,814	22,075
Salaries and expenses, National Foundation on the Arts and the Humanities	11,965	14,640	22,000
Salaries and expenses, Internal Revenue Service	18,817	19,883	21,967
Operations and administration, Economic Development Administration	15,972	19,084	21,370
Salaries and expenses, Federal Communications Commission	17,852	19,174	21,271
General expenses, Corps of Engineers, civil	17,989	19,515	21,200
Operation and maintenance, Bonneville Power Administration	16,669	18,498	20,600
Acquisition and construction of radio facilities, U.S. Information Agency	6,643	7,171	20,555
Urban research and technology	500	10,000	20,000
Law-enforcement assistance	7,103	7,500	20,000
Public broadcasting program, Office of the Secretary, Department of Health, Education, and Welfare	0	4,000	20,000
Intergovernmental personnel assistance	0	0	20,000
Salaries and expenses, U.S. Secret Service	15,269	16,984	19,871
Foreign language training and area programs	15,952	15,700	19,250
Salaries and expenses, Bureau of the Mint	23,494	17,743	19,139
Preparation for 19th Decennial Census	3,210	7,290	18,484
Salaries and expenses, Bureau of the Census	16,360	17,139	18,250
Environmental health sciences	12,351	17,024	18,099
Radiological health	15,603	15,572	18,077
General investigations, Bureau of Reclamation	14,960	16,141	17,377
Kennedy Center for the Performing Arts	1,818	8,900	17,163
Rent supplement program	898	4,100	16,600
Salaries and expenses, Federal Power Commission	14,190	14,660	16,060
St. Lawrence Seaway Development Corporation	7,263	10,528	15,997
Buildings and facilities, Food and Drug Administration	216	5,967	15,172
Retired pay of commissioned officers, Public Health Service	10,838	13,800	15,090
National Park Service trust funds	6,496	8,972	15,022
Civil rights educational activities	7,964	9,969	14,976
Construction, Smithsonian Institution and National Gallery of Art	0	763	14,237
Salaries and expenses, Economic Research Service, Agriculture Department	12,336	[illegible]	13,964
Salaries and expenses, Office of Coal Research	8,557	[illegible]	13,900
Board of Governors, Federal Reserve System	9,440	11,056	13,674
Salaries and expenses, Equal Employment Opportunity Commission	4,987	6,630	13,093
Equal broadcasting facilities, Office of the Secretary, Department of Health, Education, and Welfare	8,984	599	13,087
Salaries and expenses, special foreign currency program, Agricultural Research Service	9,574	9,180	13,041
Salaries and expenses, Office of Water Resources Research	6,909	11,130	12,717
Salaries and expenses, Wage and Labor Standards	9,390	10,764	12,177
Construction, Bureau of Sport Fisheries and Wildlife	8,521	7,127	12,039
Salaries and expenses, Freedmen's Hospital	9,724	10,221	12,023
Administrative and operating expenses, Federal Crop Insurance Corp	8,683	10,487	12,000
Special international exhibitions	6,063	4,718	11,911
Salaries and expenses, Small Business Administration	7,984	9,900	11,600
Salaries and expenses, Office of the Secretary, Transportation Department	2,032	7,016	11,335
Trade adjustment activities, Manpower Administration	1,980	1,400	11,300
Construction, Howard University	1,473	6,555	10,994
Higher education of international understanding, Office of the Secretary, Department of Health, Education, and Welfare	0	0	10,820
Salaries and expenses, Office of the Secretary, Department of Health, Education, and Welfare	4,743	7,073	10,705
Arms Control and Disarmament Agency	8,775	8,984	10,000
Metropolitan development incentive grants	0	0	10,000
Acquisition, operation, and maintenance of buildings abroad	3,197	2,988	9,764
War claims fund, Foreign Claims Settlement Commission	216,447	2	9,502
National health statistics	8,943	8,274	9,501
Transportation research	2,328	6,674	9,500
Salaries and expenses, Office of the Comptroller, Department of Health, Education, and Welfare	5,314	6,722	9,144
Research, development, test, and evaluation, Coast Guard	1,500	1,500	9,000
Regional management and services	4,001	5,412	8,925
Salaries and expenses, metropolitan development	6,264	6,226	8,700
Salaries and expenses, Office of the Solicitor and Office of the Secretary, Interior Department	6,489	7,274	8,530
General administration, Department of Housing and Urban Development	4,014	4,107	8,000
Salaries and expenses, Bureau of Narcotics	6,263	6,680	7,685
Research and training, special foreign currency program, Social and Rehabilitation Administration	5,598	5,000	7,500
Community development training programs, Department of Housing and Urban Development	0	3,000	7,000
Community disposal operations fund, Federal Housing Administration	4,575	3,315	6,783
Salaries and expenses, Smithsonian Institution and National Gallery of Art	2,768	1,997	6,500
Foreign investment guarantee fund	104	4,602	6,434
Rural housing for domestic farm labor	2,678	3,965	5,700
Trust fund, Bureau of Accounts, Treasury Department	9,322	3,969	5,450
Fisheries loan fund, Bureau of Commercial Fisheries	3,207	3,801	5,222
Buildings and facilities, St. Elizabeths Hospital	923	2,441	5,190
Cooperative research or demonstration projects	2,599	3,150	5,000
Chamizal Memorial Highway	0	3,000	5,000
Urban information and technical assistance, Department of Housing and Urban Development	0	2,200	5,000
Alaskan assistance, Federal Highway Administration	0	0	5,000
Economic development revolving fund, Economic Development Administration	706	2,000	4,800
Salaries and expenses, U.S. Travel Service	2,936	2,975	4,678
Inter-American Cultural and Trade Center	157	1,250	4,600
Solid-waste disposal, Bureau of Mines	3,639	2,200	4,576
Low-income housing demonstration programs	1,500	2,000	4,496
Salaries and expenses, foreign direct investment control	0	0	4,475
Educational research and training, special foreign currency program	1,725	213	4,000
Salaries and expenses, Tariff Commission	3,552	3,754	3,860
English language teaching program in Poland, special foreign currency program	0	0	3,100
Prototype desalting plant	0	2,000	3,000
Grants to aid advance acquisition of land, metropolitan development	28	1,972	3,000
Gifts and donations, trust fund, National Foundation on the Arts and the Humanities	789	1,000	2,000
National Commission on Product Safety	0	83	1,917
Construction of U.S. Secret Service training facilities	0	0	1,000
Preventing age discrimination in employment	0	0	1,000
Alaska housing	0	0	1,000
Total	103,629,084	113,090,909	128,539,875

AN ILLNESS OF LAWLESSNESS

HON. PAUL J. FANNIN
OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. FANNIN. Mr. President, on April 26, in St. Louis, Mo., the distinguished junior Senator from Texas [Mr. TOWER] delivered a thoughtful and significant speech entitled "An Illness of Lawlessness." Senator TOWER pointed out, among other things, that it should be the function of our top Federal law enforcement officers—such as the Attorney General—to support the law rather than to apologize for it.

Because I believe that other Senators and a great many other Americans will find merit in Senator TOWER's remarks, I ask unanimous consent that his speech be printed in the Extensions of Remarks.

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

AN ILLNESS OF LAWLESSNESS

(Address by Senator JOHN G. TOWER, of Texas)

I want to make some comments today about the recent riots in our land. I want to comment, too, on some of the aftermath of those riots, on the mood of at least a portion of the American public, and on the reaction of some of our political leaders to the terrible and unbelievable scenes we have all witnessed in the past few weeks.

The present Attorney General of the United States is a kind man, a decent man. But he is misplaced in his government service.

I believe that if the President insists upon having Mr. Ramsey Clark as one of his Administrative officers, he should make Mr. Clark Secretary of HEW, or place him in charge of the Peace Corps, or the Poverty Program.

He most surely should not be continued in supervision over the law enforcement officers of the Federal Government, or in any capacity in which his views are likely to have weight in the law enforcement community.

I say this because I do not believe Mr. Clark is psychologically suited for the field of law enforcement. A law enforcement official should be inclined to *support the law*, not apologize for it. A law enforcement official should be inclined to enforce the law without fear or favor. He should not view the law as having a double standard. He should not believe, for instance, that thieves, bandits, and murderers are to be hunted down and prosecuted if they operate singly, while thieves, bandits and murderers operating in groups are to be excused under the theory that proper enforcement of the law is apt to make the group angry and unruly.

I must confess that my present attitude toward Mr. Clark is brought on by his comments to newsmen at the American Society of Newspaper Editors meeting in Washington last week.

This is not to say that previous positions and comments by the Attorney General have gone unnoticed by me. Were his reactions to the recent riots the *only* manifestations of a peculiar bent as far as the Attorney General is concerned, I would have nothing to say. But such is *not* the case. His posture on the entire subject of law and law enforcement since he became Attorney General can be summed up in a single sentence: The present Attorney General is more concerned with the civil rights of law *violators* than he is the civil rights of law *abiders*.

The simple fact is that the law abiding citizen of our Republic is the forgotten man of this century. Let us take a look at that forgotten man; in the form of a small merchant, operating in any city of our nation.

Let us draw a not untypical picture of a citizen who has saved enough money, or borrowed enough money, to set up a small shop where he can display his wares. This is apt to be a grocery store, or a service station, or any one of a number of general retail outlets.

From the very beginning this citizen of our Republic is circumscribed and directed by various levels of his government. He must conform to certain government-imposed ordinances about fire hazards and sanitation. He himself can work as long and hard as *his* physical stamina will allow. But if his business gets large enough to employ a helper he must pay that helper no less than the Government dictates, and the hours must be no longer than the government dictates.

He must conform to other government-imposed regulations in the conduct of his business. He must not defraud his customers. He must not falsely advertise his products.

He must not discriminate in any way, shape, form or fashion in his hiring practices, or in selling his wares. He must, in short, operate the way government tells him to operate or he must not operate at all.

The citizen of whom we speak here accepts all these rules and regulations. Perhaps not happily, perhaps grudgingly, but nevertheless legally. In return he is allowed to pay a heavy tax burden to practically all levels of government.

He pays a tax for schools even though he may not have children in school. He pays taxes for parks and recreational areas even though his own business may demand so much of his time that he never used a public park in his lifetime. He pays taxes that may sometimes go to subsidizing his competitors.

All this he does because it is required of him by the laws, *and he is a law-abiding citizen.*

And one last thing: He pays taxes for the financial upkeep of a system of law and order that is an absolute necessity if freedom is to prevail over anarchy, if the individual is to have any rights as opposed to the whims of the temporary mob.

What then is our citizen's reward?

The citizen finds out *too late* that the policeman who walks his beat has been ordered not to be too harsh on those who would rob him, or burn his store and thereby endanger his life as well as destroy his property. He finds the Attorney General of the United States taking issue with, and completely undermining the authority of, local officials who have voiced their determination to see that law and order is upheld.

Mr. *Clark's* views can perhaps best be summed up by saying that he does *not* believe in "using deadly force," as *he* calls it, lest "the other side" return the favor.

He says that he does *not* believe the use of force by police officers is permissible unless the officer is protecting *his own life* or the *life* of others.

While it would seem that a literal interpretation of the Attorney General's admonition might still allow police officers the right to use so-called "deadly force", while protecting the life of others, there can be no doubt that the general tone and tenor of Mr. Clark's remarks, and of Mr. Clark's long-standing philosophy, is on the side of *softness* rather than of firmness when it comes to enforcing our laws concerning looters, arsonists, and potential mass murderers.

In this philosophy, Mr. Clark is joined by *Father James Groppi* of Milwaukee. I note by the *New York Times* that Father Groppi attempts to characterize this whole problem in the light of "a 12-year-old kid stealing a six-pack of beer".

Father Groppi's reaction is typical double-talk and double-think. The truth, of course, is that Washington was *not* burned by 12-year-old kids bent on stealing a six-pack of beer, and to imply that such was the case is simply doing a disservice to truth and consequently a disservice to the nation.

The cities of our nation are being burned not by 12-year-olds, but by bandits, looters, and arsonists who are potential mass murderers, reacting to the agitation of the Stokely Carmichaels and H. Rap Browns of our society. The fact that youngsters become involved, or are *used* in the process, makes these crimes all the more sordid, and the instigators all the more guilty of heinous acts that ought to be punished, not condoned.

Mr. Clark has said that "the policeman is the *most important man* in the United States today. He will determine whether we can maintain social stability and order under law in these next few years while we rebuild the cities and ourselves".

In the next breath, however, the Attorney General proceeds to undermine the leadership of those local officials who have enunciated a strong stand on the enforcement of law and the maintenance of social stability.

The net effect of Mr. Clark's remarks is to cause confusion and doubt in the minds of thousands of law enforcement officers who are faced with the task of controlling rampaging mobs of arsonists, looters, and potential murderers.

I would point out that a law-abiding citizen of our Republic is just as dead if he is burned to death in his store, or in his home, as he is if he is the victim of an assassin. I would say too that the loved ones of all our citizens are *equally* grieved when some die as the result of senseless violence.

It has been said time and time again that in the field of *foreign* affairs it does this nation little good to possess massive military power if we lack the will to use that power in the defense of the Republic and for the security of our citizens. If the *will* is lacking, the military hardware might as well be lacking, for it serves no purpose other than a vehicle for the consumption of vast sums of tax dollars.

By the same token it does us little good to have the *means* to protect the lives and property of our citizens if we lack the *will* to use those means. We might as well, under those circumstances, disarm and disband our police and turn our streets over to the tender mercy of arsonists and looters.

Much has been said by many political leaders and political commentators about some kind of *sickness* abroad in our land that causes this unbelievable rioting and looting.

And, the villain somehow turns out to be the decent, hardworking, law-abiding, American citizen both black and white.

Despite the fact that he gives up more than $30 billion annually in programs to aid the poor and underprivileged, the decent citizen is castigated as the *creator* of the ghettos, the *cause* of riots, the *oppressor* of the poor. He is expected, because of his manifold sins, and because of his "sickness", to suffer in silence and to give up still more of the product of his labors, as ransom for his home, his business, his system of law and order.

Otherwise, he is told, he can expect the torch. He is told everything, in short, except that he can expect the protection of his government in his hour of need.

I will accept the fact that there is a sickness in our land.

But the patient should *not* be identified as the law-abiding citizen of our Republic whether white or black.

The patient should be *properly* identified as the fuzzy-brained, foggy-thinking political leaders and political opinion-makers who

persist in their efforts to blame *every* citizen of our Republic, except the murderer, of course, for murders.

The sick patient should be *properly* identified as the gullible citizen who pays heed only to quack doctors of the Great Society as those doctors prescribe remedies that do nothing but compound the ills of the patient.

Yes, there *is* a sickness in our land. There are, in fact, many sicknesses.

There is that sickness of heart that is present in all law-abiding citizens when they see their cities, their homes, their businesses go up in smoke while looters and arsonists cavort for the benefit of television.

There is a sickness of dismay among us all when we see smoke obscure our nation's capital, when armed troops must be called upon for a show of force to control looters, knowing full well that the troops and police are operating under orders of "restraint" lest they do harm to those who would destroy our nation.

And there is, of course, that terrible sickness which comes when we see our chief law enforcement officer vacillate and quake in the face of mobs in our streets.

Already the nation's editorial writers are choosing sides and debating the wisdom of Mr. Clark's philosophy in responding to those who would burn our cities.

There are of course those who believe he is right. There are others, including myself, who believe he is wrong.

I have even read some who proposed that we keep a sort of "box score" on the cities that are burned under the Great Society's policy of restraint, as opposed to those that may be burned where local authorities have enunciated a get-tough policy with looters and arsonists in order that we may know how to approach their problem in future years. I think it is tragic that we must accept as a foregone conclusion the fact that our cities are going to be burned and looted, and that we must wait for a laboratory analysis of the burning before deciding what to do.

The people of America are crying for leadership.

They want a restoration of law and order in our land.

They do not want to wait until November to see that order return. But I have not the slightest doubt that if the situation is not rectified by then, the people, in their wisdom, and in their disgust will rise up at the polls and set things aright.

A WIDOW WONDERS

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. STEIGER of Arizona. Mr. Speaker, the questions posed by Mrs. Dennis D. King, formerly of Lakeside, Ariz., are pertinent ones and deserve a response from the Government worthy of the United States.

The letter follows:

MOUNTAIN VIEW, CALIF.,
April 17, 1968.

Congressman SAM STEIGER,
House of Representatives,
Washington, D.C.

DEAR SIR: I appreciated the recent letter of condolence you wrote in regard to the death of my husband in Vietnam.

My husband was deeply concerned about the war and often wrote home asking me to write my Congressman and try to influence my friends to write theirs. I always neglected to do so. Now perhaps, though too late, I can carry out his wish.

My husband was appalled at the lack of men and materials that were there for the job they were expected to do. He said there was no possible way to effectively deploy his men in even the smallest of operations because of how thin they had to spread themselves. He said that the size of patrols was frighteningly small, and consequently much more vulnerable to attack. This incidentally is how he died.

I'm sure I know very little about all that is involved in the war, but it seems to me that the people in America would do better to start hearing a little more from Capitol Hill about the blood of young men who want peace as much as any person does, rather than just about the blood of Vietnamese citizens that is being shed. It seems that we should be a little more concerned about our own people and what is happening to them. How my husband wanted peace! But perhaps with the right kind of war, he and many like him would never have died.

And while I mention "our own"—what is happening to the USS Pueblo? Can that just slowly slip from the news and minds of everyone until no one remembers or cares, except those handfuls of wives and mothers here who can only helplessly wait?

If there were only something the ordinary citizen could do.

My thanks again for your letter.

Sincerely,

Mrs. DENNIS D. KING.

COST-EFFECTIVENESS STUDIES IN THE PENTAGON

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. THURMOND. Mr. President, Navy magazine for April 1968 contains an interesting article by Adm. H. G. Rickover on the cost-effectiveness analysts in the Pentagon.

In testifying before the Joint Congressional Committee on Atomic Energy last February, Admiral Rickover defended the need for our military to have the best weapons available. He said, further, that the specialist studies now practiced in the Pentagon are heavily oriented toward one thing—dollar costs. Accordingly these studies overlook the value of human life and the fact that a slight edge in military effectiveness can often spell the difference between defeat and victory.

Admiral Rickover warns that the studies of the future effectiveness of our military forces are being conducted by inexperienced social scientists. He also adds that if we continue in this manner, we may suffer some unsuspected advance by the enemy that will be disastrous.

Mr. President, I ask unanimous consent that the article be printed in the Extensions of Remarks.

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

ADMIRAL RICKOVER'S WITHERING ANALYSIS OF PENTAGON COST-EFFECTIVENESS ANALYSTS

(NOTE.—Vice Admiral H. G. Rickover, the Navy's top nuclear propulsion expert and "father of the atomic submarine", long has taken a dim view of the lopsided role the systems analysts have played in major defense decisions since 1961. In testifying before the Joint Congressional Committee on Atomic Energy last February, the Admiral focused more sharply than ever on this matter. Navy—The Magazine of Sea Power believes that his outspoken—and, therefore, unique—observations should be shared with its readers.)

In some of my remarks here today I may express views that are contrary to those of my superiors in the Navy and the Department of Defense. As you are aware, there are basic differences in our opinions. I must make it clear that I claim no superior wisdom. Further, my superiors have responsibilities and problems that are different and more onerous than mine; these responsibilities and problems may require different solutions than I propose. I make no claim that my views are right and that theirs are wrong. . . .

I disagree with the cost-effectiveness analysts on the way we should go about deciding what weapon systems we should design and build. Their studies are oriented heavily toward one thing—dollar cost. Such things as the cost or value of human life do not enter their calculations.

To suggest that specialist studies are capable not only to illuminate or to add to the facts, but to manipulate or overrule them, is to impart to history yet another of those superstitions from which it has been so painfully released in the past. If we have to choose between cost effectiveness and fact, we had better stick to fact.

NEED [redacted] WEAPONS

If cost-effectiveness studies are to be the basis for decisions which can have a national impact—such as important defense decisions—they must not be implemented on the basis of such studies alone. All responsible parties must be freely heard. Also Congress must participate in the final decision, for it is upon Congress as representatives of the people that the ultimate responsibility rests.

I only wish it were possible for older people such as myself to go to Viet Nam. I would be very, very happy to do so. I have lived my life. The young men we are sending to Viet Nam have not yet lived their lives. Also, we older people are the ones who made this war.

But, as long as the young men have to fight the war, for us, I firmly believe we must give them the best weapons we can.

We are faced with the naked fact that we are losing our foreign bases, our foreign oil supplies, that the Russians may soon dominate the seas, that they will soon have more nuclear-powered submarines than we, that their submarines will be superior in some respects to ours, and that our Navy striking forces will be greatly endangered by these nuclear submarines.

While the Soviets are busy improving their nuclear submarines, we are busy making cost-effectiveness studies. A point that has never been made about the present system is the large amount of time it wastes of the few technical people left in the Navy Department in making studies and replying to the points made in studies. It has gotten so there is practically no time left for the senior technical people to do their technical work. You cannot expect good people to stay under circumstances where they are treated as messengers.

QUALIFICATION OF ANALYSTS

The Defense Establishment is so vast that it is impossible for any human being to make all of the decisions—which is what the Department of Defense appears to be doing. For this reason it must have a system operated by rules. There is no other possible way it could handle the job in the manner it does. It has hit on cost-effectiveness as the simple "rule" to solve problems. Therefore, decisions appear to be made by the rules

that are ground out by the cost-effectiveness analysts. It was never the intent of the Defense Unification Act that a group of analysts would, in effect, become the decision-making apparatus of our Defense Establishment.

Leadtime for development of new items is now about 10 years. It used to be 5 to 6 years. This increase in leadtime is partly due to the greater complexity of weapons, but much of it is due to the procrastination and the large number of voluminous studies which must be made in the Department of Defense. It generally takes several years to get approval of an idea that is not generated within the inner circle itself. I am referring to technical and scientific matters, not to military actions where there must, of course, be immediate obedience—and with no argument.

The senior military people in the Department of Defense have been apponted to their position because, over a period of 30 years' service or so, they have demonstrated by their records that they are the outstanding men in their profession—the outstanding officers among nearly 400,000 officers. Just what are the qualifications of the cost analysts? Their experience? Their accomplishments? Their reputations?

I do not protest the cost-effectiveness analysts' superior view of their competence. We are all allowed the enjoyment of our vanity. But they have gravely underestimated their task.

The social scientists who are responsible for making the so-called cost-effectiveness studies have little or no scientific training or technical expertise; they know little about naval operations. Their claim to authority is based on their social science, which has yet to prove itself a true science. The evidence has to be forced into the preordained frame they have devised, and when it won't fit, it is ignored altogether.

THE "GREY EMINENCES"

The only record of accomplishment of these social scientists is reducing budgets. They are "grey eminences" who operate behind the scene. Have they ever had to evaluate the past decisions made by their methods to see if they were right? Why don't they lay their decisions on the line—open to public scrutiny?

Nothing is permitted to escape the all-pervasive net of the theoretical system the cost-effectiveness planners have set up. Everything must be strained through that net, even though it is deformed in the process. Everything we design can be made faster, lighter, better, and cheaper if we but wholeheartedly accept the new religion and place full faith in its votaries. All of this in face of the fact that our ships are becoming slower, heavier and more expensive.

In my opinion, we are unwise to put the fate of the United States into such inexperienced hands. Some day there will be the shock of recognition, the sudden, unsuspected development which these studies have not taken into account or have found improbable. If we keep on this way, in this fatal moment of history, we may find ourselves in the midst of one of their cost-effectiveness studies when all of a sudden we learn that our opponents have ships that are better and more numerous than ours. . . .

The Department of Defense is constantly making the claim for civilian control. True, there is and must be civilian control there. But in its present form it is the most rigid and detailed form of control that has ever existed in this country. In any case, the control of the civilian appointees in the Department of Defense should not exclude the overriding civilian control by Congress, the civilian body which is elected by the people to represent them.

* * *

I think the issue here really is far deeper than whether you require the Department of Defense to build these two DLGN's. Congress made an express statement of its desire and intent. I believe the issue here really is—and I think it is time to face it—Does Congress any longer have anything to say about how the defense of this country is run? Apparently the Department of Defense is operating on the basis that you have abdicated that responsibility, that it is now rightfully theirs.

I know of no other agency of the Government that treats Congress the way the Department of Defense has learned to treat it in the last few years. Therefore, you must make up your minds whether you are going to carry out the powers which inhere in the Congress from the Constitution or whether you are content to turn these powers over to the Defense Department.

I recommend that Congress go ahead with the DLGN–37 and DLGN–38, sir. I think we should build DLGN's until the DXGN is designed and we know more about its capabilities and costs.

I have never been one to believe in postponing construction of ships today waiting for the new designs of tomorrow. On that basis, you could justify never building anything. I think there is a fair chance that by the time the DXGN is designed, somebody in authority will find another excuse to hold up construction while the Navy develops a new missile system, or sonar, or something else.

These two DLGN's have already been delayed a long time. Waiting until the new DXGN is designed will delay them another year or two at least. So I recommend you go ahead with them now.

THE NAVY MUST HAVE SHIPS

I want to emphasize one point though. The Navy must have ships. As I pointed out earlier, the only escort the Navy has gotten in the last six years of destroyer size or larger is the DLGN–36. If Congress, despite its constitutional powers, does not have the power and authority to get these two DLGN's built, then I recommend Congress terminate the argument and just ratify what the Department of Defense does. As a citizen I hope our constitutional democracy has not yet reached this state. However, if it has, then we must all act in consonance with the actual situation.

To defend our Nation, the Navy must have warships. It is better to have conventional warships than no ships at all. It would even be better to power them with sails or oars than not have any.

SOUTH AFRICA: A SOUND FOREIGN AID EXAMPLE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. WYMAN. Mr. Speaker, on April 22 I inserted in the CONGRESSIONAL RECORD figures relative to the total U.S. costs of foreign aid programs in the years since World War II. Included in the examples was $150 million to South Africa with an unfortunate implication in the enclosure that this was some kind of a gift—which it was not. As a matter of fact the aid extended to South Africa was of the most productive and unobjectionable type—largely through the Export-Import Bank in the form of a loan, which has subsequently largely been repaid. This is a different kind of creature than direct giveaway on a bilateral, nation-to-nation basis, to which I have long objected.

It is made up of two types of credit.

The first was a credit of $1.3 million allowed for the purchase of overseas war surplus in 1947. That amount has long since been repaid in full.

The balance of the amount; namely, $152.8 million, is made up of credits from the Export-Import Bank for the following purposes:

First. Credits of $146.7 million were granted in the early 1950's by the Bank to a number of South African mining companies, and their electricity supplier, in connection with a uranium extraction program which was developed at the urgent request of the United States and British Governments.

Second. The South African Airways purchased several Boeing aircraft, repair equipment, and spare parts with further credits of $6.1 million granted by the Bank in 1960.

The greater part of these loans has already been repaid, with interest, in an orderly and businesslike manner. By 1966 about $167.9 million had been repaid. This included over $31 million in interest and commission. Since then further repayments have been regularly made.

It is also of interest that in 1967 American exports to South Africa reached a figure of $426 million whereas U.S. imports from South Africa were $227 million, giving th[redacted] States a very favorable balance of trade with this country. Also, American investments in South Africa are valued at between $489 and $650 million at the present time. South Africa is one of about four countries in the whole world that has paid in full all of its war debts—a distinguished record in a world full of economic defaults.

Mr. Speaker, would that the American record of foreign aid had more such creditable examples.

STATE TECHNICAL SERVICES WITNESSES HEARD

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. SCOTT. Mr. President, the Committee on Commerce this morning conducted a hearing on S. 3245, a bill to extend the authorization for the State Technical Services Act of 1965 through fiscal years 1969 and 1970.

As one who cosponsored and helped to draft the original State Technical Services Act, and as chairman of this morning's hearing, I was especially pleased to welcome among our witnesses Dr. H. LeRoy Marlow, of Pennsylvania State University, my Commonwealth's designated agency for the administration of this program. The committee was also privileged to receive the testimony of Dr. Arthur S. Adams on behalf of the National Association of State Universities and Land-Grant Colleges.

Both of these men addressed themselves, in part, to a central theme of the hearing which was to determine the extent to which the State Technical Services Act is, or should be, funding business management and other programs not in-

volving the direct transfer of scientific and engineering information. Because S. 3245 will soon be before the full Senate and because of the interest which I know there is in this matter, I ask unanimous consent that the statements of Dr. Marlow and Dr. Adams be printed in the RECORD.

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

STATEMENT OF DR. H. LEROY MARLOW BEFORE SENATE COMMITTEE OF COMMERCE

Mr. Chairman and members of the Committee: I am H. LeRoy Marlow, Director of Penntap, the Pennsylvania Technical Assistance Program. I wish to thank the Committee for the privilege of testifying on S. 3245, the bill which would extend the authorization of appropriations under the State Technical Services Act during fiscal years 1969 and 1970.

The Commonwealth of Pennsylvania was one of the first states to implement the State Technical Services Act of 1965. In June of that year, three months before the signing of the Act, the Governor of Pennsylvania named The Pennsylvania State University as the Designated Agency in the Commonwealth. Overall responsibility for Penntap rests with the Continuing Education division of the University.

Each year since the inception of the Act, Pennsylvania has conducted an active, statewide program of technical assistance for its business and industry. Currently, our third consecutive STS annual program is operating, and our fourth-year (1969) program is being formulated.

In addition to the accomplishments previously reported to the Office of State Technical Services, Penntap has been the stimulus for making possible the following "spin-offs":

1. Implementation of a research program at the Franklin Institute on treatment of metal-plating shop affluents. This research is being sponsored by the National Association of Metal Finishers.

2. Initiation, at Bucknell University, of a seminar on warm air heating. Additional technical seminars for industry which will operate without Penntap financial support are planned.

3. Expansion of "The Sound of Progress," a radio broadcast program, to include the dissemination of not only technical information, but also other data having economic impact. This project, conducted by The Pennsylvania State University is now operating without Penntap funds. Two states, Delaware and New Jersey, have requested that "The Sound of Progress" program be expanded to include the tri-state area. Representatives of the three agencies are pursuing this idea.

4. Development, at Drexel Institute of Technology (one of the institutions participating in the MAP Coupling Program), of a short course on "Design with Composite Materials."

5. Development of preliminary plans for establishing a nationwide "Powder Metallurgy Technical Information Clearinghouse" at the Franklin Institute. This Clearinghouse would offer services expanded from the base program begun through Penntap.

6. Coupling of faculty of six major Pennsylvania universities with top industrial scientists in a unique project to assist in answering industry's technical problems. This rare combination of talent was made possible by the impetus provided by Penntap.

Each year proposals are solicited from all qualified institutions in the Commonwealth. Then, an impartial Evaluation Panel reviews, evaluates, and suggests projects to be included in the annual programs. Finally, the approved annual program is co-sponsored by the United States and Pennsylvania Departments of Commerce.

Initial evaluation indicates that Penntap is a promising venture with great potential. However, it is almost impossible to evaluate a program of this type in the same calendar year in which its activity is approved for funding. A few action projects in the program may give preliminary indications of success, but there must be an elapsed amount of time between the completion of a project and its true economic evaluation. Since Penntap is the sum of its individual projects, it cannot be evaluated accurately until its projects are measured.

Moreover, since industrial application of technical information generally requires much time, thought should be given to delaying the evaluation of projects. Perhaps even funding—up to, say, 5% of the total project budget—should be included in the initial project cost for this delayed evaluation. Thus, a more accurate evaluation would be made possible.

The most important feature of Penntap is that it has provided for an effective, unified system of information transfer. The STS Act has stimulated an industrial assistance venture that probably would never have otherwise happened. In all probability, there would have been no coordinated attack on the overall needs of this Commonwealth nor the needs of the other states. And furthermore, there would not have been the coordination of competent teams of technical experts to "tackle" these needs.

During the first two program years (1966 and 1967), Penntap services were available without cost to the user. This allowed the small businessman with limited funds to use Penntap services. However, this also meant that only 3% of the Penntap budget came from non-governmental sources. Beginning with the 1968 Program, fees will be charged and industrial contributions sought. Therefore, in the future, such non-government funds will provide increasing amounts of the Penntap budget.

The current Penntap philosophy is use the federal and state tax dollars as "seed money." The idea is for Penntap to initiate the projects which, in turn, will become self-supporting as soon as possible.

Please remember, gentlemen, this "seed money" idea does not mean that federal funds should be eliminated. It would be disastrous to the initiation of new projects to eliminate these federal funds. Penntap's successes and the previously-mentioned "spin-offs" have resulted from federal support of the original projects. The successful "spin-off" program would probably continue if federal funds were eliminated, but the initiation of new projects, which would lead to other "spin-offs," would not be possible.

Also, it would be short-sighted to think that there will be a day when federal support of the program will be completely withdrawn. For example, the library information programs offer an industrial service very similar to that given by the agricultural agent. While some industrial support for many of these programs will be forthcoming, I, personally, think it unrealistic to believe that such services will ever be entirely self-supporting. Information programs presently striving to be self-supporting through industrial contributions are finding it very difficult.

Prior to the State Technical Services Act and Penntap, there were numerous scientific and technical activities within the Commonwealth, but none were on a statewide, coordinated basis. Many public and private institutions offered a full complement of services to business and industry. While these services and the technical expertise they represent have never been catalogued, they would be impressive if listed in a single volume. In addition, on- and off-campus short courses, workshops, seminars, etc., on subjects covering the entire technical spectrum have been offered by The Pennsylvania State University, the University of Pittsburgh, and Temple University (to name a few), in their continuing education programs. However, with all of these services, there was no unified, statewide information service of the nature that now exists under STS and Penntap.

Gentlemen, if the State Technical Services Act is to reach the great potential which it has, consideration must be given to longer-range funding. This would give assurance to project personnel that the project, if successful, could continue for more than 12 months. It should be remembered that it is extremely difficult to hire a competent industrial librarian under the conditions of the present grant system.

I do not have to tell you that technology is rapidly changing and becoming more complex. Penntap has only begun to scratch the surface. If Penntap—and the other STS programs—are to reach their potential, more funds will be necessary.

Also, the debate over the broadening of the Act to include the management sciences must be resolved. This will necessitate a definition of the real purpose of the Act. If dissemination of technical information is the main purpose, then the area of management sciences should not be included. However, if the primary emphasis is to improve the economic base so that business, commerce, and industry can better assimilate technical knowledge, then management sciences must be included. If the management sciences are deemed necessary, the State Technical Services Act should be broadened rather than create a separate a[redacted]minister rather these social sciences.

We, in Pennsylvania, are currently preparing to submit our fourth annual program. This does not mean that we have three years of experience behind us. In reality, Penntap is only 21 months old as the first contracts with participating institutions were signed August 1, 1966. Allowing for the transition from "paper" projects to operational ones, most of the first-year projects did not become functional until January, 1967. This means that while we have had some measurable successes, evaluation of the total effort at this time is unrealistic and not truly indicative.

It is interesting to note that, to date, Penntap has been able to direct 91.7% of all project dollars toward actual dissemination of technical information. Only 8.3% of the budget has been used for total administration of the program. This administration figure includes the costs incurred by the Advisory Council and the Evaluation Panel, as well as such items as supervision, printing, travel, and coordination of the participating institutions. This figure does not include the cost of such services as accounting and contracting which have been donated by The Pennsylvania State University as the Designated Agency.

Gentlemen, I have only given you an overview of Penntap and STS in Pennsylvania. A more detailed report has been prepared and I would like to request that this detailed report be included in the record.

In conclusion, I want to emphasize that we, in Pennsylvania, believe the State Technical Services Act is beginning to show success, can meet a real need, and has great potential. Moreover, if Penntap and its counterparts in the other states are to reach their potential, substantially more funds are necessary. Therefore, I strongly urge you to do as much as you can to make available the maximum amount of funds. These monies will assure the continuation of this service to business, commerce, and industry.

(NOTE.—Dr. Marlow was asked subsequently to clarify for the hearing record that those activities referred to in his statement as "spin-offs" were not presented as a direct part of Pennsylvania's approved State Technical Services program. Dr. Marlow answered in the affirmative.)

TESTIMONY OF ARTHUR S. ADAMS IN BEHALF OF THE NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES

Mr. Chairman, my colleagues and I represent the National Association of State Universities and Land Grant Colleges. I am Arthur S. Adams, Consultant to the President, University of New Hampshire and formerly President of the American Council on Education, and with me are Vice President C. Bryce Ratchford, University of Missouri; Vice President Robert N. Faiman, University of New Hampshire; and Christian K. Arnold, National Association of State Universities and Land Grant Colleges. The Association for which I speak today has a membership of ninety-nine institutions which grant more than one-fourth of the bachelor's degrees, and award almost sixty percent of the doctoral degrees in the United States.

But far more germane to this hearing is the role that these institutions have had and continue to have in providing broad educational opportunities to the people generally through Extension Courses and the seminars, conferences and institutes included in the term Continuing Education. While many public and private institutions of higher education have effective Extension or Continuing Education programs, a major share of work in this field is performed by our institutions. This could be expected since the mission of our institutions embraces resident instruction, research and Continuing Education. This three-fold mission was set forth at the outset in federal and state statutes and has been enthusiastically accepted and developed by our faculties and administrations for over one hundred years. The Morrill (Land Grant) Act, which over a century ago prompted the founding of many of our institutions, stated as part of its purpose "—In order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life," and it is this practical education which has been a prime concern of our Extension and Continuing Education programs.

Two specific areas of educational concern were explicitly stated in the Morrill Act, i.e., "agriculture" and "mechanic arts."

In the field of agriculture, these institutions have been centers of innovation and scientific development which have contributed dramatically to an increase of many fold in the nation's productivity of food and fibre. These results are so impressive that the procedures by which they have been accomplished merit a brief description, even at the risk of reciting the obvious.

In summary, resident instruction provided the educational opportunity to develop qualified research workers in the agricultural sciences.

Then, through the activities of Agricultural Experiment Stations established at the Land Grant institutions, many of these research workers addressed themselves to the complex questions of improving both the quality and the yield of agricultural products.

Finally, the Cooperative Agricultural Extension program provided the workers, supported by local, state and federal funds, who undertook to help the farmer to apply in his daily activities, the advances in knowledge and techniques resulting from the research done at the Experiment Stations.

In the light of the fact that the original Morrill Act of 1862 specifically identified "the mechanic arts" as an area of concern parallel to that of agriculture, it is not surprising that there has been a long history of interest and activity at Land Grant institutions in today's "mechanic arts," i.e., engineering and technology. Until the enactment of the State Technical Services Act, this activity provided only limited opportunity to small business and manufacturing concerns for communication and participation in new developments along the lines that the Cooperative Extension Services had proved to be so effective in agriculture.

Most of our institutions have good to strong public service programs which usually take the form of continuing education courses and problem solving units. All of our institutions have programs with business and industry; but because of limited institutional funds in many institutions, Extension work with businessmen and industrialists usually has had to be largely self-supporting, with the cost being paid by fees for the service. While the participants in these programs have undeniably benefited, they also have tended to come from those organizations which are large, progressive and prosperous. From the standpoint of society, this group of individuals needs Continuing Education less than a very large number of smaller business and manufacturing firms who generally have not participated because of a lack of money to do so. The existing programs are based on willingness and ability to pay for Continuing Education and have tended to curtail the contribution to greater productivity which the many smaller concerns might have made if they had had access to technical knowledge relevant to their needs.

While a few universities have received substantial support from state government for such extension work, this has almost invariably resulted from vigorous efforts by enlightened and influential businessmen at the state level. These instances were used as illustrations of what could be done in testimony which was presented when the act was first being considered by the Congress. The State Technical Services Act, new and funded at a low level, has already begun to help business and industry in many other states to achieve the same sort of results.

A number of studies have been made on encouraging innovation and the utilization of new technological ideas, all of which show that the pattern of putting knowledge to work is the same in agriculture, business, manufacturing, education and all other fields. Generally there is a small percentage of decision making units which consciously seeks out new developments and finds ways to apply them to the improvement of current practices. But a very determined and conscious educational effort must be made to get the majority of the decision making units to become acquainted with new methods, ideas, and processes and to put them into operation. It is precisely through the service which the State Technical Services Act provides that this effort can be made most effectively. From the standpoint of the national interest, reasons for the Act which were considered and endorsed by the Congress three years ago when first considered, are more cogent today for the simple reason that experience has proved them to be sound.

State Technical Services programs have been in operation only two years and at a low level of funding, yet many useful results are already evident. Attached are selected examples from a few states of benefits which have accrued to business and industry and to the total economy. Many more such examples could be supplied and it is evident that the cost benefit ratios are decidedly favorable. However, since educational programs are essentially long-range in nature, even better results are to be expected in the years ahead.

The program has brought about significant and beneficial changes within the universities. A survey of our member institutions indicated that most of our members have enthusiastically accepted the commitment implied in the State Technical Services Act. Overall, the survey showed that:

1. There has been a substantial increase in Continuing Education activities with business and industry.

2. There has been much innovation exemplified by universities employing field service personnel for reaching the "hard to reach" and establishing central reference systems and information programs which provide new information through systems which previously could not have been afforded.

3. There has been a heartening increase in cooperation between public institutions and private institutions.

4. There has been increased productivity, communication and partnership between state governments and universities. As one notable result, the requirement of state or private matching funds has not proved to be a major problem.

5. There has been the recognition by universities that successful prosecution of this program requires a team of specialists representing a number of disciplines. Universities have been able to mount such teams and report a valuable carry over of the team effort into other fields as well as back into the classrooms on campus. The program has resulted in increased capabilities and motivation of universities to assist business and industry much greater than one could reasonably expect from the investment of the modest amount of funds that have been available.

One new development in the State Technical Services program which I believe deserves special mention has taken place in New England. In this case, a regional approach to State Technical Services has occurred similar to that which I understand was proposed when the Congress first considered the legislation. With the support of the New England Governor's Conference, and after two years of dedicated effort by many individuals, the New England Technical Services Board has been organized and on February 27th of this year transmitted to the Department of Commerce its first Regional Program. As was stated by the Chairman of the Board, Mr. Erskine N. White, Jr., Executive Vice President of Gorham, a recently acquired division of Textron, in his presentation to the Public Evaluation Committee meeting in Wilkes-Barre, Pennsylvania, "Let us acknowledge that there were not only complications, but ready-made obstacles to the regional idea. We needed the positive direction—and later the support, the understanding and the patience—of our governors." Yet the problems were solved and the obstacles were overcome with the result that the Regional Plan is in operation with financial support provided by specially approved funds from each of six separate states. The necessity for such a complicated procedure for funding arises from the fact that, quoting Mr. White, "presently six separate contracts are required to fund or commit for our regional effort. With the help of the State Technical Services office in Washington—and with your help if legislative revision be required—we look to the time when the regional mechanism may itself be designated and authorized to act on behalf of the region—perhaps initially as a seventh agency in the six state area, but with longer range though less precise vision, perhaps as *the* agency within the region."

The enthusiasm and sense of commitment to the regional idea by all of those who have been involved in this effort cannot be better expressed than did Mr. White when he said:

"In conclusion may I say that we are proud of what we have achieved—not because the dollars of program generated, or even the economics of program-to-administrative costs, are that impressive—not at all; in fact, given a quick glance they might even be cause for question. Rather, we feel—we are convinced—that for the purposes of the State Technical Services Act we have, out of our many hours of effort, and out of our many instances of frustration and even, in times past, conflict—out of all this we have come to believe unanimously that we have built new meaning into the Act itself and added a new order of magnitude to the effectiveness of our individual state programs. Far from being satisfied, however—or even tired—we feel we are just now at a beginning; we are convinced that given the oppor-

tunity to continue, State Technical Services in New England can and will show increasing and impressive results in practical regionalism."

Questions have been raised by a few as to why the universities should be involved in a program such as State Technical Services. Why should the activities not be conducted directly by a federal agency or by private associations? The clear answer is that universities approach their clients with objectivity and with no material benefit to gain. Further, they know educational techniques and have resources in specialists in many professional and academic fields, strong libraries, versatile computers, and well equipped laboratories. These can be drawn upon as needed for special assignments with a particular business or industry. It would be extremely costly, and certainly uneconomic, for any other agency to try to duplicate this reservoir of capability.

While our Association strongly favors the State Technical Services Act, we would urge amendments to the proposed extension. First, we feel that the Act should be extended for an indefinite period and at the very least for five years. A long-range commitment is needed to enable universities to "tool up"—establish the basic staffing and programing—to perform the job at the level needed and to provide the consistent follow through which is essential to enduring effectiveness.

Secondly, we would propose a funding authorization of: $18 million for Fiscal Year 1969; $30 million for Fiscal Year 1970; $42 million for Fiscal Year 1971 and succeeding years.

These figures are not drawn out of the air; they are based upon careful and extensive study on what is needed to do the job *and* upon the rate at which capabilities can be developed.

Also, at the time our Association testified on behalf of the State Technical Services Act three years ago, it was with strong conviction that the act should provide not only for the dissemination of technological developments but also should make possible similar programs dealing with the science of management. We believe the Act permits this interpretation, but in order to clarify the point, we would urge that the Congress, without amending the Act, would state its "sense" that the managerial sciences are included within the scope of the program. This is critical because it is management which must make the decisions which bring about the adoption of new technology and application of new technological developments. Therefore, it seems to us to be altogether logical that the program should be concerned as well with the processes of management as with the technology with which management has to deal. If the Congress, however, feels that clarification requires amendment to establish this end, we would support this action.

Finally, and especially in view of the New England experience with a regional approach as cited above, we urge that the legislation be amended specifically to authorize increased and more direct funding for regional programs. This may be accomplished through additional special merit funding or through increased federal support of regional programs with more than 50% matching as an incentive to regionalism. In any event, we recommend strongly that it may be made possible for regional arrangements to be funded directly, subject only to the approval of the several state agencies participating in the regional plan.

We thank you for the privilege of appearing before you today. We feel that the accomplishments and effects of the State Technical Services Act have been most encouraging. We are ready and eager to continue; we respectfully ask that you make it possible for us to do so.

PEOPLE WANT H.R. 11837 ENACTED TO END FDA'S EFFRONTERY

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. HOSMER. Mr. Speaker, H.R. 11837 and 63 other identical cosponsored or sponsored bills before the House Interstate and Foreign Commerce Committee are aimed at curbing the Food and Drug Administration's power to regulate food supplements, including vitamins.

The move springs from a proposed FDA food supplement regulation, published in the Federal Register on June 18, 1966, to which users of food supplements throughout the Nation have strongly objected. Over the last few days, I have spread on these pages extracts from various letters I have received. For those who have any lingering doubts about the will of the American people to have freedom of choice in purchasing food supplements and vitamins through enactment of H.R. 11837, I have asked that the following additional extracts be here printed in the RECORD:

May I congratulate you on your Bill H.R. 11837 regarding the FDA's proposed regulations regarding vitamin-mineral supplements. If they were to get a regulation through which would require a crepe warning on a vitamin label, it surely would result in massive vitamin deficiencies throughout the United States. I certainly wonder sometimes what those people must be thinking about when on one hand they are screaming about automobile safety, cigarette smoking, water pollution, air pollution, etc., and then they want to propose a regulation which would cut down on the nutritional vitality of the nation.

Certainly it is the responsibility of the physician and the medical community to make the decision as to whether a vitamin supplement is required for the patient and not that of government. Paradoxically if the Food and Drug Administration were to get these regulations through, why then they would have to specify exactly what the person should eat in order that he would not need the vitamins which he may not need. To take it a step further, he would probably have to insist that all meats, vegetables, bread food and everything else be assayed to make sure that they have the proper amount of vitamins and minerals.

Thank you so much for your efforts re H.R. 11837. I am writing Chairman Staggers today, to urge him to schedule hearings at the earliest possible moment, without the report from FDA, if necessary, and in the hearings to ask FDA to explain why they have delayed so long (eight months). Please keep up the pressure. This delay on their part is pure effrontery to the Congress. To my mind FDA in the past, and certainly Dr. Goddard now, seem to consider themselves above the law and those who make the laws. Their arrogance is frightening.

Dr. Goddard's latest, the absolute prohibition of the bioflavonoids, is against medical precedent. His panel cited only two sources to support their conclusion and even these two sources did not flatly assert that the bioflavonoids were ineffective, merely stating that as a thereapeutic agent it was not conclusive. Is that reason to have a nontoxic vitamin agent absolutely banned? Your bill is now even more a must.

While our Bills in Congress—H.R. 11837 and S. 2749 (which will redefine "food supplements" and remove them from the definition of drugs)—are awaiting consideration and (hopefully) passage, it seems that Dr. Goddard of the Federal Drug Administration, after researching 3000 drugs has recommended the removal from the market of some 300 and the first one he is banning is the bioflavonoids and rutin, the heart of Vitamin C, which is not a drug at all but a food and one which has been found to have many wonderful and effective uses. This action is impossible to understand since these are some of the most important vitamin substances of all time, according to many researchers and consumers. If there is any consideration for the health of the people of this nation, removing Vitamin C or the main substances of Vitamin C will leave a void that cannot be replaced. Probably more people take the Vitamin C products than any other one vitamin. We need urgent action on our bills! What can we do to protect our people so that they may continue to have the right to the use of food supplements if they so desire???

I am 70 years old and besides lifting weights and boxing I run 90 to 120 miles a week. In the past two months I have entered and completed four Marathons. A Marathon is 26 miles 385 yards long. I have run them all under the four hour limit. In 1968 I will compete in every run 10 miles or longer scheduled in Southern California. How am I doing it? On ability to sleep, relax, correct thinking, proper nutrition, no smoking, no drinking and—b[redacted]ddard's faulty thinking—"wasting" astronomical amounts of food supplements. But have I wasted myself Rep. Hosmer?

To convince your fellow Representatives and also the Senate of the correctness of your bill I suggest you schedule a 30 mile run between Dr. Goddard and me. But perhaps Dr. Goddard would prefer to run 15 miles only and have Dr. Frederick Stare of Harvard's nutrition foundation finish for him.

I am very grateful to you for introducing the bill, H.R. 11837, which will redefine "food supplements" in the Food and Drug Act, hopefully to end this harassment of our vitamin industry, health food stores, and give we users freedom to choose what vitamins we feel are necessary for our well-being without the indignity of having to secure a prescription from a physician, who would probably not know as much about the use of vitamins as we do, which is tantamount to forcing people to have a prescription to buy food.

Although only sojourning in California I want to express my appreciation for your sponsoring of H.R. 11837. Must the government continue to interfere in our private lives? And this means a lot to we of the Senior citizen stripe.

It is the right of Americans, in a free society, to purchase and consume food supplements at their own discretion. Thank you for taking the position—H.R. 11837.

Since 1959 we have been experimenting with natural food supplements and vitamins in our work in preventive nutrition. I have used them myself with gratifying results of good health. I was especially alarmed over the FDA's attempt to limit vitamin C supplements to 70 milligrams, the established minimum daily requirement. Why should anyone be limited to a minimum of what he needs? I have found that my need is from 900 to 1200 milligrams of supplemental C daily to keep up with my rugged schedule.

We refer to your efforts in introducing H.R. 11837 which would blow the whistle on Dr.

Goddard's efforts to load us Senior Citizens with doctor bills and restrict us to vitamins and minerals prescribed by a doctor. Such would increase our expenses . . . Dr. Goddard advocates reducing the penalties for using marijuana, a dangerous thing for people to use. Yet he wishes to restrict our uses of vitamin and minerals, something that never ever harmed a person. But is a big help for us to keep out of doctors offices most of the time.

I wish to congratulate you for introducing H.R. 11837 which is to amend the Federal Food Drug and Cosmetic Act to include a definition of "food supplements". It is heartening to find one who stands for the preservation of the human rights and liberties of Free American citizens. What we need are more men like yourself, who still believe in allowing free people to think and act for themselves and who will protect their rights to do so.

I am not one of your constituents but wish to congratulate you on your bill H.R. 11837. I firmly believe that all Americans should be free to use vitamin-mineral food supplements of their own choice, free from government interference.

Chemical sprays are killing plant life. Killing fish life. Killing bird life, Killing four-footed animal life. Yet, Dr. Goddard tells me these same chemicals won't harm me. But natural vitamins will. And food supplements will. So he must dry up my supply. Is Congress going to let him?

PROTECTION OF RECREATION RESOURCES FROM DESTRUCTION BY HIGHWAY CONSTRUCTION

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. METCALF. Mr. President, several times I have complimented Montana conservationists for backing a law aimed at protecting valuable recreation resources from destruction due to necessary highway construction.

Montana has one of the most effective laws in the United States. How it works was described in a feature article published in the Great Falls Tribune of April 18, 1968. Believing this conservation legislation to be of general interest, I ask unanimous consent that the article, written by staff writer John Kuglin, be printed in the RECORD.

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

"KEEP 'EM CROOKED," SAYS STATE BOARD—AN EYE FOR AN EYE AND A FISH FOR A FISH

(By John Kuglin)

MONTANA CITY.—Conservation history is being made here by the first "mile for a mile" application of Montana's Stream Preservation Law.

The Montana Fish and Game Department is requiring the contractor to dig an equal footage of crookedness for every yard of Prickly Pear Creek eliminated by straightening for Interstate 15 construction.

"You might say we're asking an eye for an eye and a tooth for a tooth," said John Peters. His job is enforcement of the stream law for the F & G Department.

"If a creek is 4 miles long before road work it must be 4 miles when the contractor is through," Peters said. "It can't be just 3½ miles.

"The shorter the stream, the fewer the fish. You can't cut off channels and eliminate holes by straightening and have the same fish production."

Arthur Whitney, chief of fisheries for the F & G Department, and Peters, agree that fishing won't be as good in Prickly Pear after construction. But they also believe that application of the stream law will minimize destruction.

"To be honest," Peters said, "we know of no way you can completely rebuild a trout stream."

BRUSH REPLACEMENT

He said that Zook Brothers Construction Co. of Great Falls, the contractor, will also be required to replace brush and reseed bare banks with grass.

"Brushy streams provide the best fishing," Peters said, "even if you occasionally get your fly or lure tangled."

Peters cites the Wolf Creek Canyon Interstate 15 project as an example of how a stream can be ravaged by a highway. That project involved a creek with almost the same name as the one at Montana City—Little Prickly Pear.

The Wolf Creek project was undertaken before the stream preservation law in 1963. Peters has calculated that 1.2 miles of Little Prickly Pear were "lost forever" when it was channeled to make road construction easier.

Peters cited studies by two Montana State University graduate students on the entire Little Prickly Pear drainage. They showed that fish production in the interstate area is only a fifth of the poundage produced in brushy, undisturbed sections. Rock jetties were placed to form small pools in the straight channels, Peters said, but some of them later washed out.

PHILIPSBURG SUIT

The tough new "mile for a mile" policy resulted in a district court suit in Philipsburg last February. The F & G Department had asked that a "meander" be added to equal what would be lost from the Clark Fork River due to the Bearmouth east-west portion of Interstate 90.

The logical place to add more river seemed on land owned by Morris Weaver. The landowner brought suit against the department, questioning the necessity of taking land for stream construction. Weaver dropped his suit, Peters said, after the F & G Department explained what it was trying to do.

Peters also travels throughout Montana to persuade contractors to reduce silting. "If the water is a muddy mess it will eliminate most fish reproduction, but it won't kill them, Peters said.

Silt was a problem on a portion of the Prickly Pear project. The contractor recently constructed a culvert and earth-filled crossing to keep equipment out of the creek.

Peters spends most of his time trying to convince highway builders to locate away from streams. Powwows are conducted with Highway Department engineers before the right-of-way route is finalized.

The F & G Department was successful in keeping the road away from the Madison River between the Raynold Pass Y and Moose Creek. A route away from the Bighole River was negotiated for Interstate 15 construction between Divide and Glen.

CRAIG COMPROMISE

In the Missouri River Canyon north of Craig, F & G attempted to keep Interstate 15 out of the bottomland and away from the river. "This was a compromise, but we didn't come out too bad," Peters said.

Engineers wanted to change the stream channel of Poindexter Slough to facilitate construction of the Interstate 15 project near Dillon. Instead, plans were changed for three bridges over this Beaverhead River backwater. The bridges are only one-quarter mile apart.

The first stream preservation law squeaked through the 1963 Legislature for a two-year trial period. It had heated opposition from irrigators and other factions. There was only one dissenting vote in each house when a tougher version was passed in 1965.

Here is how the 1965 law works:

Preliminary road project plans which could affect a stream or its tributaries must be submitted to the F & G Commission. The law only applies to state, county and city government.

Within 30 days after it gets the plans, the commission must notify the applicant if portions of the plans are objectionable and give recommendations.

The applicant has 15 days to refuse to meet the recommendations.

A district court judge will then appoint a three-man arbitration committee. The decision of the committee shall be binding.

The act does not apply to the State Water Conservation Board, irrigation districts or any irrigation project.

Even though the federal Bureau of Public Roads does not have to cooperate with the law, it has, Peters said.

It's a different story with the Army Corps of Engineers.

In an issue of "Montana Outdoors," an official F & G Department publication, an attack was unleashed on the corps, entitled "Ravage the River."

The article was sprinkled with quotes on conservation [redacted] Johnson and photos showing destruction of the Fisher River in northwestern Montana for relocation of the Great Northern Railroad.

"Since the corps is not an agency of state government the provisions of our stream preservation law do not apply to them," the article said. "The intent of Montana's citizens as reflected in their legislature is apparently of little or no concern to them."

WILLINGBORO, N.J., LEADS THE WAY IN EDUCATIONAL TV

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. CAHILL. Mr. Speaker, I was truly impressed on the occasion of a personal visit to the Willingboro Public School District, of Burlington County, recently for the purpose of participating in a closed-circuit television discussion with students in the social studies course of the John F. Kennedy High School. For approximately 30 minutes, we discussed in depth Vietnam—the involvement of the United States and possible solutions to this worldwide problem. The program was taped and will, of course, be shown to all of the students in this high school.

Mr. Speaker, the Willingboro Public School District of Burlington County, N.J., has been conducting an ESEA title II project concerned with the use of instructional television as an educational tool. With the initial receipt of funds the school district has installed a television production center in its high school and has employed a staff of production, curriculum, and consultant personnel.

The project, which is authored and administered by Mr. John Rosser, is concentrating its efforts on four areas—ele-

mentary school science, secondary school social studies, sex education for grades 5 through 12, and in-service training of teachers. The prime objective in each of these areas is to demonstrate new and innovative ways of using closed-circuit television and as a means to improving a reinforcing instruction.

During the second phase of the project, the school district plans to develop videotaped lessons at the preschool and adult education levels which will then be aired into the homes via the community television channel. The activities of all phases of the project are being coordinated and evaluated through the efforts of professional consultants, educators, television production personnel, and capable members of the community.

The future of education will be strongly influenced by the use of technology to include television. In order to prepare for the future it is extremely important that school districts such as Willingboro demonstrate and evaluate its effective use.

I am personally satisfied after my visit to Willingboro, my discussions with Dr. Gabriel H. Reuben, superintendent of schools, and Mr. John Rosser, administrative assistant in charge of research and development, that the use of television in education is in its infancy and will continue to play a greater and more effective role in the days ahead.

I congratulate the Willingboro Public School District, of Burlington County, its elected and appointed officials, and the participating teachers and students on an outstanding performance in this important and innovative educational program.

AGRICULTURAL RESEARCH

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. McGOVERN. On February 1, Mr. President, I discussed in a Senate speech our lack of research and factual information on both the economic and the social cost of consolidation of farms and the consequent migration of rural citizens to the overcrowded central cities of the United States.

We are pouring a great deal of money into the search for ways to boost agricultural production, although we are struggling with surpluses, but very little into research on how to market our present production and maintain some sort of stability in agriculture.

The Des Moines Register recently published an excellent editorial on the subject of research on maintaining farm prices and income, and human adjustments to agricultural change. I ask unanimous consent that the editorial be printed in the RECORD.

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

POLITICS IN AGRICULTURAL RESEARCH

Iowa officers of the National Corn Growers Association and the president of the Iowa Fertilizer and Chemical Association have complained that the federal government is allocating more money for cotton and cottonseed research than it is for research on corn and soybeans. They argue that the corn crop is much more important than cotton, in terms of its total value. They also point out that the soybean crop is worth more money than the cotton crop.

It may be that the allocations of funds among various kinds of crop research are unwise. But the value of crops is not necessarily a good index of where the research money ought to be spent.

Money for research ought to be allocated on the basis of scientific judgment about the importance of the prospective knowledge to be gained. It is conceivable that larger funds are justified for research on cotton and cottonseed at the moment than for corn and soybeans.

Allocations of research money should not be made on the basis of political pulling and hauling. The Iowans complained that the Southern congressmen who dominate the committees on agriculture in Congress are responsible for swinging a disproportionate share of the research money to cotton. So they want to apply political pressure to get more research money for corn and soybeans.

The main problems of American farmers, including both cotton growers and corn growers, are not the problems of improving production technology. The biggest problems are those having to do with maintaining stable prices of farm products, high incomes for farmers and the human adjustments to agricultural change.

We haven't heard of any farm pressure groups urging the Department of Agriculture or the Land Grant universities to spend more research money on these problems. Instead, they quarrel about who can get the most money for speeding up the production of new farm technology, thereby increasing the surplus problem and making the human problems of farming more difficult to handle.

We propose an allocation of research funds for a study of how to evaluate agricultural production research.

What farm production research promises the greatest returns for the public as a whole? How will the benefits from the proposed research be shared as between consumers and farmers? Will the general public derive the major benefit, as in the case of most production-increasing technology, with the farmer paying the cost in the form of lower returns? How can the benefits and costs of agricultural production research be shared fairly?

Farmers and farm organizations are shortsighted when they ask for more production research and never say a word about studies to show the consequences of that research on farmers' incomes. They ought to insist on such studies *first*.

ISSUES OF 1968

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. WYDLER. Mr. Speaker, yesterday afternoon the Honorable GERALD R. FORD, minority leader of the U.S. House of Representatives, spoke before the 50th annual meeting of the Chamber of Commerce of the United States. Mr. FORD spoke on the issues of 1968 and he was asked to give a partisan speech stating the position of the Republican Party on those issues which will be decisive in the presidential election campaign this coming fall. Representing the Democratic Party was its newest contender for the top position, the Vice President of the United States HUBERT H. HUMPHREY.

Mr. FORD's speech set forth the issues that face America in a dramatic and effective fashion. It made clear that America needs new leadership and pointed out most correctly that the unity the country needs cannot come from a divided Democratic Party. I recommend the reading of this speech to all my colleagues. It follows:

ISSUES OF 1968

(By GERALD R. FORD)

President Blount, Mr. Chairman, Ladies and Gentlemen: Thank you for your generous introduction.

I'm always a little uncomfortable about being presented to a mixed audience as "the Minority Leader of the House."

All you ladies know who the minority leader of the house is—a husband!

On the other hand, though, we husbands know very well who's the real "Speaker of the House."

Since I'm simply a potential candidate for Congress from the Fifth District of Michigan and for Speaker of the next Republican House of Representatives, I'm honored to share this hour with the "next-to-newest" declared contender for the Presidency.

I hope nobody else has entered or quit since I left my of[redacted]es ago.

You know, the last time Vice President Humphrey and I were paired on a program I formerly assured him that I had no designs on his present job. Since then, it's turned out that nobody has.

I really welcome our distinguished Vice President's decision to offer himself to the Democratic Party as the conservative's only choice, the last-ditch defender of the Confederate dollar, the life-long foe of McCarthyism and the wholly involuntary champion of the Johnson-Humphrey Administration.

You can't help but admire a First Mate who stands on the burning deck after everybody from Captain to Cabin Boy has fled. If anyone can extract a campaign theme of "happiness and joy" from such circumstances I cannot cast the first stone at him.

Besides, Bobby already has.

After all that's happened on the political scene lately anyone who keeps on making predictions about the 1968 campaign is either a fool or a Washington columnist, or both. (No disrespect intended to Mr. Lloyd Jones!)

But there is one sign that stands out like a sore thumbprint on everybody's crystal ball —the American people are fed up and fearful, yes, they are anxious and angry, about the way things are going with their country.

Like a gathering summer storm, a powerful demand and determination for change is stirring all across our land. And it is far from certain where this pent-up force will strike, whether its consequences will be for good or evil. These are the times, as Tom Paine said, that try men's souls—sometimes they summon patriots to action, and sometimes they raise demagogues to power.

I am glad that you asked me to talk today about the issues of 1968. There is a very real danger in this era of instantaneous mass communications that the basic and fundamental issues of our national life may get lost in the excitement of a rip-snorting, bare-knuckle, no-holds-barred personal fistfight for political power. Issues are important, and part of the trouble we are in today stems from the fact that they have been too long fuzzed up and glossed over.

Your program over the past three days has been tremendously impressive. It is issue-oriented and action-oriented. I daresay the

brains and experience, the resources and the constructive energies represented in this room and by those who have participated in your previous programs could not be duplicated in any other capital city in the world today.

Unfortunately, I must also say the recent scenes of anarchy and senseless destruction witnessed only a few blocks away from this hotel could not be duplicated to such a degree in any other world capital—except perhaps by the Red Guard outrages in Peiping.

That is the magnitude of the gap between the vision of America we have always cherished and the way it really is in 1968.

Issues in a political campaign are not made by politicians.

There are no "Republican issues" and "Democratic issues." There are only American issues and they emerge from events. An issue arises when matters of public controversy are ripe for decision. Thus the issues of 1968 are not dull abstractions—they are demands for action.

I believe there are at least four key issues of the 1968 campaign already evident. They are issues which affect every man, woman and child and perhaps unborn Americans as well.

Possibly we can be grateful these unborn generations cannot vote, considering the way their unwed mothers and unwashed fathers have been behaving lately on our college campuses.

Americans are going to ask what their next national leadership is going to do to protect their lives, the safety of their homes and their worldly goods, their security on the public streets and at work and worship and play. They are going to insist there be one standard of justice for all. They are going to ask whether the law will be enforced firmly and fairly for the protection of law-abiding citizens, or with a special tolerance for certain types of lawbreakers. They are going to expect from their future leaders an example of respect for law and decisive action to prevent trouble before it starts. Unjust laws can be changed by democratic processes, but they cannot be defied.

This is going to be a major issue of 1968, perhaps even larger than it already looms. I am a lawyer by profession as well as a lawmaker by inclination at the sufferance of my constituents. Thomas Jefferson, who was certainly no reactionary and whose manual still guides our legislative procedures in the Congress, once observed that the execution of the laws is more important than the making of them. What we need most today are not more laws, but perhaps better laws, and certainly better execution of the laws we have. I profoundly believe that law is the basis of civilized society. I believe that law exists to protect the weak, that it provides a minority with its only sure shield against the tyranny of the majority. Whatever the grievances of any individual or group, however much he may have been wronged, there is no safety for him or for any of us outside the law.

The Republican record on the issue of law enforcement is a proper source of pride for me as our party leader in the House. The Democratic record is puzzling, to say the least. Republican initiatives greatly strengthened and improved the President's proposed Law Enforcement and Criminal Justice Act of 1967, notably by requiring that Federal funds be channeled through the States which under the Constitution have the primary role in police power. Although this Republican initiative and change won the support of 49 of the 50 Governors, the House bill has been allowed to languish in the Senate, despite Newark, despite Detroit, despite the second burning of Washington and the hundred other disturbances, because the Attorney General wants to dole out the money directly to city politicians. Similarly, the Republican-sponsored Federal anti-riot bill, which passed the House overwhelmingly in 1966 and again in 1967, was only recently enacted by the Senate as part of the 1968 Civil Rights package.

Crime and law enforcement is just one aspect, of course, of the wide array of pressing problems facing our cities. It is small comfort to observe that the big cities of America have long been the citadels of Democratic political power. Whatever else, the Democrats have not solved the mushrooming problems of our metropolitan areas and their efforts have in fact multiplied our urban problems.

As John W. Gardner commented shortly before he resigned as Secretary of Health, Education, and Welfare. "There is bitterness and anger toward our institutions that wells up when high hopes turn sour. Cynicism concerning all leaders, all officials, all social institutions is continually fed and renewed by the rage of people who expect too much and got too little."

The Democratic Party has been in power in the White House for 27 of the last 35 years, for 29 of those years in Congress, for all but two years of the 20 I have served in the House. During those years the Democrats have poured billions upon billions of dollars of Federal money into programs supposedly designed to solve the very problems that are erupting into domestic violence today. If it is true nothing succeeds like success, what we are witnessing now is that nothing fails so spectacularly as failure.

Daniel P. Moynihan, the former Assistant Secretary of Labor and a liberal who now heads the Harvard-MIT Joint Center for Urban Affairs, has stated frankly: "We must abandon the notion that the nation, especially the cities of the nation, can be run from agencies in Washington."

This is precisely the Republican approach. Republicans propose—and in some recent legislative victories have actually succeeded—in decentralizing our attack on America's complex problems which have defied the Federal bureaucracy for two generations.

Republicans would redirect these costly and ineffective programs through block grants and revenue sharing that would funnel Federal funds to State and local governments to meet local needs.

The problems of each of our 50 States, of our thousands of cities and counties and other jurisdictions, are not identical, and no bureaucrat in Washington is competent to prescribe for all of them. The Republican block-grant approach has been successfully incorporated into the Federal Comprehensive Health Act, the Elementary and Secondary Education Act, the Air Quality and Meat Inspection Acts of the last session and the previously-mentioned Law Enforcement Assistance Act now hanging fire in the Senate.

A Republican Administration and a Republican Congress would restore even more authority and leeway in problem solving to States and local governments, under a Republican administration, along with the necessary Federal funds. We would do this not because of a sterile ideological devotion to State's Rights but simply because of experience has proved the present way—massive Federal mismanagement from Washington—wastes time and money and doesn't solve the problems.

To move on to a third issue of 1968, related to crime and the crisis of our cities, and to some degree (though the evidence is conflicting) connected with racial disturbances, there is the problem of finding jobs for the hard-core unemployed. Here the Democrats look as always to the application of more Federal money filtered through more Federal programs, though recently there has been some Bobby-come-lately lip service to private industry programs.

I don't need to describe to this audience the successes of many local programs enlisting the resources of business and labor and community leadership in training and matching men and jobs. Nor do I need to dwell on the shabby performance and shocking scandals that have plagued the overpublicized Poverty War approach of the Democrats. I need only say that the affirmative Republican response to this issue would greatly expand private participation through tax incentives such as those in the Human Investment Act and other proposals.

Next in our survey of the issues of 1968 comes the one which perhaps should be placed first, because unless it can be resolved successfully all the rest go by the boards.

I speak now of the urgent necessity of restoring, after seven years, some semblance of fiscal responsibility to our Federal budget. We on the Republican side, as you know, have been trying to do something about this for years. We're still trying and won't give up.

We have been rewarded for our concern by Presidential taunts of obstructionism and "wooden soldiers of the status quo." What the great spenders never will acknowledge, and most people don't realize, is that Democratic inflation since President Eisenhower left office has clipped the Social Security checks of every senior citizen, the pensions of every disabled veteran, the welfare benefits of every needy family and the savings and fixed incomes of every American by nearly 20 cents out of every dollar.

No wonder President Johnson himself described inflation as "the cruelest tax of all." It is taken primarily from the pittances of the poor. But [redacted] he persists in using this cruel tax to pay for the heavy burdens of a major war in Vietnam without being willing to forgo the frills of spending as usual on the domesic front.

To be sure, the President now seeks a 10% surtax on the Federal income tax. The prospect of at least another $20 billion deficit this coming fiscal year has touched off a crisis of confidence that threatens the American dollar in world markets, and the Chairman of the Federal Reserve Board, William McChesney Martin, recently curled the hair of every American over 50 by warning the American Society of Newspaper Editors that "the nation is in the midst of the worst financial crisis since 1931."

Mr. Martin said we "have been living in a fool's paradise" and that continued failure to put our fiscal house in order might well lead "to uncontrollable inflation and eventual deflation or depression."

If what Mr. Martin and other administration experts and leading economists say publicly and privately is even half correct, we cannot make partisan capital of our fiscal crisis—we must do something to correct it now. It is true the Democrats in 1932 deliberately withheld their cooperation and let the worldwide financial panic worsen and the domestic depression deteriorate from November to March until their Administration could be inaugurated; I cannot believe any Republican would advocate repaying this in kind today.

But if President Johnson has really removed himself from partisan politics this year, if he really wants Republican support in the Congress for meaningful fiscal reforms, he must now lay it on the line to the American people.

The President will have my cooperation, and that of the Republican minority, when he tells the nation plainly that the time has come to pay the piper, that he wants real and substantial reductions in Federal spending and in future spending authority, that he will set realistic priorities for domestic programs in the face of wartime demands, and that all this will go hand in hand with the tax increase he considers necessary.

Unless we can work together, Democrats and Republicans, to head off the danger to

our dollar and our domestic economy with the President's full public support, this too will be a major issue of 1968. If LBJ puts politics first it could be the issue for the next 35 years.

I have come to the end of my catalog of issues without touching on Vietnam. There is a fine line which some of us who still believe in old-fashioned patriotism try to observe when our country is at war and more than half a million Americans are involved.

I still find no fault with the counsel of the late General MacArthur that "anybody who commits the land power of the United States on the continent of Asia ought to have his head examined." But we are there. I must also say that anyone who jeopardizes or delays the successful conclusion of that conflict for a few long-haired votes ought to have not only his head but his heart examined.

Only the President as Commander in Chief can conduct a war involving American lives and the record is clear that I have disagreed often with the way this war has been conducted. But our national objective now is to bring North Vietnam to the peace table. I will do nothing to disrupt it.

Our total defense posture, the failures of the Johnson-Humphrey Administration to attend to long-range military needs or to meet such challenges as the capture of the Pueblo and the Soviet penetration of the Middle East, are and should be proper subjects for campaign discussion. But time forbids it today.

Personal safety, economic stability, national security, new directions to solve the problems of the cities, create jobs and strengthen law enforcement, these are some of the issues that are stirring the winds of change in America. They are very important and fundamental issues and the difference between the two parties over them has been demonstrated in actions as well as words.

I think Republicans reflect the feelings of the majority of the American people on these issues at this point in history. I do not believe Americans will buy the silly idea that the changes they want can be ensured through a simple switch of names at the top of the Democratic ticket. I feel it in my bones that we are going to win a resounding mandate in November—not a Republican victory, but a victory for America.

I was asked to make a partisan speech here today, as spokesman for my party, and I have. But partisanship has to stop somewhere.

The things that unite us as Americans are far more enduring than the things that divide us—even in an election year.

As the campaign gets hotter, let's all remember to singe but never to burn . . . that not just the hippies, but all of us, would lots rather make love than war . . . that both Democrats and Republicans are striving together to create a more perfect Union, with liberty and justice for all.

Our unwritten compact of respect for the convictions of others and faith in the decency of others, allows Americans the luxury of rugged political competition. Let's all work to banish war from our shrinking world and hate from our expanding hearts—to make this whole planet as full of friendship and felicity as this room today.

Thank you.

WARSAW GHETTO UPRISING

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. SCOTT. Mr. President, both the Senate and the House of Representatives adopted a concurrent resolution recognizing the 25th anniversary of the Warsaw ghetto uprising. In doing this, the U.S. Congress has helped to immortalize the 40,000 heroic Jews in Poland who chose to fight and die for freedom, dignity, and honor rather than submit to the physical and spiritual humiliation of life in captivity and ultimate extermination.

In 1940 Nazi forces had crowded into a cramped ghetto in Warsaw nearly one-half million Jews from Warsaw and other sections of Poland. Inhuman living conditions and a starvation diet claimed the lives of some 85,000 people by 1942, and in that year over 300,000 people were transferred from the ghetto to labor and extermination camps. By the next spring only 40,000 Jews were known to be in the Warsaw ghetto.

Benn Friedman, in an article published in the Philadelphia Jewish Times, on April 18, 1968, wrote:

It is April, 1943, on the First Seder of Passover, when the Jews of Warsaw, hemmed in, crowded, pushed and mauled behind a ten-foot brick wall, learn irrevocably all in the Ghetto are destined for the gas chambers. They had been told by their Nazi captors that a selected number was "being sent only to labor camps" but secret messages tell the bloodied truth: All were to die, to solve the Jewish Problem.

They would not be passive victims. With whatever weapons they made for themselves, or received through the Polish underground, the 40,000 waged a well-organized military attack against their captors on April 18. For nearly 4 weeks they fought occupation forces and resisted all Nazi advances against the ghetto.

The Nazis pummeled the ghetto and those within with machineguns, incendiary bombs, heavy artillery, explosives, and tanks.

By April 29, more than 5,000 Warsaw Jews had been killed in action, murdered in their houses, or found dead in the wreckage. Many of the dead were never found. After 5 weeks of unending bombardment the Warsaw ghetto was destroyed and the 20,000 Jews, weak and wounded, who escaped the flaming ruins, were shipped to camps outside Poland.

The 40,000 did not fight for their lives. They knew that they were doomed, but they fought as soldiers, as free men and women, and provided a legacy of inspiration wherever freedom and the progress of civilization are cherished.

CONGRATULATIONS TO GRADUATES

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. QUILLEN. Mr. Speaker, each year as thousands of fine young men and women graduate from high school in the First District of Tennessee, it is my privilege to congratulate them on their achievement by letter and by sending them a copy of "The American's Creed." These young graduates will soon be accepting their places as responsible citizens and leaders of our community and the Nation. This year, I am especially proud to personally write each graduate, by way of an individual letter, and enclosing a copy of "The American's Creed," as follows:

DEAR (name of graduate): Please accept my sincere congratulations on your graduation.

I know this is a significant occasion . . one which you will always remember with pride. May your diploma be the key that opens the door to a wonderful future.

As a memento of this achievement, I am enclosing the American's creed which has a special message for all of us. I hope this creed will prove an inspiration and a guide as you start on a new journey in life.

As your Congressman, if I can ever be helpful to you in any way, please feel free to get in touch with me.

Best wishes for every success and all the good things that life can bring.

Sincerely,

JAMES H. QUILLEN,
Member of Congress.

THE AMERICAN'S CREED

(By William Tyler Page)

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; e[redacted]pon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

Presented to (name of graduate) with congratulations upon High School graduation. May the future bring you success, happiness, and achievement in the highest ideals of American citizenship.

I wanted to make this information available to my colleagues and to the readers of the RECORD, as my letters will be going out in the mail within the next few days. It is my desire, as First District Congressman of Tennessee, to be of all the help possible to the graduate, and in my letter I state:

As your Congressman, if I can ever be helpful to you in any way, please feel free to get in touch with me.

THE NEW NIXON

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. THURMOND. Mr. President, I am sure that Senators have noted the excellent reception accorded the appearance of former Vice President Richard Nixon before the American Society of Newspaper Editors. From all published reports Mr. Nixon impressed this critical audience with his knowledge and with the obvious ability his experience has given him.

The editor of the Columbia Record, John A. Montgomery, of Columbia, S.C., was in Washington for Mr. Nixon's appearance and has written an excellent editorial which succinctly summarizes the positions taken by Mr. Nixon on the

issues of the day. Because of the wide interest in this speech and the very thorough treatment given it by the Columbia Record editorial, I believe this editorial deserves attention.

Mr. President, I ask unanimous consent that the editorial, entitled "The New Nixon," as published in the Columbia Record of April 24, 1968, be printed in the Extensions of Remarks.

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

THE NEW NIXON

WASHINGTON.—As newspaper editors of America swarmed into the lobby of The Shoreham on the way to hear Gov. Nelson Rockefeller sound his opening call for a Republican draft, there was an air of anticipation of a great event. They would hear a clarion summons to rally behind a charismatic knight, the one man in the Presidential race who could cover any campaign millions the Kennedys laid on the line.

But the New York Governor's speech, which he read eloquently from a manuscript, was dull from the start. It was neither inspired nor inspiring. The audience listened in silence. The self-pronounced non-candidate who sought a public mandate made some good points, but the one that stood out was his assertion that if New York could spend 17 billion dollars for urban rehabilitation, the country could spend 150.

Nixon spoke the next day. There was little enthusiasm in the crowd for the two-time loser. But when the Eisenhower Vice President stepped out before a microphone on a bare stage and began to speak without a note, he won his listeners from the start. They laughed at his humor, spontaneously applauded his statements of policy, and gave him a standing ovation at the finish.

His performance began with an opening statement in which he said he hoped he would not flunk debating this time. He noted that more hats had been thrown out of the ring than were thrown into it. He pointed out that excessive statements usually made the headlines, but that his efforts to bring the country back into order and balance would be less sensational.

Then he subjected himself to the probing of a panel of four veteran newspapermen who did not ask easy questions, in condensed form, the questions and answers went like this:

Which comes first, order or progress? The budget or the poor? Peace abroad or at home?

The answer to each was, "Both must come together." The poor suffer most from inflationary results of budgetary irresponsibility. Without peace at home we cannot furnish leadership abroad.

What plan do you have for ending the Vietnam war?

I've been discussing the war 14 years. I've said for the last four years that our policy needs correction. We're not putting adequate emphasis on non-military phases. We're not using diplomatic leverage on the Soviets. We're not informing the American people. I share the view that it is a mistake to use power gradually rather than traumatically. I will not say what we should do now because we are engaged in delicate negotiations and I'm not privy to secret information. I don't think Rusk should resign (as Secretary of State). I don't think we should force a North-South Vietnam coalition. I don't think the President should go anywhere Ho says. The United States should have a free hand to negotiate as honorable peace as is possible.

Will you describe the New Nixon?

He is older. He has acquired some more wisdom. (I was wrong in calling for Acheson to resign.) I have a better appearance. The teenagers jump up and down for me too, you know. One of them congratulated me on a picture of myself, saying, "It doesn't look at all like you."

What do you think of the Federal Reserve Board chairman's remark that this is the nation's most severe financial crisis of his time?

The American dollar will not be saved by keeping tourists and investments at home. That is killing the goose that lays the golden eggs. Nor is paper gold the answer. Unless the economy is healthy, you're in trouble. Our difficulty is mismanagement in the U.S. government. Bankers believe that a government that consistently spends more than it takes in is a weak government. Raising taxes is not a solution without a cut in the budget.

How can we cut the budget? Who cuts it, Congress or the President?

The President, as chief executive officer, has information that is available to nobody else. He must take the responsibility. He can best serve the nation by facing this issue. If he does, it will not make him popular with his contemporaries, but will raise his stature in history. Anything less than Presidential action will not do the job.

What would the urban Negro gain from a Republican victory?

Nothing I could say would get the majority of Negro votes. What we need now is not to overpromise, but to be candid in what we will do and do it. I would not say spend $200 million of your tax money. Nothing would be more harmful to the urban Negro than to raise his food and clothing prices. We stand for something for the good of him and all Americans. The urban Negro suffers most from violence. I do not go along with Mayor Daley, but I believe that arsonists are potential murderers, and looting is unarmed robbery and a potential for riots. We need stronger law enforcement procedures. Let's stop crime.

What would you do about government jobs, housing and welfare?

They are not the answer. More important is dignity. Big government spending is not the solution. We need greater participation in and by private enterprise, for those in the ghettos to get into management. I favor tax credits for industries for the ghettos. I want to see Negroes have an opportunity to own their own businesses. It is inconsistent that New York has 300,000 unemployed Negroes, yet the New York Times last Sunday had 48 pages of help wanted ads. What the Negro needs is not promises, but that we produce.

How do you expect to attract enough independents and disenchanted Democrats to win?

The GOP offers a united party and coalition. Each Democratic candidate represents a segment and subscriber of a policy that has led us astray. The Republican Party will provide the basis for a new coalition to move the country forward. I hope the time has ended when people are swayed by promised billions.

How do you assess the Democrats?

McCarthy will get the intellectual vote. Humphrey will have Johnson support. Bobby will have the World Bank. I think McCarthy will make a good race in the Indiana and California primaries, but Bobby will win and engage Humphrey in the convention. The pros say that Humphrey will prevail. I never underestimate what Bobby can do. I think he will get the nomination. The strongest Democratic ticket would be Bobby and Humphrey, or vice versa. They are the only ones who could unite the party.

Will you debate Bobby Kennedy with relish?

With relish? I'd debate him with everything I've got. I'm too stupid to run away. The 1960 debates served a useful purpose; they attracted more voters. I'll debate, and I hope I'll do better. It takes only a little better to win.

What effect will George Wallace have on both parties?

Wallace's strength today stands at 10 percent, or 8 million votes. Unless there is escalation in violence in the cities, he will get 4 million votes in November, or twice as much as both "third" parties got when Truman won. Wallace will hurt the GOP in the South and could hurt the Democrats in the North and Midwest. The Republicans will win in the perimeter states of the South, including North Carolina.

What do you say about the accusation that Eisenhower damns you with faint praise?

His endorsement would be helpful. He believes that withholding endorsement before the convention would be a coalescing element.

Why do you refuse to criticize the Vietnam peace negotiations?

I know how delicate international negotiations can be. I know that a speech by a major candidate or government official, or an editorial in a major newspaper can be disastrous. The one man who has the responsibility is President Lyndon Johnson, and I'll not interfere. J. A. M.

"RHODESIA" BY A RHODESIAN AMERICAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. RARICK. Mr. Speaker, Mr. John G. Kinnear, of Salt Lake City, Utah—an American born in Africa—feels we are not receiving the truth about Rhodesia.

In his recent speech he reminded all that "Rhodesia's voice has yet to be heard in the courtroom of world opinion."

Mr. Kinnear speaks at every opportunity to awaken fellow Americans to the error of our foreign policies and the falsity of our controlled communications system.

I include Mr. Kinnear's speech before the Westmoreland Republican Women at Portland, Oreg., October 1967, at this point:

AMERICA, 1776—RHODESIA, 1965

(Address given by John G. Kinnear before the Westmoreland Republican Women, Portland, Oreg., October 1967)

It is an honor for me to appear before you today and unofficially represent Rhodesia, a little 290,000 square mile country some 11,000 or more miles away. I feel strongly that what I have to say has profound bearing, not only on the future of Rhodesia, but on the future of the United States of America as well.

As I proceed, I hope you will come to the strong realization that Rhodesia is no longer an isolated African episode but a problem that reaches right into the heart of America, becoming a catalyst of American opinion. It forces all who stand to be proud of being American, all who truly love individual freedom to look back at the basic principles upon which this country was founded.

I am an African by birth but an American by adoption. I have great love for the truths I have learned on both continents. I have a genuine and unmeasurable love in my heart for individual freedom, the American Constitution and the teachings of America's Founding Fathers. I have, too, a deep love for the Rhodesian people, white, black and Asiatic . . . this is only natural since I am an African by birth. If I accomplish nothing else today, I pray I may bridge many gaps of misunderstanding about my homeland and fortify within you a greater love for yours. If I am successful in bridging this gap, I

think you will find that there is much, much more that unites America with Rhodesia than divides her. At least, I am deeply grateful for the opportunity of showing a side of a story that has had little light shone upon it . . . a side of the story that all honest men will want to examine before they join in a chorus of Rhodesian condemnation. Seneca once said, "He who decides a case without hearing the other side, though he decide justly, cannot be considered just." May I remind you, ladies and gentlemen, that Rhodesia's voice has yet to be heard in the "courtroom of world opinion"—the United Nations.

BRIEF HISTORY OF THE DEVELOPMENT OF RHODESIA

To give you a fairly accurate view of Rhodesia as she is, I would need several hours in which to pursue an historical exploration. For our main purpose today I will gloss over many facts that are important to gaining a full understanding, but try to give you, at the same time, a brief history leading up to independence.

THE DEVELOPMENT OF RHODES' PHILOSOPHY FOR RHODESIA

The story of the white man in Rhodesia is, indeed, the story of Rhodesia's founder, Cecil John Rhodes, a man of considerable vision . . . a man about whom a great deal has been written both pro and con . . . a man who has left the world a great legacy in free enterprise history. Part of his wealth is still used to take the world's finest minds to Oxford University theoretically to be educated in those ideals which Rhodes himself held dear.

Rhodes, too, had a dream of world peace. He believed strongly that the only way world peace could be established was to have the whole world fall under the cloak of the British Empire and be advanced through law and order, Christianity and British justice. His aim to "paint the map of Africa red, British red, "was a part of this tremendous ambition. Rhodesia was colonized for this purpose.

In 1890 . . . only 77 years ago . . . when Portland was already a thriving metropolis . . . the first 200 whites settled my home town, Rhodesia's capital, Salisbury. Before their arrival, the wheel was unknown in that region. Within two years, a telegraph line linked Salisbury with South Africa and Salisbury's first school was established. Within a decade, a network of railroads linked Salisbury with Beira on the east coast and South Africa to the south.

Rhodes, a man who became one of the richest, if not *the* richest man of his time, spent his personal fortune in building his dream. Though his income from South Africa's gold fields alone amounted to almost $1,000,000 a year (and his real fortune was made in diamonds), his banking account was overdrawn for about nine months of each year and he sometimes paid as much as $15,000 a year interest on his overdrafts.

Rhodes' dream was, in his own words, to found so great a power as hereafter to render wars impossible and promote the best interests of humanity. He died in 1901 . . . just as Rhodesia was beginning its great mushrooming growth. At this time, Marx and Engels had already a well-established philosophy that was yet to challenge all Rhodes believed in.

Rhodes' dream for Rhodesia's people was far from being a racist one. He said, "Equal rights for every civilized man south of the Zambezi. What is a civilized man? A man whether black or white who has sufficient education to write his name, has some property, or works; in short, is not a loafer."

At his funeral, he was eulogized by the Bishop of Mashonaland as a founder of cities, industries and nations. The Bishop said of him: "His statesmanship was founded upon three fundamental principles. He firmly believed in the imperial instinct, but the empire he desired to found must be based not on force, but on freedom—a freedom, too, that was to be a liberty guarded by law and sanctioned and hallowed by religion.

"Secondly, he was inspired by a marvelous sense of the solidarity of humanity. He lived and thought and worked and fought—aye, it may be said that he died—for the unity of all races in South Africa, and it was to be a unity based not on the mere abstract or sentimental equality of the philosopher or philanthropist, but on the higher, deeper and broader equality of rights, dependent on equality of responsibility.

"Lastly, his mind was suffused and almost overborne by the thought of progress, and this progress was to be based *not* on the mere animal instinct of the man on the pavement, but on the equality of opportunity for all . . ."

This basic philosophy of Rhodes has become the very cornerstone of Rhodesian thinking. It might be summarized concisely by saying that Rhodesians believe that the three R's of democracy are: 1. Reality; 2. Responsibility and *then* 3. Representation. Rhodesians believe in an *evolution* of the electorate under law and order and not a *revolution* of the electorate under chaos or communism.

Every Prime Minister of Rhodesia, since the country received total self-government in 1923, has reiterated Rhodes' basic philosophy, in one way or another.

Sir Godfrey Huggins, a man who served seven consecutive terms in the office of Premier, put the aims of his party in these words: "The goal of the Federal Party, and the government it now provides . . . is the economic and other advancement of the African up to the standard of the European, so that they can live side by side in security, and without fear. Our future hinges on economic development, which means that there must be full scope for the development by Europeans and their money, because they, at present, set the standards and provide the impulse for *all* development. Africans must be allowed to play their part to the fullest extent of their capabilities, and they must have opportunities to progress to the same civilized standards as the Europeans. But they should not be spoon fed. They must learn to stand on their own and earn the privileges of civilization. The future of multi-racial countries in Africa can only depend on solutions which have non-racial, and not racial, bases."

Sir Roy Welensky, a personal friend of mine, premier from 1956 to 1964, defined by *Time* magazine as a "shouting, sweating but engaging demagogue" (April 27, 1962), has claimed that Rhodesia is multi-racial democracy's last hope in Africa. Welensky defined Rhodes' philosophy as "partnership". He said: "I believe that the success or failure of our experiment in partnership will decide the fate of Africa. Partnership is a much-maligned word, but the concept, the policy, is both strong and realistic. I cannot accept the alternatives . . . of a continent broken up into black and white states with legislative barriers between the races, or the equally impossible creed of 'Africa for the Africans' so beloved of what we regard in the Federation as the lunatic fringe. Both of these views is an admission of failure. I know the claptrap used by protagonists of both these views: 'Do you want your daughter to marry a black man?' 'Every white man is an exploiter of the black man and our only way to happiness is to drive the white man into the sea.' I know how easy it is to get people to swallow these views." All of this from a man branded in the press as a "white supremacist."

Mr. Ian D. Smith, the present premier of Rhodesia, has only emphasized again Rhodes' basic philosophy for that country. When interviewed by Albert J. Meyers of *U.S. News and World Report*, November 8, 1965, he was asked: "Mr. Prime Minister, do you think the white citizens of Rhodesia ever will be willing to live in a country governed by Africans?" He answered: "Yes, I do. They accepted this when they accepted the 1961 Constitution—and of course eventual African rule is inherent in that Constitution. Really, what the Rhodesian has always said in the past is that, as long as the government is a civilized one, he is prepared to accept it. . . . The principle of majority rule has been accepted and is enshrined in the present Constitution."

Smith, in defining the Rhodesian philosophy today, calls it "meritocracy." He says: "The lesson we learned long ago . . . is that in an African context progress by merit can be the only guiding principle . . . our mission is to create civilized conditions here on a non-racial basis so the time may come when we will not have to think of our government as a European or African one but as a Rhodesian one . . . provided it is based on merit." (*Punch* Magazine, January 26, 1966).

Mr. Duncan Sandys, former Conservative Commonwealth Secretary, told the *London Times:* "I have met nobody in England or Rhodesia who does not accept that majority rule must come in due course. But we must be sure that the principle of 'one man, one vote' will not, as in Ghana of Nkrumah, be carried to the point where all is decided by the vote of one man. Everyone wants to see Rhodesia evolve with experience into a broadly-based democracy in which all races will play a part and not, as in the case of Nigeria, be torn asunder by rival ethnic groups seeking to impose their domination on one another." *London Times,* October 20, 1966).

This, then, is the development of Rhodes' philosophy: A civilized, prowestern, Christain democracy o[redacted]rder; responsibility, equality, partnership, meritocracy, individual freedom for all. It opposes mass conformity, slavery, and subjugation of the weak and uneducated through either superstition or intimidation. It is firmly against chaos and communism and supports all moves to develop understanding and friendship. While Rhodesia, like America, has its lunatic fringe of extremists of both races, Rhodes' dream lives on. The character assassination of the Rhodesian people in the world press is no substitute for truth and the poorest example of non-objectivity. None of us here is naive enough to believe the theory that Rhodesian whites, en masse, are a peculiar breed of people overcome by an overwhelming desire to keep the African in bondage. The truth is that the Rhodesian people are no worse or no better morally and mentally than any particular people anywhere else in the world. There are good and bad among them in normal proportions of human frailty. That they are bug-eyed fanatics, "white supremacists," is a picture no intelligent person could possibly accept . . . no matter how many times the libelous label is repeated in the press.

Mr. P. Enahoro, African Editor-in-Chief of the *Lagos Times* in Nigeria, after a visit to Rhodesia recently wrote: "I was disconcerted to find the country so free of social discrimination and color bias, and the picture of Rhodesia as a grim police state is a massive fraud."

The truth is that Rhodesia currently has fourteen African representatives in parliament, side-by-side with her white representatives. Most of them support Ian Smith. Rhodesia's 600 tribal chiefs, to a man, support the Smith government. In a statement by the Council of Chiefs, issued November 2, 1966, it states clearly that the government of Rhodesia has their support and concludes: "We will stand firmly behind our Prime Minister in any steps which he decides to take." This statement surely contradicts those who believe Rhodesia to be a Neo-Nazi-like state.

In contrast to this, may I quote you from a letter written by a Nigerian to Mr. F. W. Corfield, British M.P. (*Daily Telegraph,* October 31, 1966). (Nigeria, you will remember, was the British pearl of preparedness for self-government—the modern British pat-

tern for Africa.) "It is quite some time since we heard from you. We hope you are fine. As for us, we don't know if we will survive tomorrow. What is happening to the country is beyond description. All I can say is that there is nothing truer than your distrust of an army regime. In all my life I have never experienced an army regime to know what it is like. Now I can tell you what it means. It means a regime where innocent children and women are slaughtered at the church gates, market places and in a house-to-house search for people of one ethnic group by another. It is a regime where the police are helpless when reports of the atrocities are taken to them. What is happening in Nigeria cannot be described and I still maintain that we were better off under the colonial power and I don't care what people think of me when I say this. Do you think under British rule one tribe could slaughter other tribes by going to church to wait for them and mowing them down as they leave? When you talk to people about these atrocities, they tell you that all developing nations go through this. What a shallow excuse. If I were Mr. Smith, I would be more than ever determined to hang onto my independence. It would be better to die in London as a laborer than come back to this hell on earth where I am more a foreigner than I was in London because I happen to come from one tribe by accident of birth. This is worse than the color discrimination between blacks and whites. How we wish we had no children now. The situation is grave and I wish we could get away from the country. Unfortunately, without money and with children, we cannot travel or move. Pray for us!"

The story of terrorism in Africa is becoming almost daily reading fare . . . no word of alarm is heard in the United Nations or from our own State Department. Rhodesia, however, is condemned without a hearing. Even her request for a hearing went unanswered. Double standard follows double standard every step of the way in the Rhodesian crisis.

In 1953, the Federation of two Rhodesias and Nyasaland was formed by the British government as a strong central state in the heart of Africa. Sir Roy Welensky became premier. A decade of British doubletalk finally was the cause of its dissolution as the British lost the will to govern and acceded to the new wave of "Nationalism" sweeping the continent. Despite Sir Roy's efforts to keep the Federation intact, the British government maneuvered the situation into the country's breakup. He was sold out. Sir Roy commented thereafter: "There is little honor left in dealing with the British government. I say that Britain is utterly reckless of the fate of the inhabitants of the present Federation."

Mr. Winston Field, Southern Rhodesia's Prime Minister at the time of the Federation's break-up, was given the same runaround when he asked for independence for his country when he knew that both Northern Rhodesia (which became Zambia) and Nyasaland (which became Malawi) were gaining theirs. His request for "in writing, of an acceptable undertaking that Southern Rhodesia will receive *its* independence" concurrently with the secession of the two other territories, received the British reply: "Accepted in principle" but *nothing in writing came*. Rhodesia, a country that had already been successfully governing itself for over forty years, underwent another siege of British duplicity and double-talk. The other two countries, neither one of which had ever been self-governing, were given independence. Rhodesia's independence was delayed subject to a discussion of "the terms." No discussion of terms was required for Zambia or Malawi where constitutions were hurriedly written up by the British government. With the election of the British Labor Government with its socialist views opposing Rhodes' philosophy, Rhodesia's fate was sealed. On November 11, 1965, Rhodesia, tired of the political run-around, declared independence.

Harold Wilson's blockade of Beira . . . nothing more than U.N. sanctioned piracy . . . proved a fiasco. After vainly blockading Rhodesia for seven months, England was itself blockaded by its own seamen who went on strike. Wilson took "emergency powers" against this menace and accused communists of instigating this attempt on the nation. Yet, in Rhodesia, he refused to allow any but the communist-trained "Nationalist" terrorists speak for "the people" and called "emergency powers" there proof that Rhodesia was a "police state."

Wilson's stated purpose, "to bring Rhodesia to her knees," was anxiously backed by American Socialists and Liberals. America's Ambassador to the United Nations, Arthur Goldberg, dramatically appeared before the U.N. Security Council the day following Rhodesia's declaration to announce the following hostile steps against the Smith government: 1. Recall of the U.S. Consul General; 2. Immediate imposition of a comprehensive embargo; 3. A withholding of Rhodesian sugar importation; 4. Suspension of all action on Rhodesian application for loan credit; 5. Warnings to American investors about risks of capital investment in Rhodesia; 6. Discouragement of private travel to Rhodesia by American citizens. This violation of the Constitution of the United States and usurpation of Congressional power by the State Department and the President is only a part of an American policy that has been called "a riddle inside an enigma inside a mystery." With Constitutional power being given to Congress to "regulate commerce with foreign nations," the very constitutional law of this great land was violated in efforts to support socialist Britain and crush Rhodesia. Cocks must have crowed in the shade when America, a country that itself declared itself independent in the same "illegal" way, not followed but *LED* the United Nations in demanding backing of socialist Britain's blockade of Rhodesia . . . while Britain continued, and continues, to trade with North Vietnam and Cuba. Even more alarming than this should be the fact that after getting America to promote sanctions in the U.N., the British have resumed back door trade with Rhodesia! According to the *Richmond News Leader*, "The English have been delivering oil (to Rhodesia) at a rate of 56 tankers a year. Rhodesia's Deputy Prime Minister, John Wrathall, recently announced that British companies are trading with Rhodesia with the 'connivance of the British Board of Trade.' Over $16 million in British exports went to Rhodesia in the first seven months of this year (1967)."

This will interest those Americans who witnessed President Lyndon B. Johnson sign Executive Order 11322 prohibiting American business from importing twelve key items from Rhodesia. This has eliminated an estimated $8,000,000 in Rhodesian imports. Violators will be fined up to $10,000 and be given jail sentences of up to ten years. This Presidential edict prohibits imports of Rhodesian chrome by an American owned company in Rhodesia (Foote Mineral Co.) and forces the United States to buy chrome from the Soviet Union at $5.00 a ton more. Rhodesia, to stay in business, must now sell chrome to Japan and Red China.

This trade dilemma recently (October 1967) prompted Senator Harry F. Byrd to propose sanctions on North Vietnam on the basis that that country was a threat to international peace. The proposal passed the Senate 75–15, but apparently the motion fell on deaf Executive and State Department ears. Nothing has come of it.

THE GREAT AMERICAN ENIGMA

At this point I want to draw an analogy that I feel is most striking and appropriate. I call it "American 1776—Rhodesia 1965." The temptation to draw this parallel is just too great. Rhodesia is going through all of the birth pangs that America went through in the 18th Century . . . with Harold Wilson in the role of King George III . . . and with the additional disadvantage of having to face the rulings of what has been called "The Benighted Nations."

As I see it, the Boston Tea Party was no more or less an imposition of sanctions against the colonists on all but British goods . . . taxable, of course. The two Declarations of Independence are so remarkably close in spirit that they both should be the cause of support of every proud American . . . and you will note that in America in 1776 only about 1 in 20 white men had the franchise. The American Indian was, for obvious reasons, excluded from voting at that time. Their vote would have been for a grand scalping of all settlers! I should also point out here that it took over 140 years to gain universal franchise in the U.S.

Then as now Britain has exploited the situation to gain her ends. In the American Declaration we read a number of declaration clauses that return to haunt us today. One point raised was the ". . . cutting off our trade with all parts of the world"—in other words, sanctions. A second is: "Trying to introduce absolute rule into these colonies." Nothing could be more absolute than the Nigeria and Ghana-like dictatorships of Africa today. Thirdly, "Altering fundamentally the forms of our government." Attempts were made to alter the Rhodesian form of government prior to Rhodesian independence while discu[xxxxxxxxx]terms" of independence. Fourthly, "He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions." Today, the BBC facilities in Zambia and Bechuanaland are used by terrorists tc broadcast to Rhodesian Africans inciting them to rise up against their "white supremacist" government . . . Zambia-based communist guerillas make forays into Rhodesia. And fifthly, "A prince whose characteristic is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people." This man, Wilson, whose pomposity and vanity is clear in his threat to bring Rhodesia to her knees, fits this category very nicely.

To the great American document, the signers pledged their lives, fortunes and sacred honor. Rhodesians have done no less.

In a very profound book called *Battle for Rhodesia*, the author, Douglas Reed, bemoans the American course in Rhodesia today and concludes "During three lengthy sojourns in America I felt, even more tangibly, a subsurface apprehension about the future. The cause of it, I thought, was incomprehension of today's America. Americans have been taught that their original ideals and beliefs were wrong and they now have no clear sense of purpose because none is to be discerned." America's own flirtation with Socialist principles is robbing her youth of this direction.

Ian Smith, in a speech on May 18, 1967, said, "Rhodesia wishes to follow your (America's) praiseworthy example. Indeed, we have done so to a certain extent already. We have spread Christian civilization across our country; we have tamed or are taming the wilderness. We, too, are now engaged in the task of producing a constitution to meet our particular needs. The constitution that will emerge . . . will have been made in Rhodesia, for Rhodesia, by Rhodesia." The example Smith follows is of America 1776 . . . not 1968. This man could yet prove to be Africa's Washington. He is about the same age as Washington when the struggle for American independence took place. He served in the Royal Air Force during World War II and was twice brought down, once behind enemy lines. He escaped to rejoin the allies and

serve out the war. Traces of plastic surgery are still to be seen on his face. Unlike the typical politician of today, when applauded, he actually shows signs of embarrassment. Douglas Reed says of him, "He is the kind of man of whom any other knows at once that his word is his bond."

Chief Nzimuni Masuka, Vice President of the Rhodesian Council of Chiefs representing the black tribal people, says: "We like Smith. He is a real man; he speaks the truth and he keeps his word. He is a great leader."

California Assemblyman, E. Richard Barnes, visited with Smith last year (1967) and described him as ". . . A man of quiet dignity, keen mind, deep conviction and complete dedication to the basic fundamental of freedom with responsibility, justice and fair play for all."

When Ian Smith visited England, he was not allowed to appear on BBC, the British Broadcasting Network, but his name has been dragged through the mud by every facility at the BBC's command. The American press, with a number of admirably notable exceptions, has followed in its cries of "Smith is a racist." He is not allowed to defend himself against this slander and current efforts of students at the University of Virginia to have him come to America to speak have been totally unsuccessful.

THE SCUTTLING OF THE MILTONIAN IDEAL

While we are on the subject of press reports on Rhodesia, I will comment on this topic briefly. I was first aware of the tremendous journalistic bias in this country while working on my master's degree at the University of Utah. For my thesis, I selected a study of the rioting in Rhodesia and Nyasaland in four prominent American newspapers during a two-month period. To oversimplify my findings, I discovered that over 40% of the material studied gave a most marked pro-Nationalist distortion and made flagrant use of various propaganda devices. Less than 4% of the material covered gave anything at all of the Rhodesian government's point of view. Since then, the use of labels such as "white supremacist", "racist", "Rhodesian rebels" and so on have become daily reading fare for all of us. All of this in a country that turns out journalists dedicated to the Miltonian ideal . . . and ideal which states: "And though all the wind of doctrine were let loose to play upon the earth, so truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and falsehood grapple; who ever knew truth put to the worse in a free and open encounter." There is a need for a rededication of that old ideal among many of our journalists today!

STATE DEPARTMENT PROPAGANDA

Picking up the banner of press distortion . . . or is it carrying the banner? . . . is the State Department in America. A faceless body of people dedicated to the destruction of Rhodesia; forgetful of the American heritage; and quite oblivious to the reports from its own officers in Southern Africa. Congressman J. Arthur Younger of California, in addressing the House of Representatives, February 1, 1967, told of his own expense-paid visit to South Africa last December and said: "I found *only one* employee of our government who was in sympathy with the action taken by the United States against Rhodesia. Further, I could find *not one* person in my travels who believed that the stability of Africa was involved in the Rhodesian affair, especially if the Rhodesian government was allowed to work out its own internal problems unhampered by outside interference. In my travels in Africa I found no one who did not concur that the Rhodesian sanctions were just a first operation toward final action against South Africa."

Current State Department propaganda reveals an appalling lack of insight into Rhodesian history or thinking and what facts they do have seem to have been deliberately distorted. This is a somber accusation that I am forced to make after correspondence with officials in this department over the past five years or more.

State Department literature says: "The British government consider this act (independence) unconstitutional and illegal." What hypocrisy from a body that itself has done a legal double take by urging the President of the United States to usurp power from Congress and force sanction upon a friendly country! It further ignores completely the fact that the same "Illegal" action was taken by this country just 192 years ago!

State Department material also says: "A small, stubborn and sadly mistaken minority has seized sole power in an effort to dominate the lives of the vast unwilling majority of the population of Southern Rhodesia." I see no such enthusiasm from this arm of government in preventing seizure of power by dictator after dictator in Nigeria, Ghana, and almost twenty other African countries which have decided minority rule . . . not to mention countries like Hungary, Czechoslovakia and Cuba. On the contrary, many of these countries get American foreign aid.

State Department literature claims Smith "usurped power." From whom? Rhodesia, unlike any African country to the north, has been self-governing since 1923. The British government has *never* governed Rhodesia. The country was opened by Cecil John Rhodes under a Royal Charter. It has made greater economic and social strides than any country in Africa outside of South Africa . . . *without* foreign aid.

The State Department wants to restore "legitimate government." What is this "legitimate government?" Any Nationalist dictator who shows his head and gains power by whatever means is at his disposal now becomes the accepted head of legitimate government in Africa. The voice of the true representatives of the Rhodesian African people, the tribal chiefs, is rejected by the State Department . . . *they* support Smith!

This minority that "dominates" the majority includes some 55,000 white and only 500 or less black personal income tax payers. They carry the entire economic burden of the country including efforts, and admirable ones, to educate the 4,000,000 African people. This minority is essential for the country's economic survival let alone responsible for the maintenance of Western standards. And what of the majority? . . . the 4,000,000 Africans you have read so much about? Half of them are children under 18! Some 500,000 of them are immigrants who have moved to Rhodesia for freedom and work. If Rhodesia is the dominated country the State Department says it is, why are they not flocking out to their own countries? There is no iron curtain around Rhodesia. The answer is obvious . . . they like Rhodesia; they like the looks of the future there; and they can see quite well what is happening in the so-called "free" lands they left.

State Department literature says: "We will not live by a double standard." They *are* living by a double standard when it comes to Rhodesia! And what is worse, they are living by a double standard when it comes to America!

COMMUNISM AND AFRICA AND RHODESIA

It is with no thanks to the State Department that communism has not made strides in Rhodesia. It is no secret that Africa is a part of a communist global strategy but what few have realized is that Rhodesia has stemmed the communist tide in Africa south of the Sahara. Ian Smith has openly declared that the purpose of Rhodesia is to promote Christianity and halt communism. "There is no doubt in my mind," he has said, "that liberalism is being used as a cover by the communists to further their own political ideologies. Communism, as you know, is a creed which has tremendous appeal to the 'have nots.' The fact that those who are anything in this world have obtained what they have through their own initiative, enterprise, ability and skill—in other words, on merit—is quietly pushed out of the way."

Communism is made out to be a big bugaboo by many, but it is still a most real and dangerous threat in Africa. Zambia, Rhodesia's neighbor is a base for Chinese and Cuban trained guerrillas who cross Rhodesia's borders to infiltrate. Usually they are turned over to local authorities by those Rhodesian Africans whom the State Department says are "suppressed" by the "illegal regime."

When I first came to the United States in 1953, communism was a mere word in my vocabulary. My ignorance of its aims were almost as bad as most Americans ignorance of Rhodesia. People I met on college campus, in fact, would ask me, where is Rhodesia? Or when I would tell them I was from Rhodesia, they would reply "Indonesia?" It wasn't until 1959, and Vice-President Nixon's visit to Northern African countries, that the American spotlight really fell on Africa. Till then, Americans' knowledge of Africa was as dark as the "dark continent" itself. But by then, Africans were already being trained by communists for top posts in Africa's newly emerging nations.

THE CHARLES MIZENGELI CASE

Years before official American interest in Africa was displayed, Africans were being trained in Russia as the revolutionaries of the future. One case in point was a Rhodesian, an African man I'm proud to call my brother; his name is Charles Mizengli. Charles, a junior high graduate from a Catholic Mission school in Rhodesia became the first African trade union head in 1929 . . . the year before my birth. Later he went into business and achieved success as a restaurant owner and later yet a store owner in an African township. As early as 1951, Charles was invited to a labor conference in London. There he struck up friendship with communist delegates—a friendship which led him on a clandestine journey through Europe and to a curious offer. In this newspaper report from the Sunday Mail I quote: "I quite like the communists and even remembered what followed; I cannot help looking back on the episode with pleasure," he said. "I was very keen to learn and probably not very wise, and when they offered me a trip to East Berlin, I said 'yes'. We went through Brussels and Prague to East Germany. They gave me V.I.P. treatment and a young woman guided me around East Berlin. On my last night they offered me a year's intensive political training in Russia. Then I was to return to Rhodesia, and, with *whatever financial backing I required,* was to lead an overthrow of the 'Imperialists.' I told my hosts in London I had gone to Paris to lobby U.N. delegates, so I had to get back. I told the communists I would think it over. I reached London and my passport showed I had never left in the first place. The communists were well organized."

He thought it over and decided that communism was not the solution for Rhodesia. He was asked to lead a young people's movement in Harare township . . . and refused . . . His shop was therefore burned down by "African Nationalists" while he was visiting London for constitutional talks in 1960. "It's all quiet now," he said. "Things may work out. I hope Mr. Smith gets independence under the 1961 Constitution and sticks to it. I suppose I don't need to carry my gun now, but I do just in case . . ."

Ladies and gentlemen, if communism is no threat in Rhodesia, it isn't thanks to the State Department or the British government.

My own experience on returning from a visit to Rhodesia just four years ago bears putting in the record today. Having been gone from Rhodesia for eleven years, and having done a master's thesis showing such distortion of fact, I resolved to return to Rhodesia and find some of the facts that

had obviously been missed. On my return these facts were printed in an article in the April 1965 issue of the University of Utah *Alumnus* magazine. To balance the score, the editor of the magazine asked an African student from Kenya to write an article. He entitled his "A New Ideology for Africa." Mine was called "The Changing Face of Rhodesia." I read his and was dumbfounded by a maze of beautiful language that communicated little to my mind. In one passage he quotes Karl Kautsky, "a noted German economist" as saying. "Cannot the present imperialist policies be supplanted by a new ultra-imperialist policy, which will introduce the common exploitation of the world by internationally united finance in place of the mutual rivalries of national finance capital?" If any of you can interpret that jargon for me, I would be grateful. When I read it . . . as with the entire article . . . I was, to say the least, lost.

Later, I was given the opportunity to speak to a group called "Conservatives for Political Action" at the Little Theatre on campus. I addressed them along lines of this address today. Though dubbed as conservatives, the turnout was frightenly liberal. On the front row sat a bearded student wearing his "Get Out of Vietnam" button. There were some pretty hostile elements in the group before I even started talking. Among them was the author of the "A New Ideology for Africa" article. As I spoke, he would vigorously oppose me among his senior associates (college professors, I believe) seated next to him. I was not permitted to complete my address before the questioning period and was subject to several rude interruptions. When I came to a point where I commented that "the issue in Rhodesia was not the preservation of a particular pigmentation of skin but the preservation of western, Christian civilization," the African student lept to his feet and spat, "I don't give a damn about that Christianity crap!" I reeled, made the statement that Christianity was important to me, at least, and somehow finished the address. He claimed he was not a communist and since no one had raised the question, I thought, "Methinks the lady is protesting too much." At the end of the discussion, I made it over to my Kenya friend to shake his hand. After several moments of letting my hand stick out conspicuously, he condescended to shake it. He then asked: "Did you write the article in the *Alumnus* magazine?" When I replied in the affirmative, he again spat back at me. "It was rubbish!" "Everyone is entitled to his own opinion," I responded as calmly as I could, "It happened to be one side of a story that I feel must be viewed." "Did you read mine?" he asked in a most arrogant tone. "Yes," I replied, "and I had a hard time understanding it." "That's how I felt about yours!" he quickly retorted. "When will you whites give up," he said, "Will you wait until there is bloodshed as in Kenya during the Mau Mau rebellion?" "We believe we have the solution for all races in Rhodesia, and if it is a matter of principle, we will fight for it," I answered. With that we parted . . . good friends!

As I returned to my office, I immediately dug out of my files the *Alumnus* magazine and re-read the African student's article. It was full of expressions such as "bourgeois propagandists", "bourgeois romanticist-theorists", and religion is the opiate of the human mind reasoning. Christian missionaries, according to the author, aided the capitalists in stripping the African of his culture and making him look toward Europe for eternal salvation.

On contemplating the "noted German economist" Karl Kautsky my curiosity, was aroused to a point where I decided to pursue the matter further. I had taken the liberty of calling the editor of the magazine and asking him for bibliography so that I could read more of this very vague philosophy. I had been told that the student had been asked for it but it was never forthcoming. They had gone to press without it. "The whole article smells," I told the editor. "I thought it quite pink," he replied, "And I thought we would get some reaction from the student body or faculty . . . but none came."

As I discussed the whole episode with a friend of mine, a corespondent for the *New York Times*, he vaguely recalled that Karl Kautsky was a Marxist. We went to our office set of *Encyclopedia Britannica* and read the folowing: "Kautsky, Karl (1854–1938) German Marxist and historian of Socialism, was born Oct. 16, 1854, at Prague . . . He was a friend and disciple of Marx, and after the death of Engels, universally regarded as the most important interpreter of Marx's philosophy . . ." What tales of colonial suppression my Kenya friend must have had to spin to his college mates! It was, to put it mildly, a shock to me! All of this, of course, is no surprise to Portlanders who have just seen the case of Student-body President Uris brought to public light. And the State Department blithely salves the casual inquirer's mind with the statement "There is at present no direct communist threat to Southern Rhodesia; we believe that the rebel regime, by seeking illegally to perpetrate minority rule will create conditions under which extremism, including communist influence among anti-regime groups, is almost certain to increase!" No cries of alarm from the State Department when the Chinese infiltrate Tanzania . . . no word of protest when Belgian nuns are raped by the Congolese . . . but a cry for blood when a little country like Rhodesia takes the very same stand America took 191 years ago. And the State Department doesn't believe in double standards!

In conclusion, ladies and gentlemen, may I again reiterate that sanctions against Rhodesia are constitutionally illegal . . . more than that they are a defiance of the very principles this great land was founded upon. Rhodesia is no longer an isolated African episode . . . it is America's struggle being fought again in the 20th Century. It forces all true Americans to look back at basic principles and to rededicate themselves as did the Founding Fathers. Rhodesia is an outpost of America in the great battle for Christianity and freedom and against communism.

THE SPIRIT OF LIBERTY

The best way I can summarize for you the spirit of dedication we need to have in America today is to refer back to my own Rhodesian past and catch for you a glimpse of the "Spirit of Rhodesia".

I was student body president of a school in Salisbury called Allan Wilson High. Allan Wilson was a pioneer, sent out with a party of men to locate the warring Matabele warriors who had massacred settlers at a place called Bulawayo. On the banks of the Shangani River, he was ambushed by several thousand Matabele led by Chief Lobengula. Every last man died fighting. The Chief, impressed with their valor, said of them, "Babenga emadodeni madoda" . . . "They were men of men". That became the motto of our school! Our school song best symbolizes the spirit of those pioneers . . . and indeed pioneers of freedom everywhere. As I recite the words, I would that you draw on your own great American heritage as I draw on mine:

"And those who stood upon Shangani's banks
Those gallant few with danger all around
Who fought until the last brave fighter sank
Beside his dying comrade on the ground.
They call to us, 'Hold on when hope has fled,
'Hold on with bleeding hands and blinded eyes,
'Hold on when all the things you love are dead
'When beaten to your knees, hold on and rise.'
Rise up again and in the battle din
Hear still their call to you, 'Hold on and win'
The listening granite hills take up the cry,
'Take courage, bid all craven fears be gone,
The spirit of brave men will never die,
It lives again in you, brave hearts, hold on.' "

May the spirit of the great Americans of the past . . . the Jeffersons, Lincolns, Washingtons live on . . . may we rededicate ourselves to them. And in so doing, may we work toward a repeal of Rhodesian sanctions and for the building of a country of true freedom for the Rhodesian people, both black and white. May we return to sanity in foreign affairs, based on true American principles. Thank you.

CONSUMER CREDIT AND THE POOR

HON. WILLIAM PROXMIRE

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. PROXMIRE. Mr. President, recently the Subcommittee on Financial Institutions of the Committee on Banking and Currency held hearings on the Federal Trade Commission report on consumer credit practices in the District of Columbia. Although the study was confined to the District of Columbia. I believe it is fair to conclude that the situation in the District is broadly representative of conditions throughout the major cities of the United States. Certainly the problem of consumer credit and installment buying was listed by the Kerner Commission as one of the most significant problems faced by residents of the ghetto.

I am hoping that these hearings will focus more attention on the special consumer problems of inner city residents. The FTC study shows that the poor pay more. In the District of Columbia they pay 60 percent more for identical merchandise.

We as a nation must do better than this, I do not believe we can allow a situation to continue where poor and low-income families who can least afford it are paying 60 percent more than middle- and upper-income families who live outside the ghetto.

Mr. President, the President's special assistant for consumer affairs, Miss Betty Furness, testified before our subcommittee and presented a concise and comprehensive analysis of the FTC report. I ask unanimous consent that the testimony and the letter I received from Miss Furness expanding upon her remarks be printed in the RECORD.

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

THE WHITE HOUSE,
Washington, April 19, 1968.

Hon. WILLIAM PROXMIRE,
Chairman, Subcommittee on Financial Institutions, Banking and Currency Committee, U.S. Senate, Washington, D.C.

DEAR CHAIRMAN PROXMIRE: It is kindly requested that this letter be placed in the record as supplemental comments to my testimony on the national implications of the Federal Trade Commission Economic Report of March 1968 on Installment Credit and Retail Sales Practices of District of Columbia Retailers hereinafter referred to as the Report).

The general purpose of the Report was ". . . to obtain a factual picture of the finance charges, prices, margins and profits, legal actions taken in collecting delinquent

accounts, and the relationship between retailers and finance companies . . ." A specific purpose was to compare the practices and credit experiences of retailers of furniture and appliances who sell primarily to a low-income market with those who sell to a more general market.

This office not only concurs with the conclusions and recommendations of the Report (pp. 1–14), but regards it as a landmark contribution which can point the way to improving conditions in the innercity marketplace. Thoughtful readers must be surely alarmed by the findings. Hopefully, it should generate remedial action in both government and private sectors. Recent disorders in the District of Columbia and in other cities across the nation give further validation to this concern. Viewed in conjunction with the recent report of the National Advisory Commission on Civil Disorders (NACCD), the corollary between the two studies is at once apparent. The NACCD report stated that ". . . significant grievances concerning unfair commercial practices affecting Negro consumers were found in 11 of the 20 cities studied . . ." The emerging prevalence of selective looting and damage to stores operated by merchants who rioters apparently believed are charging exorbitant prices or selling inferior goods lends further support to the view of the part exploitation plays in fostering the frustrations that foment such disorders. The NACCD, while stating that there was a variance in the specific grievances from city to city, list discriminatory consumer and credit practices as one of the 12 identified grievances in the patterns of disorders (NACCD: Sum-18). I suspect that these two reports confirm what many trial court judges, the National Legal Aid and Defender Association and all lawyers counseling and defending the poor have long known.

For the District business community and, we believe, for all urban business everywhere, the Report indicates the immediate need for intensified voluntary action, including meaningful codes of ethics to correct objectionable practices and to provide alternatives for the low-income and Negro consumer.

For educators, the Report points to the imperative need for intensified realistic consumer education geared to all levels of acceptance and relatable to marketplace problems of the innercity poor.

For the legal profession, as well as the local, state and Federal authorities, the Report points up sharply the need for increased neighborhood legal aid for the consumer poor. Part of the assistance should be channeled into a continuing study of the major consumer problems of the poor and the Negro, focusing on the improvement of laws, regulations and practices at all levels of government and in the marketplace. We must achieve parity in the bargaining position of the consumer with the seller and credit extender.

Particularly, with reference to the state regulation of consumer credit, for the National Commissioners on Uniform State Laws, the American Bar Association, and the legislatures of the states, the Report impels the conclusion that there is a need for the drafting and adoption of strong amendments to the pending uniform consumer credit draft code which should include, among other recommendations we have made, greater protection for the consumer by equalizing the remedies allowed both creditor and debtor; deterrents for sharp practices in the form of adequate penalties; provision for stronger enforcement powers and the institution of class suits by state administrators who will be charged with enforcing the code. My office and the National Legal Aid and Defender Association, as well as others, have urged these and other improvements to the Uniform Consumer Credit Code.

The Report compels us to make another companion recommendation concerning the need for the establishment of offices of consumer affairs within the offices of the States Attorneys General with branch offices where applicable, in the urban ghettos and elsewhere. It follows that there is need for the cities to do likewise. We know that many of the poor will not venture out of their neighborhoods. The City Hall is too far away in many instances. Some states and cities have taken these steps, others are so planning. All should act.

And in acting, the statutory safeguards believed needed should concentrate on the three related elements of a consumer credit transaction: conduct of the potential creditor towards the consumer before the credit transaction becomes a contract; more effective methods of protecting the consumer who becomes a party to a credit transaction; and, prevention of abuses in the rights of creditors and debtors after default on the obligation.

As viewed by this office, there are now pending before the Congress certain significant legislative items that can be a big step towards correcting the evils noted in the Report. We have previously urged their enactment. These include, the House-passed version of S. 5, the "Consumer Credit Protection Act"; S. 2589, the District of Columbia Retail Installment Sales Act; S. 2590, the District of Columbia Retail Installment Sales Finance Charges Act, and S. 2592, a bill to protect the enforcement of a security interest in real property in the District of Columbia except pursuant to a court order. Additionally, this office again urges the passage of S. 3065, the Deceptive Sales Act of 1968 broadening the injunctive powers of the Federal Trade Commission, and S. 1599, the Door-to-Door Sales Act which will provide a cooling-off period for the consumer.

The recommendations urged above and also in the Report make it apparent that a variety of actions are needed to solve the problem of credit for the poor. We would emphasize in addition to endorsing the complementary steps proposed in the Report (p. 13), that consumer education is essential—to include counseling services providing practice for consumers in comparison shopping. Consumer comprehension must be achieved to make full disclosure of credit terms truly effective.

Wolf von Eckardt, in a moving article appearing in the Washington Post, Sunday, April 14, entitled, "Mission '76: A Spanking New Capitol" raises the question as to whether or not it is going to be "business as usual" as we rebuild our Capitol. He also asks are we going to rebuild the "two Washingtons?" I for one join in this hope that the city seize the challenge of this crisis and move with a steady purpose of mind to build "one city." There are crucial and responsible roles in this task for all of us. I submit that any plan to physically rebuild the city into "livable and attractive" homes and communities must include solution of the problems so graphically portrayed in the Report.

The opportunity to submit our views on these important matters is appreciated.

Sincerely,

BETTY FURNESS,
Special Assistant to the President for Consumer Affairs.

Miss FURNESS. I would like to report my feelings about the implications of the FTC Report. I think the report richly deserves the serious consideration you are giving it. Its findings are alarming. The situations it describes are critical.

There is an economic illness that pervades our poor communities. It was born of the conditions of deprivation which created those communities. It is nurtured by that famous spiral of poverty: the poorer the neighborhood, the less the viable businesses want to move in. The fewer the businesses in a neighborhood, the poorer the community grows—in spirit as well as in pocketbook, for eventually it ceases to be a real community.

Installment credit is both the hero and the villain in the ghettos. The normal avenues of credit are not open to the very poor. The most desperate crawl to loan sharks. Others are forced to deal with high-rate lenders and finance companies, which often cloak sharp practices in the innocuous phrase, "Only so much a month." The rest, the average citizens, deal with the installment plans of the ghetto merchants. This is generally the best break they can get.

But when it is abused, installment credit is a dangerous and crippling weapon.

There is plenty of evidence in the report to support the theory of this dual role. Installment credit accounts for 93 percent of the sales among low-income market merchants, not only 27 percent of the sales in the general market. So it is needed in the inner city.

But when a poor man has to pay $220 for a television set that his more affluent neighbor can buy for $130 outside the ghetto, something is wrong with the system.

Whether it be inflated price or interest, or a combination of both, when a poor man has to pay twice the amount for an item as does the richer resident of the middleclass neighborhood, something is wrong with the system.

When a poor man is railroaded into signing a contract that is guaranteed to bleed him dry, while the rich man can deal on really "easy credit terms," something is very wrong with the system.

The illness is eas[redacted] diagnose. In the District of Columbia, and in other cities around the Nation, the poor are paying more. Those who cannot afford a single luxury of life are being overcharged for the bare necessities of life.

The proof was right here in the streets two weeks ago. Reportedly, some of the stores that were burned and looted belonged to merchants who the people felt had treated them unfairly.

The papers reported several sad, desperate efforts of the rioters—not to loot, but to destroy the credit records of the stores they burned. This was their final solution to oppressive debt.

As you know, it didn't work. Stores that do 90 percent of their business on credit keep their records in a safe place.

Determining the cause of—or assigning the blame for—this illness is not so easy. It is not a one-sided problem.

The ghetto merchants are not entirely to blame. Their extra charges are often eaten up by extra merchandising expenses—for sales forces, for high insurance rates, for legal fees to collect bad debts, and for losses due to bad debts.

The consumers certainly aren't the villains. A poor man is by no means necessarily a bad risk. The figures in the report prove this. And a default judgment by no means implies irresponsibility or malice. It can mean, simply, a lack of sophistication. If a man receives broken or worthless goods, and if he has neither the knowledge nor the money to go to court, his only recourse—as he sees it—is non-payment.

The problem goes a lot deeper. The Kerner Commission report on civil disorders struck a strong note with this statement:

"What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it."

So I think the first and most basic implication of the Federal Trade Commission report is that we need a thorough reexamination and reordering of attitudes by both the public and private sectors.

We live in the most prosperous society in history, and yet somehow we have managed

to condone poverty, ignorance, and the economic exploitation of that ignorance in a large segment of our society.

If I may, I would like to make a couple of general observations about what I think the FTC report suggests—implicitly or explicitly. Then I have a few specific recommendations.

It is clear to me that the private sector has got to be encouraged to move into—not out of—the ghetto areas. It will have to be ready to take new risks—prudent risks, but new ones. Banks and other financiers will have to find new ways of establishing criteria for credit, ways geared to the poor community.

For instance, most people in the poor communities wouldn't come in off the streets to talk to a bank about a loan. Many don't really know what a loan means. Many more think the bank is out to steal from them. The banks will have to go to them, to become contributing members of the community instead of faceless marble buildings "downtown" somewhere.

The Federal Government is already working on ways to make insurance for homeowners and small businessmen easier and less expensive, and this is an important step. We have to move into areas of mortgage and personal financing, too.

If we can increase the number of healthy businesses in a ghetto area, we increase competition. And nothing lowers prices faster.

There is a vital need for educators in the District and elsewhere to begin really effective programs of consumer education. We must speak to the poor in their language about their problems—not in textbook rhetoric about economic theories.

There has got to be a great and immediate increase in legal aid for consumers. We need more people to go into the communities and talk to the people on their doorsteps. We need new laws and new standards to equalize the relationship between seller and debtor.

The report indicates several other important areas of action:

There is a need for the Federal Trade Commission itself to broaden its program against deceptive practices. The President has used the term "creative federalism" to describe a good working relationship between the Federal Government and the States. This is an area where we really can be creative.

The American Bar Association and the state legislatures should work toward a stronger uniform consumer credit code—to find new ways to protect the honest debtor and punish sharp practices.

The states and cities should develop effective offices of consumer affairs. I think the individual states should continue to regulate consumer credit. But I also think that if the states prove unwilling or unable to provide adequate protection for the consumer, then the Congress will have to step in.

Right now the Congress could do a great deal for the American consumer by passing a strong Truth-in-Lending bill. The House-passed version of S. 5 is a good bill, a reasonable bill, and a fair bill. I hope it will be acted upon favorably by the Congress.

There is other legislation pending which would help the District of Columbia be a leader in consumer protection. I strongly urge passage of the D.C. Retail Installment Sales Act and the D.C. Retail Installment Sales Finance Charges Act.

The Door-to-Door Sales Act should also have high priority. Door-to-door salesmen prey on the low-income consumer with high-pressure tactics. Their tactics are cajolery and confusion. People are coaxed into making purchases which they can't afford and don't want. There should be a cooling-off period for the bewildered consumer to consider what he has signed his name to.

Finally, I think a consumer credit foundation or commission should be created by law. It should consider all steps of a credit transaction. Is there any deception, such as false advertising, in the original sale? Are the terms of the contract overly burdensome? How can we prevent abuses in a situation where a debtor has defaulted?

The last item is particularly relevant. The FTC report indicates garnishment and repossession proceedings are simply routine in the low-income market—one suit for every $2,600 in sales, as opposed to one suit for every $232,000 in sales in the general market.

There will be no quick and easy answer to these problems. Certain injustices in our credit structure have become almost traditional. And an injustice is much easier to perpetrate than to correct.

But we must make a strong beginning now. How our cities develop during the next 30 years will determine the quality of life for 300 million Americans.

This Nation long ago extended a promise to all its citizens—a promise of equality and justice and freedom. It is time that promise was fulfilled.

SALUTE TO CARVER VOCATIONAL HIGH SCHOOL FOOTBALL TEAM

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, each Member of this body has within his congressional district, I am confident, many high schools which have made unusually outstanding athletic achievements in the field of sports.

It is my honor to have within my own district—the Fifth District of Georgia—the Carver Vocational High School, which serves a large part of the Atlanta community. In recent years Carver High School has made rapid advances in high school football competition and has been one of the fiercest competitors in our entire State.

In the 1967 football season, the Carver Vocational High School in competition against many larger institutions from other areas of Georgia brought high honor and recognition to their school and to our area by winning the position of runnerup in the 1967 AAA Georgia high school football competition. To the uninformed, this may not seem such a noteworthy accomplishment, but to us in Atlanta it is indeed a commendable achievement. This high school is located on the edge of one of our urban renewal areas and many of its students have grown up in an underprivileged section of the city where many of the problems of crowded urban areas exist. Yet, the members of the football squad of Carver Vocational High School have exhibited a will to win and a determination to prove their mettle that was unmatched by many, many other high schools throughout the State.

My purpose in bringing this matter to the attention of the Members of this body today is to let you and the rest of the Nation know that we do have thousands of fine young men and women within our State, like the members of the Carver Vocational High School football squad and their coaches and staff, who believe in making their own mark in the world and winning recognition through their personal achievements instead of expecting to be given something for no effort at all. Therefore, it is for this purpose that I am inserting into the RECORD the names of the members of the Carver Vocational High School football squad so that they may receive the well-earned respect and admiration of all the people of this Nation. The following are the names of the members of the football squad, the trainers and the staff:

Football squad: Claude Williams, Calvin Edwards, Lonnie Riley, James Bailey, William Lucas, Anthony Woods, Charlie Terry, Johnny Moore, James Platt, Rudolph Carter, Johnny Yearby, Raymond Peterson, Adolphus Carmichael, Kenneth Higgins, Charlie Thomas, James Floyd, Donald Person, Alvin Hill, Joe Martin, Dennis Hendley, James Williams, Carl Long, Mark Gresham, John Hughley, Marvin Hartsfield, Apollo Pleas, Gary Cain, Larry Davis, Vincent Dennis, Willie Jackson, Ludie Jackson, Calvin Barber, Nathaniel Youngblood, Oscar Daniel, and Nathaniel Collins.

Trainers: Richard Smith, Gary Norris, and Carey Taylor.

Staff: C. L. Fisher, A.D., head coach; E. L. Boazman, backfield coach; W. E. Hunter, line coach; J. W. Chandler; C. C. Jones; and E. L. Proctor.

"MADE IN THE UNITED STATES OF AMERICA": JET AIRCRAFT PURCHASES [redacted] STRENGTHEN THE ECONOMY

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. HARTKE. Mr. President, today two of our most prominent national problems are the creation of jobs in this country and the protection of the dollar by eliminating our chronic balance-of-payments deficit.

Airline and aircraft manufacturing companies in particular have been leaders among American businesses fighting these two specific national problems. Their efforts have been marked by considerable progress.

Along with many of my colleagues and constituents I have become concerned and have expressed that concern over certain recent developments which have threatened to inhibit progress in improving both the job and balance-of-payments pictures. In particular I refer to the recent decision of a major aircraft manufacturer to turn outside the country for jet transport engines.

More recently, on Thursday, April 25, United Air Lines announced its selection of the McDonnell-Douglas DC–10 trijet transport equipped with General Electric engines for its next generation of airliners. The United decision, combined with American's earlier order, has enabled McDonnell-Douglas to proceed immediately with development and production of this advanced technology aircraft which will be powered by engines designed and manufactured by the General Electric Co.—engines made in America by Americans.

This decision by these great companies will mean thousands of jobs in the United States. Also, it will mean that

engines and spares over the life of this program, valued in terms of billions of dollars, will be purchased in the United States instead of being imported at the expense of a further dollar drain. The result will be improvement—rather than deterioration—in our balance of payments.

Today I would like to acknowledge the achievements of these great companies, and salute their perseverance and determination to contribute substantially to national efforts toward resolving two fundamental problems.

SHORTAGE OF MEDICAL SERVICES IN RURAL AREAS

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. RESNICK. Mr. Speaker, we are all aware of the dire shortage of adequate medical services available for those Americans who live in rural areas.

In my own State of New York, alone, the director of professional education has indicated that—

> Not less than 130 communities with populations of more than 2,000 have no physicians at all.

And the situation in other parts of the country is just as critical.

For example, there are 15 counties in the State of Texas that do not have even one medical doctor, while Missouri has eight rural counties without a medical doctor.

In other parts of the country, although there may be a physician located in the area, the doctor-patient ratio is so high that the physician cannot possibly provide adequate assistance. For example, in the Yucca Valley Hospital in California, there are only 10 doctors in the entire high desert to serve 28,000 people.

Great distances and the absence of adequate transportation facilities mean that the rural doctor serves fewer people in a given length of time than does his urban counterpart. It also means that permanent injuries and fatalities are much more prevalent in rural areas.

Dr. William Haddon, the Director of the National Highway Safety Bureau, points out that the accident fatality rates in sparsely populated States such as New Mexico, Nevada, Wyoming, Montana, and South Dakota are three times the rates in urban States.

The rural poor—and 43 percent of those in poverty live in rural America—suffer most of all. Both infant and maternal mortality rates for migrant workers exceed the national average by approximately 25 percent. In Appalachia, infant mortality is twice the national average and deaths from infectious diseases are some 33 percent higher than the national average.

Older citizens, who comprise a substantial portion of most rural communities, although now covered by medicare, frequently cannot take advantage of these new benefits because of the lack of clinics and hospitals in rural areas and because they cannot afford or secure transportation.

Frequently this situation is not the fault of the local community. Many small towns are willing to provide clinics for a doctor, but the doctors, whose services are in demand all over the country, prefer urban areas where they will have more modern equipment, research facilities, the opportunity for specialization and the association of their colleagues, are reluctant to come to rural areas.

The irony is that often, when a rural area finally is able to attract a physician, he is immediately drafted by the selective service, and that rural area is, once again, left doctorless.

We face a serious situation in Vietnam and I support our effort wholeheartedly, but I think we must also be aware that the doctor draft may leave already underserviced rural areas without any medical service whatsoever.

Rural America has, for too long now, been given the short end of the stick. At present, 70 percent of the American people live on 1 percent of the land. The only way we are going to reverse this trend is to make rural America an easier place in which to live. Today, it is almost as though we penalize our citizens for living in rural areas.

Therefore, I am today introducing the following resolution urging that the current policy of the selective service be revised to provide exemption from military service for those doctors serving in rural areas which suffer from a shortage of medical personnel. I urge all my colleagues to join me in support of this vital measure.

The resolution referred to follows:

H. RES. 1156

Resolution expressing the sense of Congress that medical doctors serving in rural areas should be provided with an appropriate exemption from military service

Whereas residents of rural areas do not generally enjoy the same standards of medical care that prevail in urban areas; and

Whereas there exists in rural areas a real shortage of medical doctors; and

Whereas medical doctors are today needed in such rural areas; and

Whereas Selective Service regulations do not at the present time provide a specific exemption for medical doctors serving in rural areas; and

Whereas the continued drafting of doctors serving rural areas will leave rural residents without adequate medical service, Therefore, be it

Resolved, That it is the sense of the House of Representatives that the Director, Selective Service System, should revise the current policy of the Selective Service System with respect to medical doctors serving in rural areas in order to provide an appropriate exemption from military service for such doctors.

POLISH NATIONAL HOLIDAY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. SCOTT. Mr. President, tomorrow, May 3, marks the proclamation of Poland's Constitution of 1791 and the day since has been observed as the national holiday of that country.

Even though the present Soviet-imposed Communist government of Poland has abolished the holiday there, people of Polish descent in the United States and throughout the free world preserve this noble legacy in reverence of the past and in hope of the future.

Poland and the United States have strong ties which aline the history of our countries as far back as the Revolutionary War. Thaddeus Kosciuszko, a young and stalwart Polish soldier, came to the United States and with remarkable brilliance in military and engineering tactics helped American Revolutionary Forces gain the victory which resulted in the adoption of the Constitution of the United States 5 years later.

Kosciuszko returned to Poland where he was to use the same genius in serving the cause of Polish independence. While the Constitution of Poland was adopted without disorder or revolution, Polish liberation was short lived. In 1794 Kosciuszko again led troops against foreign invaders, this time within his own country.

For almost two centuries Polish nationals have fought against suppression, yet each generation produced its heroes and each era its greatness.

One hundred years after [redacted] the signing of the Constitution of Poland, three young people, living unknown to each other in Communist-dominated Poland, were destined to bring honor to their native land. In 1891, the three, a novelist, a young college girl, and a 10-year-old boy, entered new, exciting phases of their individual lives.

The novelist, Polish patriot Henryk Sienkiewicz, had lived briefly in the United States, but returned to his native Poland where by 1891 he was recognized as the writer who reflected the soul of the Polish nation. A few years later he published "Quo Vadis," which won the Nobel Prize for Literature and drew world acclaim for him and his country.

In 1891 Marie Sklodowska, a young Polish girl who with her family suffered many tribulations under Russian tyranny, realized the dream of her troubled youth when she entered the Sorbonne in Paris. She was graduated with honor in the fields of physics and mathematics and remained in Paris where a few years later she married a young professor and physicist named Pierre Curie.

Madam Marie Sklodowska-Curie, instrumental in the discovery of polonium and radium, received two Nobel Prizes for Physics and was the first woman professor of physics at the Sorbonne. She visited the United States in 1921 and again in 1929, both times honored by American women with gifts and funds which she used to continue her work.

When the girl Marie was entering her first year at the Sorbonne, a 10-year-old boy, Wladyslaw Sikorski, was attending school with other Polish boys and girls in Hyzne, never aware that he was destined to become the famous General Sikorski, member of the front rank of outstanding military leaders and statesmen of World War II.

After the occupation of Poland in 1939, General Sikorski organized the Polish

Government-in-exile, reorganized the Polish Armed Forces as their commander in chief, and as Poland's Premier and Minister of War, and managed to transfer the bulk of all forces to Great Britain. Polish military forces were acclaimed throughout World War II for their heroic achievements.

He also helped to organize the Polish home army which fought against Nazi occupation forces in their country as well as "Action Zegoda" which operated from London as the only official organized aid to Polish Jews during World War II.

These are the Polish nationals who preserve the nature of their hardy nation and give truth to the words of their national anthem, "Poland Is Not Lost," which will be sung today throughout the free world in celebration of the Polish national holiday.

DAY OF SOLIDARITY WITH THE UKRAINIAN PEOPLE—RESOLUTION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the RECORD an excellent resolution adopted by the Ukrainian Congress Committee of America, Inc., Detroit-East and Hamtramck branch, forwarded to me by the very able chairman of that fine group of Ukrainian Americans, Mr. Walter Tustaniwsky. The resolution follows:

DAY OF SOLIDARITY WITH THE UKRAINIAN PEOPLE—RESOLUTION

Whereas: This year has been proclaimed by the General Assembly of the United Nations as "International Human Rights Year," to mark the 20th anniversary of the Universal Declaration of Human Rights;

Whereas: The Universal Declaration of Human Rights is a direct reflection of the desires of all freedom-loving nations and among them the Ukrainian people enslaved by the Russian Communism;

Whereas: The Soviet Russian Regime has brutally ignored the concepts of the Declaration of Human Rights regardless of the fact that it was the USSR, Ukrainian SSR, Byelorussian SSR and all its satellites who were co-signers of this document;

Whereas: The Russian Communist Regime pretends to be the great defender of Human Rights but in practice is one of the most ruthless colonial powers that has imposed its totalitarian-communist rule on once free and independent nations;

Whereas: These enslaved nations and especially those incorporated in the so-called "Union of Republics", have lost its freedom and human rights and its cultural, material, and spiritual rights, are being destroyed by the occupational Russian Regime;

Whereas: Moscow is using every method known to dictatorial systems such as: consistent purges, russification, doctrinal-educational moves, falsification of cultural past and history, deportations to the forced labor camps, displacement of whole nations, and is conducting a conscious and planned genocide to eliminate national identity and to mold everyone into Soviet-Russian monolith;

Whereas: Communist Russia, having militarily defeated the Ukrainian National Republic of 1918, has persistently trampled upon the most basic rights of the Ukrainian people and, therefore, the Universal Declaration of Human Rights;

Therefore we: Americans of Ukrainian descent gathered here today, on the 27th day of April, 1968, in the city of Detroit, Michigan, accuse before the whole world, the government of the USSR and in practice Soviet Russia, of the following crimes committed against the Ukrainian people:

1. Having occupied the territory of the Ukraine with the help of the Red Army, Moscow imposed on its people a Quisling regime under the name of Ukrainian Soviet Socialist Republic;

2. By invading and occupying the Ukraine, Moscow has broken the treaty it signed on December 17, 1917;

3. Moscow has purposefully destroyed the Ukraine's democratically politically and social cadres and systems and imposed a totalitarian one-party system—foreign to Ukrainians;

4. Moscow destroyed the Ukrainian Orthodox Church and the Ukrainian Catholic Church and forcefully imposed on the Ukraine the extension of Russian Orthodoxy as means of spiritually destroying the non-Russian nations;

5. Moscow, by creating an artificial famine in 1933, murdered close to seven million people—and since she murdered hundreds of thousands of intellectuals, peasants and workers, members of the Union of Liberation of Ukraine (SVU), Ukrainian Youth Association (SSUM), Ukrainian Military Organization (UVO), Organization of Ukrainian Nationalists (OUN), Ukrainian Insurgent Army (UPA), by means of massive firing squads and deportations to concentration camps;

6. Moscow has assassinated in the free world the following Ukrainian leaders: Symon Petlura, 1926; Evhen Konowaletz, 1938; Lev Rebet, 1957; and Stepan Bandera in 1959;

7. Moscow is consistently persecuting the avant garde of the Ukrainian culture,—its writers, poets, composers, artists, by arresting them, deporting them to forced labor camps, and committing them to insane asylums;

8. Moscow conducts forceful russification of the Ukraine by covert and overt destruction of the Ukrainian language, deportation of its youth to the "Virgin Lands", and infusion of millions of Russians into the Ukrainian territory;

9. Moscow exploits the Ukraine economically by using the Ukraine's natural resources and by exploiting its work force, destruction of free enterprise, private ownership, and by forcefully imposing collectivization;

10. Moscow unlawfully conducts trials and sentences, without respect to existing laws, the Ukraine's intellectuals, for things that are definitely within the rights under the Soviet constitution;

Due to evident policies of genocide against the Ukrainian people we participants of this manifestation in defence of the Ukrainian people and the Ukrainian nation, appeal to all freedom-loving nations to condemn the Communist-Russia's continuous violation of the Universal Declaration of Human Rights with respect to the Ukrainian people.

We extend the following proposition to the General Assembly of the United Nations:

1. Create a separate commission to look into the crimes of communist aggression against all Russian enslaved nations.

2. Conduct free elections under the auspices of the United Nations in all Soviet Russian enslaved nations.

3. Pass a resolution to ask the Soviet Russian regime to recall all occupational forces, cadres of secret police from the territory presently occupied, releasing and returning all political prisoners so they can live the life of freedom in a democratically constituted country.

4. Acknowledge the fact that the USSR is presently the largest totalitarian empire and that lasting world peace and respect of human rights can exist only when this colonial empire is no longer and the nations now enslaved achieve complete sovereignty and self-determination.

THE ROLE OF THE SOVIET UNION AND RED CHINA IN VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, May 2, 1968

Mr. THURMOND. Mr. President, the Orangeburg (S.C.) Times & Democrat of April 24, 1968, contains an article entitled "Moscow, Peking Escape Blame in Vietnam War American Deaths," written by David Lawrence.

Mr. Lawrence states that it is becoming more and more apparent that the administration has made a mistake in not pinpointing the blame for escalation in Vietnam and the length of the war where it belongs—on the Soviet Union and Red China. These countries are supporting a war that would not last 10 days if they withdrew their support.

Unfortunately, the State Department has not be[redacted] document and to explain to the American people the numerous incidents of Communist aggression that have been thwarted by the use of America's power. Nor can the State Department convince the American people of the importance of standing firm in our commitment to Vietnam. Worse still, the administration refuses to identify, as Mr. Lawrence does, the vital role of the Soviet Union and Red China in the present conflict.

Mr. President, I recommend this excellent article to Senators and ask unanimous consent that it be printed in the Extensions of Remarks.

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

MOSCOW, PEKING ESCAPE BLAME IN VIETNAM WAR AMERICAN DEATHS

(By David Lawrence)

WASHINGTON, D.C.—It is becoming more and more apparent that the biggest single reason why the administration has been unable to deal effectively with the dissent at home on the Vietnam issue is directly related to inadequate presentation of the case to the American people.

Although both Red China and the Soviet Union are actively engaged in helping the North Vietnamese to kill American soldiers, there have been no public accusations directed specifically to either Moscow or Peking. Proof that this places the administration at a disadvantage came this very week, as carping critics in Congress insist that the United States should go anywhere—even into areas under Communist control—to talk about a truce in Vietnam.

The United States government, on the other hand, feels that the meeting must be at a neutral place in order that its messages will not be intercepted or communications interfered with. There is no assurance of protection except in a neutral country.

President Johnson attempted, in one of his recent speeches, to clarify the reasons why the United States is in Vietnam. He said:

"The price of isolationism—whether it is the old-fashioned kind of isolationism that is rooted in ignorance, or the new-fashioned

kind that grows from weariness and impatience—whatever its kind, isolationism exacts the highest price of all and, ultimately, as well learned, it is unpayable."

The President added that "we send our young men abroad because peace is threatened—in other lands tonight, and ultimately in our own." He declared that the United States takes its stand "to give stability to a world where stability is needed desperately."

The President is convinced that America's involvement in Vietnam will help to prevent a third world war. He believes that the sacrifices made in Vietnam have been small in comparison with the cost that the people of the United States would have to pay if a world war ensues.

Mr. Johnson has said these things again and again, but his remarks have been met with cynicism. Critics resort to abstract statements that a third world war is improbable. Unfortunately, the same comments were heard in Europe prior to World War II.

The truth is the administration has not been getting its case across, and millions of people have come to believe that the Vietnam conflict is none of America's business. There is plenty of information available inside the State Department about the series of Communist threats of aggression which have been made in Europe as well as Asia, and which have been thwarted only by the determination of America to use its power, if necessary, to prevent a major war.

One thing is clear. While the resoluteness of the United States is being asserted from time to time through diplomatic channels, this is not being done publicly.

There would be no war in Vietnam today if Red China and the Soviet government withheld their military support from the Hanoi regime. Peace could be negotiated within a matter of weeks if there were good faith in Peking and Moscow and a desire to restore peace in the world.

The American government's reluctance to speak out openly about the part being played by Red China and Soviet government in the Vietnam war was noted this week as the question of selecting a neutral place for a truce conference became the subject of controversy. Even members of Congress did not seem acquainted with the American viewpoint when they said one place is "as good as another." They didn't realize that America's envoys could not negotiate with the North Vietnamese in a country to which representatives of the South Vietnam government would not have access.

The real problem is whether the North Vietnamese want to start peace talks or are looking for an excuse to delay them.

YOUR CONGRESSMAN, JOHN J. DUNCAN WANTS YOUR OPINION

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. DUNCAN. Mr. Speaker, this weekend I am mailing the citizens of the Second District of Tennessee a questionnaire on major legislative subjects facing this Congress. This is an annual project for me, and I find it is well worth the time involved for I have a data processing company tabulate the answers. This questionnaire provides me with a basis for judging the sentiment of my constituents on these vital issues. Following is the legislative poll which is now being processed and will be in the mail shortly:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., Spring 1968.

DEAR CITIZEN: Again it is a pleasure for me to ask your opinions on major issues that are pending before the Congress. Your views are extremely helpful to me as I cast my votes in the House of Representatives. I will be grateful to you for your answering these questions with "yes," "no," or "no opinion," and hope you will return this to me as soon as possible.

Each year there are thousands of bills brought before the Congress. It is difficult to choose questions for this poll, but I want you to feel free to write to me about any that I was unable to include. Or, if you feel that a "yes" or "no" answer is insufficient to cover any items on this questionnaire, I welcome a separate letter.

Thank you very much for your interest, and please call on me any time I can be of assistance.

Sincerely,

[redacted] DUNCAN,
Member of Congress.

LEGISLATIVE QUESTIONNAIRE

		His	Hers
1. Do you favor the 10 percent surcharge on income taxes that is now pending final action by the Congress?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
2. Do you favor U.S. trade with nations who are aiding North Vietnam?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
3. Would you favor a requirement for specific congressional approval before the President could commit U.S. forces in the future to an undeclared war like that in Vietnam?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
4. Are you satisfied with the President's efforts to negotiate a peace in Vietnam?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
5. Would you like Communist China admitted to the United Nations?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
6. Should we eliminate the compulsory draft system in favor of a volunteer army?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
7. Do you favor the proposed restrictions on foreign travel by means of travel taxes as a way to improve our balance of payments?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
8. Do you believe in a Government-guaranteed minimum annual wage or income?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
9. Would you want the Census Bureau to have the power to prosecute persons who refuse to answer all questions on the 1970 Census Questionnaire?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
10. Do you want to abolish the electoral college and elect the President and the Vice President by direct popular vote?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
11. Do you believe that stricter handling of rioters and demonstrators by the police and courts would help reduce civil disorders?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )
12. Do you believe that restrictions recently imposed on procedures of arrest have placed undue handicaps on the police and other law enforcement officers?	Yes	( )	( )
	No	( )	( )
	No opinion	( )	( )

OPTIONAL SECTION (PLEASE PRINT)

Name _____ Address _____ Age: 20-34 __ 35-50 __ 50-over __

Voting preference: Democrat __ Republican __ Independent __ Whom do you want as our next President? _____

If you do not already receive my "Washington Report" and would like to have your name on the mailing list please check here. ( )

BICENTENNIAL OF FIRST LANDING OF HELLENES

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. WYDLER. Mr. Speaker, on May 4 the bicentennial celebration of the first landing of the Hellenes in the New World will take place at New Smyrna Beach, Fla. This is an historic occasion and, as a member of the Order of AHEPA, I believe it should be given due recognition. Gov. Claude R. Kirk, of Florida, has proclaimed May 4 as New Smyrna Beach Bicentennial Day in honor of the plaque which will be dedicated by AHEPA. I am setting forth, for the benefit of my colleagues in Congress, the announcement by Governor Kirk:

FLORIDA GOVERNOR KIRK PROCLAIMS MAY 4 AS NEW SMYRNA BEACH BICENTENNIAL DAY—AHEPA DEDICATES PLAQUE

TALLAHASSEE, FLA.—Governor Claude R. Kirk, Jr., of Florida has proclaimed Saturday, May 4, as New Smyrna Beach Bicentennial Day, and has saluted the Order of AHEPA for its prominent role in the celebration of the first major landing of the Hellenes in the New World.

Governor Kirk signed the proclamation at the State Capitol here in the presence of Florida State Senator L. A. "Skip" Bafalis, a member of the West Palm Beach Ahepa Chapter, who is of Hellenic descent.

The Order of Ahepa, international Hellenic fraternal organization, will dedicate a plaque in honor of the Hellenes who were members of the New Smyrna Colony during ceremonies to be held in the city hall area of New Smyrna Beach, Fla., at 3:00 p.m. on Saturday, May 4.

Ahepa Supreme President Andrew Fasseas of Chicago, Ill., will head the Ahepa delegation. Supreme Governor James S. Scofield of St. Petersburg, Fla., is chairman of the Ahepa National Committee for the bicentennial celebration.

The New Smyrna Colony was founded in 1768 by Dr. Andrew Turnbull. It was the largest single colonization ever attempted in America under British rule, outranking even Jamestown and Plymouth Rock. About 400 of the 1,403 colonists who landed in New Smyrna in 1768 were Hellenes.

Governor Kirk's proclamation reads as follows:

"Whereas, New Smyrna Beach, Fla., was founded 200 years ago by Dr. Andrew Turnbull, a Scottish physician who brought to Florida the largest single colony ever attempted in America under British rule, outranking even Jamestown and Plymouth Rock, and

"Whereas, more than 400 of the 1,403 colonists who landed in New Smyrna Beach in 1768 were Greeks, the first from that country in the New World, and

"Whereas, the American Hellenic Educational Progressive Association, a national Greek society known as the Order of Ahepa, is joining with New Smyrna Beach in celebrating its 200th anniversary by participating in the observance and presenting a commemorative plaque to the city, and

"Whereas, the 200th anniversary observance and presentation of the plaque are scheduled Saturday, May 4, 1968;

"Now, therefore, I, Claude R. Kirk, Jr., by virtue of the authority vested in me as Governor of the State of Florida, salute the Order of Ahepa for participating in this noteworthy 200th anniversary and proclaim Saturday, May 4, 1968, as New Smyrna Beach Bicentennial Day in Florida, and urge all citizens to join in the observance."

ARTHUR J. GOLDBERG: A COURAGEOUS, DEDICATED PUBLIC SERVANT

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. BROOMFIELD. Mr. Speaker, with the departure of Arthur J. Goldberg as our Ambassador to the United Nations, America will lose one of its most skilled, most dedicated and, I believe, most underrated public servants.

As a principal delegate to the 22d General Assembly of the United Nations last fall, I had the unique good fortune to observe firsthand and to work closely with Ambassador Goldberg. His ability, his capacity for work, and his selfless sense of fairness and restraint have few equals in my two decades of experience in public life.

More than that, his reputation among the Ambassadors of the 123 nations of the world which are members of the United Nations was firmly established as one of the most effective negotiators ever to represent this country.

His great skill was as a behind-the-scenes negotiator. And, that, undoubtedly, explains to a great extent his failure to achieve the widespread recognition and acclaim he so richly deserves.

His innate sense of responsibility, restraint and fairmindedness precluded him from capitalizing on the endless possibilities for such acclaim.

I had the opportunity of observing the Ambassador during the Cyprus and Middle East crises. These were tense, demanding times when chaos and disorder waited behind every wrong word or unfortunate phrase. I remember one especially critical weekend when the Ambassador worked virtually around the clock with little more than 2 hours sleep from Friday until Monday.

He did not remove the causes of either of these crises. But I shudder to think what might have happened without the United Nations and men like Ambassador Goldberg—men who believe so deeply in its potential.

Ambassador Goldberg summed up that belief most eloquently, I believe, in his address to the opening session of the U.N. General Assembly last September. He said:

> In serving the cause of a just and peaceful world, we are not permitted the luxury of being easily discouraged. Indeed, the most forbidding obstacles are precisely those which should call forth our most persistent efforts. Nor should we look for any alternative to the United Nations, for there is none. Year in and year out, through all the difficulties that may arise, we must strive to be true, both in word and deed, to the permanent pledge of peace and justice which we, as members, have made to the United Nations and to one another.

It was the challenge of forbidding obstacles that lured Ambassador Goldberg from the relative comfort and security of the U.S. Supreme Court.

He had already built a career that would have satisfied lesser men, first in the labor movement, later in the Cabinet, and finally, the dream of every lawyer, a seat on the Highest Court in the land.

But when President Johnson needed a man of great prestige to replace the late Ambassador Adlai Stevenson, Mr. Goldberg set aside personal security to accept the new challenge with hope and enthusiasm.

He did so without illusion and in full knowledge of the pitfalls that are built into such an undertaking. He hoped he could serve his country best by using his mediating skills to influence U.S. policy in Vietnam and, hopefully, play a role in ending the war.

It was obvious to all of those associated with the Ambassador that his great hope and ambition was to play an important and meaningful role in resolving that tragic war.

In explaining his resignation, Ambassador Goldberg said he hoped to further the cause of peace as a private citizen.

If those words can be interpreted as an indication that his withdrawal from public life may be only temporary, then all Americans should be encouraged.

For while we are already deeply indebted to Mr. Goldberg for a lifetime of public service, we are even more deeply in need of his unique abilities.

ADDRESS OF THE PRESIDENT IN EXILE OF THE REPUBLIC OF POLAND

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. DERWINSKI. Mr. Speaker, the feverish anti-Israel and anti-United States propaganda pouring forth from the Polish Communist government propaganda machine requires that a legitimate and proper voice of the Polish people exists in London in the Polish government in exile. Just last week in London, His Excellency August Zaleski, president in exile of the Republic of Poland, opened the 10th session of the council of the Republic of Poland, a body which functions as a parliament in exile. The text of President Zaleski's inaugural address follows:

ADDRESS OF THE PRESIDENT OF THE POLISH R[redacted] EXILE

News from the homeland demonstrates it is with ever greater dissatisfaction that the Polish nation endures the Communist regime which, with Russia's help, seized authority in Poland and still clings to it. In this, the regime is backed by the conviction that it will continue to govern Poland provided it faithfully carries out the orders of the Kremlin.

The recent demonstrations of the Polish students, however, provide irrefutable proof that the Polish nation not only comprehends the situation but also does not hesitate to express its dissatisfaction despite the severe repressions applied in Poland, as is usual in countries under a totalitarian regime.

It should not be overlooked that in this respect there is a great difference between the Polish nation and the Russian. The Russian nation has always been governed under an autocratic system whether in Tsarist times or after the revolution which abolished rule by the Tsars. The Polish nation, on the other hand, has for centuries past respected the principle of human freedom both regards religious convictions and political ones.

Unfortunately, it must be stated that in present-day political life, ideals and moral matters are taken into account far less than ever before.

After the First World War, efforts were made to base the new structure of Europe on the tenets of freedom and justice. The Treaty of Versailles was based on such principles. Several nations subjected by European Powers recovered their freedom and were enabled to set up their own independent entities of State. Enfeebled by internal revolution, Russia could not prevent this and even had to agree to renounce her rule over the east-central European lands she had annexed in the past.

After the Second World War, Russia not only re-annexed territories lost by her after the First World War but also subjected a number of independent countries which had never been held by her before. This created a situation which in practice turned out to be without issue. Russia does not want to give up her conquests whilst the countries of western civilization cannot agree to abandon these territories to Russia without com-

promising themselves. That is why a treaty of peace cannot be signed. This state of affairs has already lasted for more than twenty years and nobody can tell if it will be possible to end it without recourse to war.

Of course, there is the United Nations Organization, conceived for the amicable settlement of conflicts. But everyone knows that this organization is impotent where the so-called Great Powers are concerned. These can always refuse to submit to its resolutions.

As matters now stand and until the present power structure changes, it is impossible to foretell how long this situation will last. This does not mean, however, that to hope for its end is vain.

Dissatisfaction with the present status of international relations can be perceived in many countries of late. The great demonstrations held everywhere testify that people are not satisfied with the current state of the world. True, these demonstrations do not always indicate one and the same means for overcoming the difficulties that face humanity. Some people even claim salvation will come with a return to fascism; but it would seem that these are relatively few in number.

Hence, the principal task of all those who seek to work on repair of the present situation is to propagate the indubitable truth that international relations can be conducted with benefit to mankind only when based on respect for law and justice. And all those who desire to labour for the restoration of Poland's independence should ceaselessly give reminders of this truth.

WHAT CAN WE SAY?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. WYMAN. Mr. Speaker, when constituents lose a son or a husband in war, what can we say to them? I often write a personal letter of sympathy to parents and wives in my district, not as a political gesture, but as an expression of heartfelt sympathy and commiseration.

We in the Congress are proud of young Americans who fight for this Nation. We are deeply regretful in those tragic instances where they have paid the supreme sacrifice. The Nation owes to them and to their survivors a debt of the highest order, and it seems to me that it is in the least of common courtesy to take the time to extend sincere, personal regret and sympathy when these tragic events take place.

That it is appreciated is evidenced by the recent reply of a father at Pease Air Force Base in New Hampshire. With his permission, I am including his letter at this point in the RECORD:

APRIL 2, 1968.

Hon. LOUIS C. WYMAN,
Congress of the United States,
Washington, D.C.

DEAR SIR: Thank you for your very kind and considerate note of regret at the loss of son Guy. It is a comfort to know there are those who care and appreciate what our servicemen are contributing to preserve freedom, not only for us but for our neighbors as well. It is a bitter price to pay but—and this may sound strange coming from a father, but I'm sincere in saying it—I much prefer this, difficult as it is to accept, than to have a live son here in the U. S. demonstrating against our stand in Viet Nam. I'm sure Guy and our "Father upstairs" concur in this.

Whatever comfort can be derived from this tragic loss, I find in this: He was doing, as best he could, what he believed had to be done for the good of his country with the approval of his God. I hope one day, he can be as proud of me as I am of him. Again, my sincere thanks.

LEE D. EISENHART.

EXPANDING EDUCATIONAL OPPORTUNITY

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. EILBERG. Mr. Speaker, most of us recognize that it is imperative for every qualified high school boy and girl to attain the highest degree of education of which he or she is capable. And yet college tuition and other expenses have never been as prohibitive as they are today.

According to U.S. Office of Education estimates in 1960, tuition, room and board were $947 at public 4-year institutions of higher learning and $1,756 a year at nonpublic institutions. In the fall of 1967, these costs had increased to $1,092 and $2,230 at public and nonpublic institutions, respectively.

The plight of not only low-income families but middle-income families as well should be obvious from these statistics. The high costs of college place a nearly unbearable financial burden on these families.

In 1965 the Congress acted to remedy the situation by incorporating into the Higher Education Act a substantial package of student financial aid. Title IV of the Higher Education Act expanded the college work-study program authorized by the Economic Opportunity Act and intended to assist particularly students from low-income families.

Under this program grants are made to institutions to pay the wages of students with part-time jobs in the colleges or other nonprofit institutions. Students work an average of 15 hours a week each semester.

The Higher Education Act also initiated two new programs. Educational opportunity grants of between $200 and $800 may be made to students of exceptional need, and a guaranteed loan program now assures the greater availability of private credit on reasonable terms and covers part of the interest on such loans. The law authorizes the Commissioner of Education to make advances to establish or strengthen State or private nonprofit student loan insurance programs and for families with adjusted family incomes of less than $15,000 a year the Federal Government pays all of the interest while the student is in school and 3 percentage points thereafter.

In addition to these programs the National Vocational Student Loan Insurance Act makes guaranteed loans available for study in vocational and technical institutions and the National Defense Education Act has been making direct loans to students for nearly 10 years.

Mr. Speaker, there is no doubt that these programs have been extremely successful in expanding educational opportunity. In the 1966–67 academic year, for example, approximately $58 million in Federal scholarship funds went to some 134,000 students. And under the work-study program an estimated 184,000 students earned an average total salary of nearly $700.

Under the Higher Education and National Vocational Student Loan Insurance Acts of 1965 some 560,000 students are expected to borrow about $465 million this year. And the National Defense Education Act student loans are expected to benefit more than 376,000 students during this school year with a continuing 70 percent going to students from families of $6,000 a year or less.

These are certainly impressive statistics and they are one reason for my enthusiastic support H.R. 16729, a bill to continue and expand the respective student aid programs.

I also support H.R. 16729 because it is apparent that the assistance offered is vital and that the need far exceeds the supply.

Peter Muirhead, Associate Commissioner of Educa[redacted]ed earlier this year that although programs specifically aimed at needy students will reach about 750,000 students, these programs would have to be expanded to reach 2 million in order to take in all who could use them.

On April 26, last Friday, the Education and Labor Committee favorably reported H.R. 16729 to extend and amend certain student assistance programs and to provide for the advance funding of such programs. I think that we must give this legislation our immediate consideration.

The bill would continue NDEA student loan program, the educational opportunity grant program, the work-study program, and the vocational student loan insurance program, all through fiscal years 1969 and 1970.

For many families the guaranteed loan program, more than any other extends the possibility of financing their college educations. Unfortunately, the program has been hampered by a tight-money market and the low maximum interest of 6 percent has deterred many lending institutions from participating in the program.

H.R. 16729 would make the guaranteed loan program more attractive to lenders by increasing the maximum interest rate on student loans to 7 percent. Hopefully this will allow an even greater number of students to finance their educations by means of loans.

Also toward this end are provisions of H.R. 16729 which would authorize $10 million additional "seed money" for the reserve funds of State and nonprofit private student loan insurance programs and a 2-year continuation of direct Federal loan insurance for students who do not have access to State or nonprofit private programs.

The colleges and universities would have greater leeway in the use of student

assistance funds under H.R. 16729. They would be allowed to transfer any or all of their allotted educational opportunity grant funds to the work-study program.

The bill would also authorize funds for what it calls adequate leadtime and for planning and evaluation in higher education student assistance programs, and would permit appropriations for the student aid programs to be made 1 year in advance of the time the money is made available.

This would be invaluable in enabling colleges to anticipate the amount of Federal student assistance which would be available to their students and to budget those funds efficiently.

The need for immediate action on H.R. 16729 is apparent and compelling. We cannot allow the spiraling costs of higher education to determine the accessibility of higher education. We cannot allow family income to dictate short-lived educational careers for some of our most promising and capable young people. Therefore, I strongly endorse H.R. 16729 and urge its immediate consideration.

"DISASTERS" AND "DEADLY BLASTS"

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. HATHAWAY. Mr. Speaker, earlier this month there were two brief paragraphs in the Washington (D.C.) Daily News, under the terse headlines: "Disasters" and "Deadly Blasts." The first told of two workmen who were killed in a Pennsylvania refinery explosion while the second told how seven persons were injured, one critically, in a chemical explosion in a New Jersey refinery.

Now, the experts tell us that deaths and injuries from industrial accidents such as these are frequently preventable if safe and proper standards are followed.

This is precisely what is called for in the proposed Occupational Safety and Health Act of 1968, the establishment of reasonable health and safety standards for workers in plants involved in interstate commerce.

We know that deaths and injuries can be substantially reduced by observing sensible standards. This has been proven by the National Safety Council. In 1966, the injury frequency rate in manufacturing by Safety Council members was 5.1, and for nonmembers it was 17.5. Unfortunately, only some 5,600 business and industrial firms belong to the Safety Council, and they are the elite.

The nonmembers are almost all in the smaller plants employing under 500 people. They constitute 98 percent of all working establishments, employ two-thirds of the work force, and provide little or no health and safety services.

So, it is abundantly clear that we need this occupational safety and health legislation.

THE VIETNAM CASUALTY LIST

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. BOB WILSON. Mr. Speaker, for some time I have been concerned about the casualty reports coming out of the Vietnam war. Almost every day, we get news on our TV and radio, or in our daily paper, about the deaths of our men in Vietnam. Too often the reports paint a picture that appears to me to be unnecessarily grim.

Finally, however, an authoritative publication has placed the entire casualty story in proper perspective.

In its March issue, the Journal of the Armed Forces gives a definitive report on the casualties in Vietnam and relates them to casualties in other wars. The story that emerges is one that every Member of Congress should be aware of. Things are not quite as black as they are sometimes made to appear.

I would urge that all Members read the Journal of the Armed Forces article, which follows:

THE CASUALTY LIST: DISTURBING BUT DISTORTED

(By James Hessman and Louis Stockstill)

Despite growing and disturbing casualty lists, members of the U.S. Armed Forces—in a very meaningful sense—have been winning their grim race with death on the Vietnam battlefield.

No troops in U.S. history have benefited from such a high "save rate" as have those engaged in the Vietnam conflict.

The heavy losses of the recent Tet offensive may temporarily have distorted or obscured the situation but the fact is that the war in Southeast Asia has been waged since its inception with a lower death rate and lower wounded rate than other wars in which the U.S. has been involved.

Analysis of various official source documents on Vietnam battle casualties reveals that:

The U.S. combat death rate in Vietnam is less than half that of the Korean War.

The wounded rate in Vietnam is lower than in Korea, and "markedly lower" than in WWII.

The incidence of *serious* wounds (those causing "permanent residual effects") also have been lower in Vietnam than in Korea.

At the same time, the analysis discloses (1) that ground forces have suffered over 90% of all U.S. battle deaths in Vietnam; (2) that, in aircraft accidents/incidents, non-combat deaths almost equal combat deaths.

A compilation of casualty statistics (Table A, at end of article) disclose that the United States had suffered 20,096 combat deaths in Vietnam as of 16 March 1968, latest date for which data was available as the JOURNAL went to press.

When the number of men who have died is combined with the number of men who have been injured or wounded in Vietnam, the total dead/injured/wounded column adds up to 142,113—or some 5,200 more than in Korea (Table B, at end of article). But in Korea there were 33,629 U.S. battle dead, 13,533 more than in Vietnam.

No comparison with the Korean War can be valid, however, unless the casualty rate is related to troop strength. Top U.S. strength in Korea was 358,735. At latest count there were 509,000 U.S. military personnel in Vietnam (333,000 Army; 34,000 Navy; 83,000 Marine Corps; and 59,000 AF). This is 150,000 more than in Korea.

Thus, it readily can be seen that 13,000 fewer men have died in Vietnam, despite a much higher troop deployment than in the earlier conflict.

Even more meaningful, perhaps, is some of the information gleaned from statistical studies periodically conducted by the Office of the Army Surgeon General (OSG). These studies have computed the death rate per thousand men per year in the combat zone.

The most recent study shows that, from July 1965 through January 1968, deaths in Vietnam from all combat causes (killed in action, died of wounds, died while captured, and declared dead from a missing status) "occurred at a rate of 19.2 per thousand average troop strength per year." This compares "to a rate of 43.2 for Korea and 51.9 for the [WWII] European Theater of Operations from June 1944 [D-Day] through May 1945."

[In the United States in 1966 some 29,500 Americans died in home accidents. In 1967 more than 53,000 U.S. citizens died in traffic accidents (over 1,000 per week). Some 2,700 additional Americans (more than 50 per week) were killed in firearms accidents. About 2,400,000 Americans suffered "disabling injuries," including 600,000 who suffered "permanent impairments."—National Safety Council figures.]

The wounded in Vietnam also have fared better than their predecessors who fought in earlier wars.

Touching u[redacted]ve-rate, the OSG study comments that: "Of the wounded admitted to medical treatment facilities, 2.3% have died of their wounds. This is slightly less than the 2.5% recorded for the Korean War, and markedly lower than the 4.5% for WWII."

The medical save rate actually is more impressive than even these figures would indicate. Because of the greatly increased use of helicopters for medical evacuation, a number of mortally wounded personnel—who would not survive in any case—now reach hospitals alive. Because they die *after* arrival at the medical facilities, they are counted against the medical save rate. As the OSG study notes, such personnel in earlier conflicts "would have died on the battlefield and been considered and counted among the 'killed in action'."

Use of the medical evacuation helicopter is but one of the factors contributing to the high Vietnam save rate. Among other factors frequently cited are the qualitative improvement of hospitals (many, if not most, have modern surgical wards), the forward location of many permanent-installation medical facilities, the greater availability of whole blood, increased use of protective armor, more and better survival gear, and improved and intensified air rescue activities.

In addition, the types of weapons employed by the enemy would seem to have some bearing on the dead/wounded ratio. Among combat deaths in Vietnam, the OSG study observes that, "much higher proportions are due to small arms fire, and to booby traps and mines than in Korea or in WWII, and much lower proportions are due to artillery and other explosive fragments than in these earlier conflicts.

The study comments that among nonfatal wounds the proportion due to small arms fire, although not markedly different from WWII, is "somewhat lower than in Korea. The proportion due to booby traps and mines is considerably higher than in either of these past two wars, and the proportion due to explosive projectiles and fragments is slightly lower. Also, some 6% of the nonfatal wounds are due to punji stakes, which were not a factor in the earlier conflicts."

Data compiled for the House Armed Services Committee by the Defense Intelligence Agency also adds significant shading to the overall picture. The DIA statistics show that, of 99,817 personnel injured in combat from January 1965 through December 1967, some 48,565 (48.7%) were returned to duty without hospitalization. Of the 51,252 hospitalized, 38,545 (75.2%) were returned to duty after a short day. Some 23,539 went back to in-theater duty, and 15,006 were sent elsewhere.

In all, 87,110 (87.3%) of all wounded were returned to duty within 90 days after being wounded.

Of the other 12,707 personnel: 3,400 (3.4% of the total number wounded) were discharged disabled; 1,585 (1.6% of the original total) died; 7,722 (7.7%) remained in the hospital—an estimated 50% of this latter group (3,861 personnel) were expected to be returned to duty, which would bring to 91.2% (90,971 personnel) the overall total of wounded returned to duty, and to 8.8% (8,846 personnel) the number died, discharged disabled, or not expected to be able to return to active duty.

The DIA report embraced all Services. The OSG study, which considered Army casualties only, took a different approach, computing the number of wounded per thousand per year. The study found that in the period July 1965-January 1968 in Vietnam, Army troops receiving nonfatal wounds were admitted to medical treatment facilities at a rate of 82.8 per 1,000 average strength per year. In Korea this rate was 121.1 and in the WWII European Theater of Operations from D-Day to V-E Day it was 152.

The Army study disclosed that, "if percentage ratios of these surviving wounded to the total of battle deaths plus surviving wounded are computed, it is seen that some 70.7% survived in WWII, 73.7% survived in the Korean War, and 81.2% have survived in Vietnam."

Not only have there been fewer actual deaths, as well as fewer deaths and fewer wounded per thousand in Vietnam than in Korea or in WWII, but there also are indications that the incidence of major wounds—of the type which leave permanent residual effects—also is somewhat lower in Vietnam than in previous conflicts: "Such indicators as are now available," the OSG study notes, "seem to point towards marked improvement over previous experience."

As an example, the study cites the fact that "in Korea and in WWII the number of soldiers with major amputations resulting from wounds, who were admitted to amputation centers in this country, represented 2 to 2½% of the total hospitalized wounded. Thus far, for Vietnam the corresponding proportion is about 1%. From January 1965 through January 1968 the Army general hospitals in this country have reported that 306 wounded patients have been admitted to their amputation services. From January 1965 through January 1968, a total of 227 major amputee Army patients have been transferred to Veterans Administration hospitals. During this same period, the number of blind and deaf Army patients so transferred was 33."

The casualties have not been distributed evenly among the Services. As has always been true in all wars in which the U.S. has fought (Table B), the number of Army deaths (12,258) and of Army wounded (70,818) exceed the dead and wounded totals of all other Services combined. The Army dead/wounded total represents 58.5% of all U.S. casualties for the entire war.

The Marine Corps, with 51,904 casualties (6,684 dead and 45,220 wounded) has suffered 36.5% of all U.S. casualties. The Navy, with 4,822 casualties (656 dead, 4,166 wounded) has suffered 3.4% of the total U.S. casualties. The AF, with 2,311 casualties (498 dead, 1,813 wounded) has suffered 1.6% of the total.

With the Army and Marine Corps combined accounting for 95% of all casualties, it is not surprising that 93.3% of all deaths (18,736 of 20,096) have occurred in ground action.

Of the 1,360 aircraft-related combat deaths well over half (771) have occurred in helicopter accidents or incidents. The remaining 589 results from accidents/incidents involving fixed-wing aircraft.

Statistics on the number of non-combat U.S. casualties in Vietnam (as disclosed in the weekly DoD summaries) show that, as of 16 March, there have been 1,127 aircraft-related deaths (409 helicopter, 718 fixed-wing) of U.S. personnel in Vietnam which were "not the result of action by hostile forces." In other words, almost as many aircraft-related deaths have occurred in non-combat situations as in combat situations.

No truly objective picture of U.S. casualties in Vietnam would be complete, however, without comparative data concerning allied and enemy losses. DoD summaries reveal that, as of 16 March, the South Vietnamese Armed Forces had lost 56,888 personnel in combat since the beginning of the war, and other free world forces had lost 1,947.

During the same time frame, according to Pentagon data, the Viet Cong and North Vietnamese combined had lost 314,460 men.

And enemy losses, already large, have been soaring in recent weeks.

From 1961 through 1966 the Viet Cong and North Vietnamese had suffered an estimated 161,041 combat deaths. The total for 1966—first full year of large-scale U.S. participation—was 55,524. In 1967 the total climbed to 88,104. During the first 11 weeks of 1968 there have been 65,315 enemy combat deaths—a rate close to 6,000 per week (or over 300,000 per year, if the enemy could continue to absorb such losses).

Of perhaps more significance than the actual total of enemy dead is the *ratio* of allied dead to enemy [redacted] so-called "kill ratio." DoD statistics show that, from 1961 through 1967, U.S. and allied forces combined lost 70,834 men in combat, and the Viet Cong and North Vietnamese had lost 249,145.

In other words, about 3½ enemy soldiers were killed for each allied soldier killed—such was the ratio at the beginning of 1968.

During the first 11 weeks of this year 8,097 U.S./allied deaths were recorded—this total compared with the 65,315 lost by the enemy, works out to an eight to one ratio.

TABLE A.—U.S. BATTLE CASUALTIES IN VIETNAM (AS OF MAR. 16, 1968)

	Killed in action	Wounded or injured		Missing			Captured/interned			Summary, combat deaths			
		Died of wounds	Non-fatal wounds	Died while missing	Returned to control	Current missing	Died while captured	Returned to control	Current captured/interned	In aircraft: Fixedwing	In aircraft: Helicopter	In ground action	Total
Army:													
1961–66	3,445	360	23,561	347	25	29	4	3	14	34	279	3,843	4,156
1967	4,039	580	33,556	808	7	36	4	5	9	11	191	5,229	5,431
1968	2,188	248	13,701	234	5	111	1	1	3	3	84	2,584	2,671
Total	9,672	1,188	70,818	1,389	37	176	9	9	12	48	554	11,656	12,258
Navy:													
1961–66	144	18	971	37	7	49	0	0	46	78	7	114	199
1967	260	27	2,338	24	0	45	0	0	61	20	19	262	311
1968	90	19	857	37	0	16	0	1	4	20	7	119	146
Total	494	64	4,166	98	7	110	0	1	111	118	33	505	656
U.S. Air Force:													
1961–66	109	10	846	143	10	256	1	0	34	232	5	25	262
1967	90	7	587	75	5	167	0	0	71	135	6	31	172
1968	42	8	380	14	4	33	0	2	10	19	1	44	64
Total	240	25	1,813	232	19	456	1	2	115	386	12	100	498
U.S. Marine Corps:													
1961–66	1,790	232	12,360	5	4	42	0	0	2	16	69	1,942	2,027
1967	3,077	362	25,523	0	0	23	0	0	8	12	64	3,363	3,439
1968	1,091	127	7,337	0	2	43	0	2	5	9	39	1,170	1,218
Total	5,958	721	45,220	5	6	108	0	2	15	37	172	6,475	6,684
Total:													
1961–66	5,487	620	37,738	532	46	376	5	3	96	360	360	5,924	6,644
1967	7,466	976	62,004	907	12	271	4	5	135	178	280	8,895	9,353
1968	3,411	402	22,275	285	11	647	1	6	22	51	131	3,917	4,099
Total	16,364	1,998	122,017	1,724	69	850	10	14	253	589	771	18,736	20,096

TABLE B.—OTHER WARS

War	Branch of service	Number serving	Casualties: Battle deaths	Other deaths	Wounds not mortal
Revolutionary War (1775–83)	Total	184,000[1] 250,000	4,435		6,188
	Army		4,044		6,004
	Navy		342		114
	Marines		49		70
War of 1812 (1812–15)	Total	286,730	2,260		4,505
	Army		1,950		4,000
	Navy		265		439
	Marines		45		66
Mexican War (1846–48)	Total	78,718	1,733		4,152
	Army		1,721	11,500	4,102
	Navy		1		3
	Marines		11		47
Civil War (Union Forces only) (1861–65).	Total	2,213,363	140,414	224,097	281,881
	Army	2,128,948	138,154	221,374	280,040
	Navy	84,415	2,112	2,411	1,710
	Marines		148	312	131
Spanish-American War (1898)	Total	306,760	385	2,061	1,662
	Army	280,564	369	2,061	1,594
	Navy	22,875	10	0	47
	Marines	3,321	6	0	21
World War I (Apr. 6, 1917, to Nov. 11, 1918).	Total	4,734,991	53,402	63,114	204,002
	Army	4,057,101	50,510	55,868	193,663
	Navy	599,051	431	6,856	819
	Marines	78,839	2,461	390	9,520
World War II (Dec. 7, 1941, to Dec. 31, 1946).	Total	16,112,566	291,557	113,842	670,846
	Army	11,260,000	234,874	83,400	565,861
	Navy	4,183,466	36,950	25,664	37,778
	Marines	669,100	19,733	4,778	67,207
Korean war (June 25, 1950, to July 27, 1953).	Total	5,720,000	33,629	20,617	103,284
	Army	2,834,000	27,704	9,429	77,596
	Navy	1,177,000	458	4,043	1,576
	Marines	424,000	4,267	1,261	23,744
	Air Force	1,285,000	1,200	5,884	368

[1] Estimated.

RESULTS OF FOURTH ANNUAL PUBLIC OPINION SURVEY IN THE FOURTH CONGRESSIONAL DISTRICT OF MICHIGAN

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. HUTCHINSON. Mr. Speaker, the results of my fourth annual public opinion survey in the Fourth Congressional District of Michigan have just been tabulated and I thought it would be helpful to other Members of the House if I shared with them this cross section of grassroots opinion.

It occurred to me that my colleagues might find the tabulation of special interest since virtually all of those who responded did so after the President's March 31 announcement that he was ordering a limitation on the bombing of North Vietnam as a first step toward negotiations with Hanoi—and that he would not seek another term in office.

Despite this, only 22.6 percent of those responding indicated approval of the President's conduct of the war. In all three previous polls conducted in my district, similar questions have been asked. The President's "score" this year was a substantial improvement over the 4.3 percent who approved of his policies in 1967, but lower than in 1966 and 1965 when his "vote of confidence" totaled 33.1 percent and 24.8 percent, respectively.

The number of those favoring an intensification of air attacks on North Vietnam increased substantially in the period between my 1967 and 1968 polls. This course was favored by only 21.6 percent last year while exactly 50 percent approve this course today.

At the opposite end of the public opinion spectrum, there also was an increase in the number of those who favor a complete halt to the bombing of North Vietnam. Only 1.89 percent favored this option in 1967 while this year's poll showed 22.9 percent in approval.

In responding to questions on fiscal policy, residents of the Fourth District left little doubt as to where they stand. The proposed increase in income taxes is opposed by 63.3 percent. Virtually the same number—62.9 percent—feel that Federal spending on domestic programs should be reduced.

The response to a question on how best to deal with the problems of crime and civil disorder may also be of special interest. Those favoring stricter law enforcement numbered 33.3 percent. Only 5.3 percent would approve special programs to eliminate the basic causes of crime and unrest while the majority—52.7 percent—support a combination of stricter law enforcement and programs to eliminate root causes. In this regard, it should be pointed out that nearly half of the questionnaires were filled out and mailed to me before the most recent outbreak of civil disorder in our cities.

As a result of the growing debate over the concept of a guaranteed minimum income—sometimes referred to as the "negative income tax"—a question on this idea was included in this year's survey for the first time.

Of those responding to the question "Do you favor a guaranteed minimum income for each householder as an alternative to public welfare?" 62.4 percent said "No" and only 16.1 percent answered in the affirmative.

A complete tabulation of the survey response—totaling more than 10,000—is as follows:

COMPLETE SURVEY RESULTS

[Expressed as percentage of total response]

1. Do you approve of the President's conduct of the Vietnam war?

Yes	22.6
No	60.0
Undecided	8.5

2. In North Vietnam, do you favor (a) intensified U.S. air attacks, (b) a bombing halt, or (c) maintaining air attacks at the present level?

(A)	50.0
(B)	22.9
(C)	15.5
No response	11.6

3. Should the United States continue to trade with n[redacted] are aiding North Vietnam?

Yes	10.5
No	75.3
Undecided	5.7

4. Do you believe the American people are receiving sufficient information from the Government on vital foreign and domestic issues to allow them to vote intelligently?

Yes	16.3
No	68.0
Undecided	7.1

5. Do you support the Administration's proposed increase in taxes?

Yes	23.1
No	63.3
Undecided	5.4

6. Do you believe that Federal spending on domestic programs should be reduced?

Yes	62.9
No	23.2
Undecided	5.1

7. Should industries which install equipment to reduce air and water pollution be granted tax credits by the Federal Government to offset part of the expense?

Yes	52.1
No	32.1
Undecided	6.6

8. Do you favor returning a percentage of the tax money collected by the Federal Government to State and local governments to be used as they see fit?

Yes	56.4
No	26.8
Undecided	7.9

9. Do you favor an expanded Federal role in the control of air and water pollution?

Yes	65.0
No	19.1
Undecided	7.2

10. In dealing with rising crime and civil disorder, do you favor (a) stricter law enforcement, (b) programs to eliminate basic causes of crime and unrest or (c) combination of both?

(A)	33.3
(B)	5.3
(C)	52.7
No response	8.7

11. Do you favor a guaranteed minimum income for each householder as an alternative to public welfare?

Yes	16.1
No	62.4
Undecided	12.7

12. Do you favor ending Federal farm subsidies and controls? (Those participating in the survey were asked to respond to this question *only* if they were members of an operating farm family. The number of questionnaires returned with this question answered represented 23.3% of the total response.) (Response to this question only expressed as a percentage of those who elected to answer as "members of operating farm family".)

Yes	73.0
No	21.0
Undecided	6.0

All questionnaires received as of Friday, April 26, were tabulated by electronic data processing equipment.

MARYLANDERS, DO NOT LET HISTORY PASS YOU BY—YOUR VOTE ON MAY 14 COUNTS—VOTE FOR THE PROPOSED NEW CONSTITUTION AND MOVE MARYLAND FORWARD

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. GUDE. Mr. Speaker, on May 14, Marylanders have a solemn obligation—but it is an obligation that is also a rare privilege. For on May 14 citizens of Maryland will vote on the approval or rejection of a new constitution proposed by the Maryland Constitutional Convention of 1967.

In the history of Maryland, there have been only three times when Marylanders have had an opportunity to vote on a basic charter of government to guide their future destinies. They now have the fourth opportunity on May 14—the first one that has presented itself in more than 100 years. So on May 14 Marylanders face a historic day of decision. Their vote on May 14 will probably be the most important vote they cast in their lifetimes. The constitutional convention of 1967 was the fifth in Maryland history. It was the first since 1867. This constitutional convention of 1967 capped 40 years of effort to modernize and revitalize State government in Maryland.

The convention of 1967 fashioned a document which is the envy of political leaders and political scientists in many other States. Throughout the Nation the proposed new constitution for Maryland has been hailed as a model for other States to follow.

I am proud of my State of Maryland and of what has been accomplished by the constitutional convention so far. But everything that has been accomplished will be lost unless the citizens of Maryland ratify the proposed new constitution on May 14. Every citizen's vote is vital. I hope that no citizen will neglect to vote and let history pass him by. The vote of every citizen counts.

If the citizens take the few minutes that are necessary to go to the polls on May 14, I am confident the constitution will be ratified. My concern is that not enough people realize the importance of their vote. At a time when we are a nation beset with contention and dissension on about every front, we have a stirring example of a State where impressive unity exists on a fundamental issue—that of the structure of government. Virtually all political and civic leaders have endorsed the proposed constitution. Governor Agnew and the two living former Governors, Millard Tawes and Theodore McKeldin, support the proposed constitution. The two U.S. Senators support it. All Maryland Congressmen, with one exception, support it. The Federal Commission on Intergovernmental Relations supports it.

Leaders of the three major religious faiths, Protestant, Catholic, and Jewish, have endorsed the proposed new constitution. The bar association, the Jaycees, chambers of commerce, the NAACP, the Urban League, leading women's groups such as the League of Women Voters, the American Association of University Women, and the Women's Civic League have endorsed the proposed new constitution. The proposed constitution is also endorsed by the following organizations: Junior Bar Association of Baltimore City, Maryland Conference of Social Welfare, Maryland Congress of Parents and Teachers, Maryland Council of Churches, Maryland State Teachers Association, and the Young Womens Christian Association of Baltimore.

In my own district, the Montgomery County Council, the board of education, nearly all of the Montgomery County delegation to the Maryland General Assembly, including all five of the State senators, have endorsed the proposed constitution. The Democratic and Republican State Central Committees have endorsed it. The county Parent Teachers Association and the county education association have also endorsed it. The list is long and far from complete. But it is clear, from all parts of the State and from people in all walks of life, that there is widespread support for the proposed new constitution.

But I have heard people say: "The constitution will obviously be adopted, so there is no need for my going out to vote for it." There is need. For it is clear that everyone who is opposed to it will go to the polls and vote against it. So if it is defeated, it will be defeated by the apathy of those who favor it.

Endorsements from all over the State must be translated into votes. The unprecedented unity will, in the last analysis, be measured by the number of citizens who take the trouble to move Maryland forward by voting for the proposed constitution. I urge all Marylanders to vote. I urge all of them to vote for the proposed constitution on May 14. I believe the proposed constitution will make it possible to revitalize our State government and give to the people of Maryland greater control over their own destiny.

The proposed new constitution brings government in Maryland substantially closer to the people. It pinpoints governmental responsibility. The people will know what government official is responsible for each particular action or failure to act. The legislative branch article, the executive branch article, the judicial branch article, the local government article, and virtually every other paragraph of the document is permeated with this objective.

The general assembly, the body that is the legislative representative of the people, is for the first time given control of its own destiny; that is, it is given authority after the adjournment of its regular session, to call itself back into special session, and not, as under the present constitution, have to rely on the Governor to call it into special session.

Members of the senate and house of delegates will be elected from single-member districts. The people in particular areas will have their own representative in Annapolis instead of being represented by one of a group elected from larger sections of the county.

The executive power of the State under the proposed new document is for the most part vested in the Governor instead of being fragmented, as at present, among the Gov[redacted] comptroller, the State treasurer, and the board of public works. Under the proposed constitution the Governor can rightfully be held responsible for acts and failures to act as the head of the executive branch, whereas under the existing constitution it is impossible in many cases to pinpoint responsibility.

While Montgomery County has a modern lower court system with lawyers as judges, the lower court system in the rest of the State under the proposed new constitution must, as in Montgomery County, be staffed by lawyers. Thus the courts with which most of the people in the State have business will consider and decide their cases with a competence and freedom from political influence that does not exist today.

The local government article brings government closer and makes it more responsive to the people by making home rule in each county in the State mandatory by January 6, 1971. At the same time it confines the general assembly to the consideration of legislation of statewide concern only, prohibiting the general assembly from enacting local legislation.

The declaration of rights guarantees the basic rights that our forefathers struggled to secure, and in addition provides guarantees for five additional rights:

First. The right to be free from discrimination by the State on account of race, creed, color, or national origin. This right is contained by implication in the present constitution but it is spelled out in specific terms in the proposed new one;

Second. The right to be free from unreasonable invasions of privacy, including wiretapping and bugging of private conversations, without the authority of a search warrant issued by a judge upon

probable cause and supported by oath or affirmation;

Third. The right to be compensated for property that is damaged, but not taken, by the State to promote a public purpose;

Fourth. The right—established in Maryland for the first time in its history—to be free from being twice put in jeopardy for the same offense;

Fifth. The right to fair and just treatment in State or local governmental investigations.

These are just some of the highlights of this excellent document.

I have heard most, if not all, of the arguments against adoption of the proposed new constitution. Most of these arguments are based upon misunderstandings as to what the proposed new constitution does. The rest are based upon a philosophy of government that ceased to have any validity at least 50 years ago.

The proposed new constitution is a modern, forward-looking document. When adopted, it will make Maryland stand in the vanguard of the States, leading them forward to State governments equipped to cope with modern-day problems, and able to be equal partners with the Federal Government in our federal system.

On May 14, the vote of every citizen of Maryland is essential to move Maryland forward. The vote of every Marylander will influence the result. Do not let history pass you by. Be a part of it.

SGT. LAWRENCE E. OSBORNE, U.S. ARMY, KILLED IN VIETNAM

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that one of my constituents—Sgt. Lawrence E. Osborne, of Peekskill, N.Y., died in Vietnam early last month.

I wish to commend the courage of this young man, and to honor his memory, by inserting herewith, for inclusion in the RECORD, the following article:

[From the Peekskill (N.Y.) Evening Star, Apr. 9, 1968]

P.H.S. GRAD VIET CASUALTY L. OSBORNE SERVED IN WAR ZONES

Sgt. Lawrence E. Osborne, 20, son of Mr. and Mrs. Raymond D. Osborne, of 956 Paulding Street, died last week in Vietnam from battle injuries, according to word received this morning by his parents.

A member of the 25th Infantry Division, Sgt. Osborne participated in some of the heaviest fighting of the war in the past few months.

Sgt. Osborne was involved in "Operation Yellowstone" which started Dec. 8 in the jungle northwest of Saigon known as War Zone C.

Search and destroy missions were conducted in the area with support from helicopters, artillery, armor and mechanized units, attempting to cut off enemy units using the sector for a supply route and storage point for weapons and supplies. Sgt. Osborne was a fire direction center chief in Company B, 2nd Battalion, 12th Infantry. He recently was awarded a bronze star.

Sgt. Osborne was graduated from Peekskill High School in 1965. Before entering the service he was employed by IBM at Fishkill. He received basic training at Fort Gordon, Ga., and Fort Jackson, S.C., and had been in Vietnam for nearly a year.

In addition to his parents, he is survived by a brother, Raymond, and a sister, Mrs. Charles Davis of Port Washington, L.I.

ISRAELI INDEPENDENCE DAY

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. BUTTON. Mr. Speaker, May 2, 1968, is a momentous occasion for the gallant people of Israel. It has been just 20 years since the establishment of the State of Israel was proclaimed, and in those years, dominated by war, the Israelis have carved out a land of milk and honey from what is a barren desert.

What makes Israel's independence day especially significant to us is that, much like the United States, the Israeli society is a blend of European, Middle Eastern, and African cultures. Immigrants to the state have come from many areas and have brought their traditions and mores with them to mix into the melting pot that is Israel. Ten percent of the Israeli population of 2.7 million are Arab Christians, Druzes, and Moslems; more than half of the Jewish population originated in North Africa and the Middle East. Added to these cultural communities are the Europeans, Americans, Latins, and Sabras. The result is a cosmopolitan fusion in which a rich diversity of backgrounds and of ordeal-tested strengths combine to shape the character of the Israeli citizen of today and tomorrow.

Israel has not concentrated on the economic-political aspects of nation-building to the exclusion of the arts, higher education, or the sciences. The country can boast of a fine symphony orchestra, internationally recognized artists and sculptors, and Nobel Prize-winning authors. An annual international Bible contest and the quadrennial Maccabian Games provide arenas for competition in such divergent areas as Biblical scholarship and athletic prowess. There are more than 1,000 libraries and 5,000 schools in Israel today, and there are seven major universities and 52 colleges, nearly 200 Talmudical colleges, and many museums and institutes which specialize in study and discovery in subjects ranging from archeology to atomic energy.

But what is perhaps most impressive and significant of all is that Israel, itself a developing nation, is engaged in a far-flung program of assistance to other developing countries. Many of the countries of Africa, for example, owe their new hotels, shipping lines, manufacturing industries, and agricultural advances to Israeli technical and manpower assistance. Believing that the gap in living standards between prosperous and poor nations is a danger to international stability and peace, Israel has sent hundreds of instructors, advisers, and survey missions, as well as builders, to dozens of countries of Africa, Asia, and Latin America under the auspices of UN agencies or at the invitations of the governments concerned. Thousands of trainees from about a hundred countries have received special training in Israel. Thus do the Israeli people, having found a measure of peace and prosperity after many centuries of adversity, seek to share with other peoples in many lands the instruments and ways of peace.

OCCUPATIONAL HEALTH AND SAFETY ACT OF 1968

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. ESCH. Mr. Speaker, the Education and Labor Committee is now considering H.R. 14816, the Occupational Health and Safety Act of 1968.

Testimony before the Select Subcommittee on Labor has revealed that a high degree of [redacted] expertise in industrial hygiene, medicine, and safety engineering is needed to develop teams for effective guidance to industry in occupational health and safety procedures. Industry itself has hired most of the available, well-trained people in these fields, with State and Federal Government employing the remainder. The professional specialty associations, who have testified before the subcommittee on this bill, consist of these same specialists. They are the men who serve on standards committees of the USA Standards Institute, the Conference of Government Industrial Hygienists and the National Safety Council. They are limited in number; their training is long, and the competition for their service is intense. No effective program of occupational safety and health can be mounted without using their competence and professional judgment.

In government service, the largest component of these specialists is in State health and labor departments and in the U.S. Public Health Service. Any immediate cadre of such men must be obtained by raids on existing manpower already employed elsewhere. Training programs can provide additional personnel of such quality only over a period of 5 years or more.

I urge my fellow Congressmen, therefore, to modify this bill to emphasize its training and research provisions and such Federal moneys as will make the States and the Public Health Service competitive in their ability to hire competent professionals at good salaries to supplement their present inadequate staffs. If we build on understaffed agencies already active in this field, we will best use Federal support, rather than trying to start from scratch with a Federal agency that must recruit a whole new staff. For this reason, I support the matching grant, research, and training

aspects of this bill and hope you will reject the placement of total power for standard setting and enforcement in the Department of Labor.

A CALL TO LAW AND ORDER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. RARICK. Mr. Thurman Sensing, executive vice president of the Southern States Industrial Council, 1103–1111 Stahlman Building, Nashville, Tenn., was the National Defense Luncheon speaker at the National Society, Daughters of the American Revolution at the Mayflower Hotel here in Washington, D.C., this April 15.

Mr. Sensing's speech was hard hitting and on target. It should be read by all Americans who believe in peace of mind by understanding what is going on today and why.

I include the text of his speech:

A CALL TO LAW AND ORDER

(By Thurman Sensing, executive vice president, Southern States Industrial Council, Nashville, Tenn.)

About three months ago, I gave Mrs. Griswold the choice of two subjects for my talk to you here today. One of these subjects was "A Call to Law and Order," and this is the one she chose.

It is rather ironic now that this subject should have been chosen for this setting three months ago because if any city in our whole nation has needed law and order, it has been Washington, D.C., the capital of the nation, during the past several days. During those days smoke caused by fires set by arsonists curled around the Washington Monument, the dome of the nation's Capitol, and settled like a pall over the White House. People have been shot to death and stores have been looted right here in our Capital City—a shame and a disgrace for a people who call themselves law-abiding citizens.

Naturally, this speech has been prepared for some time because I only returned from a five-weeks' trip over the continent of South America a week ago, and knew that I wouldn't have time to prepare a talk after I got back. Therefore, I am really going to make the speech in two parts—first, as I had it prepared for delivery before my trip to South America—everything I wrote then still applies—and second, in view of the happenings during the past ten days.

This is not a racial speech; this is not a political speech—it is a law and order speech. It is a forthright speech and I will not pull any punches. However, the people named and quoted are named and quoted not because they are black or white, not because they are Republican or Democrat, but because they said what they said and did what they did.

We made a survey of all the Southern States Industrial Council members last fall, giving them a list of 22 national issues, and asked them to rate the issues in order of concern. Crime and lawlessness was named as the issue of paramount concern by a wide margin.

People of great political influence in this country have permitted the concept of "freedom of speech" to be expanded to include subversion, intimidation, sedition, and incitement to riot. They have condoned the distortion of "academic freedom" to encompass the adulteration of young minds with Communist doctrine and the disintegration of a well disciplined educational system. They have allowed "freedom of assembly" to mushroom into disruption of peaceful activity, mob rule, riot and insurrection.

Unless those in authority in the United States can be influenced to abandon this course—or unless they can be replaced by men who will—we cannot hope to restore in our nation the kind of domestic peace and order that have made our many generations proud to be Americans—living in a land of freedom, security, opportunity, and justice under law.

The crisis we now face is the most serious, the most dangerous, in the history of our country.

Remember, this was written three months ago.

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States for America."

This passage comes, as you will recognize, from the Preamble to the Constitution. The phrase I want to emphasize and dwell on for a while is "insure domestic tranquility." As you know, in many cities and towns in this country in the last few years we have had anything but "domestic tranquility"; in fact, we have had anarchy of the rankest sort. This was especially true during the past summer—the "long, hot summer" we had been warned about.

Actually it was a rather cool summer weatherwise, but it was certainly hot so far as domestic tranquility is concerned. The riots, arson, looting and murder that have occurred in many of our cities are a shame and a disgrace for a nation that calls itself civilized.

Now then, I want to suggest how we could put an end to arson and looting, both of which are despicable crimes. The solution is this: Issue orders to the police or the guardsmen, as the case might be, to shoot arsonists, looters and snipers on sight—and investigate later. We have mollycoddled, we have pampered, we have excused law breakers entirely too much in this land of ours to maintain a law and order nation.

This would not only stop the arson and looting—it would prevent it from happening in the first place. To give orders not to shoot under any circumstances for a period of time, as was done in some of our cities this past summer, not only encourages law-breaking, it also betrays the trust of the mayor or the governor, as the case might be.

Moreover, this is not a racial solution—it is a law and order solution, because law and order must be observed by everyone alike, both black and white, if we are to live in a civilized country.

The present disregard for law and order has been abuilding for quite a number of years. Five causes have worked hand in hand to wreak havoc upon the fabric of America. The riot roots may be found, I think (1) in Communism (2) in false compassion (3) in civil disobedience (4) in court decisions and (5) in the criminal instinct that lies repressed in the heart of man.

Communism, I believe, is the catalyst which has precipitated the present situation in this country. Anyone who has studied the details of the various riots that have taken place in the country must agree that they did not happen spontaneously—they were planned. Communism thrives on agitation and revolution of all sorts, upon overthrow of the existing order. The Communists are calling the riots in our streets a "war of national liberation." Communists are definitely involved in the various civil rights organizations in the country at the present time. It is no coincidence that Stokely Carmichael, the despicable self-proclaimed apostle of guerrilla warfare in the United States, turned up in Communist Havana at a meeting of the organization created by the Soviets and the Communist bloc countries to organize revolution in both the Americas.

If People like Carmichael and Rap Brown, the present head of the Student Non-Violent Coordinating Committee, better known as SNCC, are very soon not tried for treason then we are going to be well on our way to forfeiting our right to call our country a law-abiding, patriotic nation.

By the way, SNCC is certainly a badly named organization. Instead of being called the Student Non-Violent Coordinating Committee, it should be called the Non-Student Violent Coordinating Committee.

The second cause of riots is the false compassion that has been spewed out by our leaders in government, by some of the clergy, and others in positions of responsibility during the past few years.

It was no less than President Johnson who used the civil rights marchers' phrase, "We shall overcome," several times in one of his speeches, and lent them his encouragement. Didn't he know that this was the title of a song written for the civil rights marchers by Pete Seeger, a person who had been identified under oath as a Communist? When Seeger wrote "We shall overcome" it is not hard to imagine that what he meant was "We, the Communists, shall overcome."

It was no less than President Johnson who greeted an audience of students in the summer of 1965 as "fellow [redacted]volutionaries" and told them: "I [redacted] to salute you as fellow revolutionaries. We must change . . . I hope you will go out into the hinterland and arouse the masses, and blow the bugles, and tell them the hour has arrived, and their day is here." Well, the bugles have sounded all right—in Newark, in Cambridge, Md., in East Harlem, in Detroit, in Milwaukee, and dozens of other cities—and the day is here.

And speaking of encouragement, I wonder if Vice President Humphrey cares to recall his remarks in New Orleans in the summer of 1966 when he said that if he had to live in the slums "I think you'd have more trouble than you've had already, because I've got enough spark left in me to lead a mighty good revolt." Well, Mr. Humphrey's services were not needed—there were plenty of other volunteers.

And let me insert right here that it is not buildings that make slums, it is people who make slums. You can take the same people out of the slums and put them in well built high rise apartments and these apartments will soon become more filthy and more dangerous than the slums they left. That has been well demonstrated in New York City.

And how about the carpet-bag Senator from New York—Senator Robert F. Kennedy when he said in the summer of 1965: "There is no point in telling Negroes to obey the law. To many Negroes the law is the enemy."

And back to President Johnson when he said in 1964: "We are going to try and take all of the money that we think is being unnecessarily spent and take it from the 'haves' and give it to the 'have nots' that need it so much." What kind of expectations did he think that he was arousing? He can look about him and find the answer.

Behind the criminal insurrection in Detroit and elsewhere are liberal counsels of appalling irresponsibility. The rioters, looters and arsonists have been encouraged in recent years to believe that they were above the law. When disturbances took place in Southern communities, for example, hundreds of clerical carpet-baggers descended on these towns and cities to condemn the law enforcement authorities. Now the shoe is on the other foot and the home towns of the liberal clergy and liberal professors are engulfed in the smoke of armed rebellion against lawful government, and Southerners cannot be used as scapegoats.

Looking back at the disastrous Detroit riot

Americans may properly, I think, be dismayed at President Johnson's highly political reaction to the disorders. Whereas the White House in the past has been quick to send federal troops into Southern states at the earliest opportunity, Mr. Johnson delayed and delayed sending soldiers into strife-torn Detroit. The delays persisted despite pleas by Republican governor George Romney of Michigan and the Democratic mayor of Detroit.

When the troops finally were dispatched into the city (and they constituted only a fraction of the massive force President Kennedy used to overwhelm the small town of Oxford, Miss., in 1962) he employed a nationwide TV address to explain his extreme reluctance to employ federal troops.

Under the circumstances this explanation seemed peculiar. If there ever was an occasion for federal assistance, this was it. The troopers were requested by state and local authorities. The havoc being committed in Detroit was equal to what an external enemy of the United States might achieve in a massive bombing raid.

Mr. Johnson apparently was trying to get off the hook with "civil rights" groups, but the vast majority of the American people are not political-minded "civil rights" activists. They are people who expect the President to assist the states in upholding law and order.

In the aftermath of the rioting, Mr. Johnson asked the country to pray for domestic peace. He also appointed an investigative committee to inquire into the cause of the riots.

Certainly prayer is in order as a proper avenue to reconciliation. On the other hand, Americans cannot overlook the fact that the liberal clergy is partly to blame for the disorders now shaking this nation. In recent years hundreds of liberal priests, ministers and Rabbis have given their endorsement to civil disobedience and to protest movements which trampled on municipal and state laws. In Selma, Ala., there was an invasion of clergymen from the North. One wonders: Where were these clerical voices of "conscience" when the rioting broke out in Detroit and other cities? How is it that Martin Luther King didn't invade the streets of Detroit to call for non-violence? There is a distinct smell of hypocrisy in this situation.

As for the presidential Investigative Committee, no doubt the members, according to their lights, will search for answers. It would be a mistake, however, to expect much of the Committee. For instance, I refer you to the Warren Commission, so-called, to investigate the death of President Kennedy. The members of this Investigative Committee share in general the social outlook which has prevailed in places of power in the last generation. That is to say, they believe that uplifting of backward people and the ending of public discipline problems can be solved by massive federal expenditures. Thus it would be very surprising if the Committee came up with anything but a recommendation for vast increases in government anti-poverty spending.

President Johnson certainly has indicated his approach to the riot problem. He has spoken of the riots in Detroit, Newark and other cities in such a way as to employ these tragic situations as arguments for salvaging his Great Society programs. In other words, the American people have been listening to him hoping to hear a crystal clear demand for law and order, and instead they received a stone in the form of a political message for more big government spending in metropolitan centers.

The ordinary citizen in the aftermath of a period of savagery and rampant looting, certainly knows the score. It is likely that President Johnson will feel the sting of a real law and order blacklash if he persists in trying to end street revolution by bowing to the blackmail of Negro militants who try to pressure the country by using fire bombs and snipers' bullets.

The third cause of riots is the preaching of civil disobedience and so-called "non-violent" resistance against society. The preachers of civil disobedience have gone so far as to say that "society" owes the Negroes what might be called 400 years of back pay—and unfortunately many of the people believe them. Actually their ancestors were sold into slavery in the beginning by their own chiefs at the time. One of the clear thinking, clear headed Negroes in this country went to Africa not long ago, and after comparing the Negroes of that continent with the Negroes in this country, came back and said: "Thank God, my ancestors were sold into slavery."

Unfortunately, not many of the Negro leaders have that attitude. Too many of them have told the Negroes: "Obey those laws you think are just; don't obey those you think are unjust"—thus advocating that each person decide for himself what is the law. Nothing could cause complete anarchy more quickly.

The fourth cause of the riots has been the invidious court decisions that have disarmed law enforcement and made law the protector of wickedness. These well known court decisions have diminished the law itself. Since the federal Brown decision of 1954 the law has abandoned its impartial majesty and become a tool of favoritism and social distortion.

After all, what can you expect from the courts when the President nominates a man for the court of last resort—the Supreme Court of the United States—not because he was the best man available, but because by doing so he could gain a lot of votes from a minority bloc in the next election.

The fifth cause of riots which I should mention is no respector of race. It is the fact that perhaps criminal instincts lie hidden in the heart of man. All men must struggle with the grace of God to overcome their baser nature. Mob rule drowns the pangs of guilt and the objections of conscience, and makes an individual feel, erroneously of course, that he is not guilty of his acts. It is a warning that white mobs may yet be set against Negro mobs by the calculating manipulators abroad in the land. In fact, we saw some of this in Milwaukee last summer. It may get worse, not only in Milwaukee but in many other places.

We have heard and read much this past year about the "long, hot summer" ahead of us, indicating that it would be during that summer we would have riots and anarchy. No doubt we have many long, hot summers ahead of us. Governor Terry of Delaware told the Southern Governors Conference at Asheville last fall that the troubles of 1967 are not "any at all compared with what we are going to have next year." Governor Terry offered no solution except to say: "We must get ready for it, be prepared for it, stop it, or we are going to be taken over." He referred to Black Power agitator Rap Brown's threat of "the day of the atom bomb"—a statement which Terry said will be the "signal" when rioters "will come out with guns in every city across the nation," and that, Terry said, "will be a sad day unless we do something about it." He still didn't suggest what to do.

And so I go back to my opening statement that the mayors of the cities and the governors of the states should now issue proclamations loud and clear that the time has come to be firm, to be positive, in fact, to get tough. Unfortunately, this is the only language that law-breakers understand. They must proclaim that law and order must be preserved in this land by all people alike, that anyone caught using a Molotov cocktail or a sniper's rifle or looting a store will be shot on sight.

Law enforcement officers are finally beginning to realize there is no other solution. The Chief of Police of Philadelphia issued such orders last fall; later the Chief of police of Miami, shortly before Christmas, issued similar orders, saying: "When the looting starts, then the shooting starts." Since then at least two Associated Press stories out of Miami have related the tremendous drop in crime since that order was issued. Not a single Negro has been shot by a Miami policeman since then—but crimes of violence have shown a 70% drop. Surely, there is a lesson to be learned from this experience.

The time has come for action. And by action I don't mean rushing millions of dollars into riot-torn areas as a corrective measure—I mean swift, vigorous police action, expedited trials and convictions when supported by the facts. Detroit, for instance, had received $100 million since 1960 for urban renewal, and $41 million in poverty funds. Detroit was a model city in those respects; yet there occurred the worst riot, the most people killed, the greatest property damage in any city in the land.

Now we come to the second part of my speech, mainly centered, of course, on the burning, shooting and looting occasioned by the assassination of Martin Luther King Jr., on Thursday evening, April 4th. Law and order have been violated in more than 100 cities of this land during the past ten days, all of it triggered by King's death.

The man who killed Martin Luther King, Jr. committed a senseless, tragic crime. He violated law and order. He should be apprehended if pos[redacted]brought to trial for his crime.

However, the country seems to have been caught up in an orgy of emotionalism since King's death, and many people have said many things and have done many things that are not supported by facts and reason. It is not too much to say, in fact, that Martin Luther King Jr. brought this crime upon himself. He went around over this country for years proclaiming his belief in non-violence and yet nearly everywhere he appeared and spoke it resulted in violence. One of his basic beliefs was that people were morally obligated to obey only those laws they thought just. He said they were not morally obligated to obey the laws they considered unjust. As I mentioned earlier in my talk, putting these beliefs into practice leads very quickly to complete anarchy.

What Martin Luther King should have realized in adopting this philosophy is that it might work both ways; in other words, his assassin may very well have said to himself, "I think Martin Luther King should be killed. I realize there is a law against murder, but in this case, I think the law is unjust." Anyway, we all know the result.

As Congressman John M. Ashbrook of Ohio said in his speech to the House last October 4, in speaking of King:

"While preaching non-violence, I believe the record clearly shows him to be an apostle of violence. While gaining major support from clergymen, I believe he has preached an expedient, totally materialistic line, which is the antithesis of religious teachings. He has openly associated with the most radical elements in our society. I believe he has done more for the Communist Party than any other person of this decade."

Mr. Ashbrook went on at length to support these allegations and many others. He pointed out that King made a major speech on Vietnam just a year ago this month. He further said, "I believe that any thinking American who will study his (King's) words must conclude as I have that he is disloyal to the United States. He maligned his country with lies and accusations that came straight from the Communist Party line. A strange statement, you say. Listen to what he said. He praised Ho Chi Minh as the only true leader of the Vietnamese people. He condemned the United States as the

'greatest purveyor of violence in the world today' and likened our nation to Hitler's Germany. He . . . . threw out wild charges like the United States may have killed 1 million children in Vietnam. . . . He said we have no honorable intentions in Vietnam and our minimal expectation is to occupy it as an American colony. These are a few of the wild accusations of the Nobel Prize winner many people have been led to believe is a man of peace.

Even the Washington Post could not stomach King's blatant lies and propaganda. Roundly condemning King in an editorial headed "A Tragedy" the Post ended by saying: "Many who have listened to him with respect will never again accord him the same confidence. He has diminished his usefulness to his cause, to his country and to his people. And that is a great tragedy."

Early this year, following a meeting with Stokely Carmichael and other agitators in Washington, Martin Luther King promised that more American cities would go up in flames this summer unless—and this is where the blackmail comes in—unless the Congress does exactly the bidding of the Black Power movement. King was unable to put a precise pricetag upon this blackmail, but he said it would cost somewhere between ten and thirty billion dollars to do it—to give every Negro in America a guaranteed income, a "good" home, and, of course, "open housing." Failing to get all of this, he said, the Negroes of America plan to take to the streets this summer in fifteen major cities and countless smaller ones. "Our nation," King threatened, in—what does he call it?—his non-violent way, "will sink deeper and deeper into the tragic valley of chaos, and our cities will continue to go up in flames." Stokely Carmichael, standing nearby, just grinned.

Were these the words of a minister of the gospel, of a man of peace, a believer in nonviolence? The answer has to be—no, they were not.

Two years ago I made a two-months' trip to Rhodesia, South Africa, South West Africa and Liberia. Now I have just returned from a five-weeks' trip to South America, visiting eight countries including the Panama Canal Zone. The more I study the situation abroad and the more I study the situation in this country, the more convinced I am that we are overlooking the fundamental issues at hand in our emphasis on welfare measures; namely, that it is not the function of government to guarantee prosperity to everybody, provide our citizens with a guaranteed income, provide them with government-subsidized housing, etc. It is only the function of government to provide a favorable climate in which a citizen may prosper. Then it is up to the citizen himself to produce his own prosperity and provide for his own welfare. Anything that is given a citizen beyond this must be provided by charity, not by government.

Applying this to our present-day situation, let me say that it is not the function of government to give a man a job or see that a job is given him simply in order to see that a minority group is represented on a pro rata basis, or represented at all. A man should be employed simply because of his ability, because he is the best man for the job, and he should be paid accordingly.

Let me also say at this point that one group of students in our public schools should never be bused across the city to assure proportionate representation of either race in our schools. Common sense and logic should prevail here, not a foolish ideology.

Now, considering the events since April 4th, let's pick up two or three loose ends.

I mentioned Stokely Carmichael and Rap Brown earlier in my talk. Stokely Carmichael made some talks in Nashville before the students of the Negro universities in early April 1967. It was undoubtedly these talks that triggered the riots that shortly followed, the first Nashville had had. Not too long after that, Carmichael went to Cuba, then behind the Iron Curtain, and then to Hanoi, thus violating all passport rules as laid down by our State Department. However, the Attorney General of the United States did not see fit to take any action concerning him when he finally returned to this country. Since then he has conferred with civil rights leaders and been active in many ways—still nothing has been done.

Rap Brown, who succeeded Carmichael as head of the SNCC, has been in jail for quite a while because he violated terms of the bail granted him by a federal judge in Richmond, Va., last September. He has been under arrest for this violation, and just the other day the federal judge turned down his plea to release him in the interest of racial harmony. You will note his plea to be released was not based on the fact that he legally should be released, but in the interest of racial harmony. To a defense attorney's suggestion that "We may be fiddling while our cities are burning," Judge Merhige made this significant and courageous reply: "Assuming the cities are burning, that makes it more important that the law must be obeyed. I'm not going to be bullied by kooks on one side or the other."

The Justice Department is finally investigating Stokely Carmichael's activities in recent days—something they should have done and should have acted upon months ago. At a news conference in Washington, 14 hours after the death of Martin Luther King, Carmichael said Negroes would "have to get guns" and take to the streets to "retaliate for the (King) execution." Carmichael was on his way at the time to attend a court hearing in Richmond, Va., for Rap Brown on his bail appeal. He said further:

"When White America killed Dr. King, it declared war on us. We have to retaliate for the execution of Dr. King.

"Black people know that their way is not by intellectual discussions. They know that they have to get guns. Our retaliation won't be in the court room but in the streets of America."

In other words, Carmichael denied completely that the Negroes of this country are controlled by the rules of law and order. However, Attorney General Ramsey Clark had nothing further to say about him in his TV interview on April 8 other than that federal investigators are checking his statements to see if "he may have violated . . . any one of a number of statutes." This seems to me to be a very weak statement, a very immature approach to handling two of the most militant civil rights leaders in the country.

Now concerning federal troops, when the rioters camped on his own doorstep, President Johnson rather quickly got over his reluctance to use them, as was true in Detroit last summer. News reports are that more than 60,000 federal troops were called into service during the last several days, being mainly used in the cities of Washington, Chicago, Baltimore, and elsewhere in the North. Even so, in many cities for a period of time looting went uncontrolled, even on the main business street in Washington. It is too early yet to say whether the combined burning and looting and killing amounted to more than in the city of Detroit last summer, but there is hardly any question but that it did.

The assassination of Martin Luther King Jr. has been followed by an orgy of mob violence unprecedented in this country's history. The protest leader who espoused what he called a philosophy of "non-violence" left behind him a heritage of violence among his followers and admirers. As for flying flags at half-mast, as was done through Tuesday of last week, that, it seems to me, was very fitting—not for the reason given, but because the nation has been shamed by savage rampaging such as good citizens never believed they would see in this proud nation. The death of one Negro soldier in the American armed forces in Viet Nam is a thousand times more worthy of flags being flown at half-mast than was the death of Martin Luther King Jr.

This heritage of violence is no doubt led by a relatively small percentage of the Negro people; in fact, joined in altogether by only a minority of the colored population. However, that only makes the situation more tragic, in that a small part might destroy the whole. What we must all realize in this land, both blacks and whites, is that we must observe all the rules of law and order if we are to continue to live under the kind of government left us by our forefathers.

All people in this country must realize that this is a land of liberty, not a land of license; that this is a land where laws must be respected, not violated; that this is a land where each man is free to carve out his own destiny and choose his own future so long as he harms no one else in the process; that this is a land where a man's value is not determined by his race and his color, but by what he has contributed and is contributing toward making this a decent, law-abiding society in a free nation.

LET US REAFFIRM OUR COMMITMENT TO POLISH SELF-DETERMINATION

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. MESKILL. Mr. Speaker, Poland, perhaps more than any other European nation has suffered from the unchecked territorial appetites of her larger, stronger neighbors. Yet down through these tragic centuries, for brief shining periods, she has emerged to provide a clean, clear breath of liberalism and hope throughout the continent, until once more, the kaisers and dictators to the West, the tsars and commisars to the East, refueled their war machines.

Despite a historical climate that would crush the will and creative spirit of a less hearty people, her citizens have made great contributions to enrich the fabric of civilized life—Casimir Pulaski, who fought in our war of independence; Marie Sklodowska-Curie, whose discovery of radium 70 years ago opened new horizons in medicine; the brilliant pianist, Jan Paderewski; the great World War II hero, Gen. Wladyslaw Sikorski, whose life was ended under clouded circumstances 25 years ago; and many, many more.

On May 3, 1791, Poland proclaimed and adopted a Constitution that was a landmark of liberalism in 18th century Europe. On May 3, 1918, Poland emerged from the ashes of World War I a Republic reborn, to thrive a brief bittersweet score of years.

May 3, commemorating a long list of Polish national and individual triumphs and sorrows, is her greatest national holiday.

But, Mr. Speaker, her Communist puppet government prohibits commemoration of this day. Only her expatriate sons and daughters, men and nations who respect her valiant fight for freedom, can

remember tomorrow. Let us, in tribute, reaffirm our commitment to the self-determination of this troubled land.

THE FISH GENETICS LABORATORY AT BEULAH, WYO., A SOUND INVESTMENT IN RESOURCE CONSERVATION

HON. WILLIAM HENRY HARRISON

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. HARRISON. Mr. Speaker, civilization has its liabilities. Our Nation's fish and wildlife resources are threatened by the erosion of the land, the pollution of the air, and the degradation of our waters, all of which are manifestations of man's civilization and culture.

One of the Nation's most important facilities for assuring that our western streams and rivers will always abound with the finest trout fishing in the world despite civilization's excesses is the Fish Genetics Laboratory near Beulah, Wyo.

This laboratory, in the words of Norma Bernb who wrote an excellent article on the facility for the Casper, Wyo., Star Tribune, "breeds strains of fish that are better able to withstand the adversaries of an increasingly civilized world." I will insert the article at the conclusion of my remarks.

These superfish—trout which may someday be able to surmount any natural onslaught, except the fisherman—will in time be immune to one of man's most pernicious inventions, DDT. This chemical has been found in every area of our earth and many scientists feel it is slowly but diastrously upsetting the ecological balance of fish, wildlife, and plantlife.

The Fish Genetics Laboratory which I have been pleased to support as Wyoming's Congressman and as an Appropriations Committee member is the first to be established for the purpose of developing what might be called custom tailored trout able to survive under selected environmental conditions. Only 19 such laboratories exist in the United States and clearly they merit the support of the Congress.

Plans call for a $2.5 million construction program of which $200,000 was appropriated in 1967.

I am optimistic that funds will also be appropriated in 1969 to better insure that the Fish Genetics Laboratory will continue its research to give America a guarantee that trout and sport fishing will not eventually go the way of the passenger pigeon.

The article referred to follows:

BREEDING TROUT IMMUNE TO DDT IS ONE PROJECT FOR FISH HATCHERY

(By Norma Bernd)

"To breed super fish" could be a broad explanation of the ultimate goal of the Fish Genetics Laboratory located less than 20 miles east of Sundance near Beulah, Wyo., where the waters of Sand Creek originate.

Why super fish?

"Sport fishing is big business" says Bruno von Limbach, Director of the Fish Genetics Laboratory. Von Limbach who assumed directorship of the lab in 1966 had been Assistant Chief, Division of Fishery Research, Washington, D.C. The move to the lab was a "happy demotion" for von Limbach. The lab was a pet project. He stated "we believe that the program at this facility can do for sport fishing what selective breeding programs can do and have done for producing superior kinds of domestic animals and vegetable crops."

The Fish Genetics Lab, one of 19 Federal laboratories in the United States in the fishery research division, is the first to be established for the purpose of applying principles and techniques established in other animal husbandries to the objective of developing strains of fish better adapted to the specific areas of management of sport fisheries.

In 1963 the Federal Government purchased the 865 acres of land, a main lodge, garage, large barn and four cabins that was Ranch A, a lodge built in 1933–34 by Moe Annenberg, Philadelphia publisher. One of the prime factors in the location of the lab was the excellent quality and quantity of water of constant temperature from two main springs—one running 300 gallons per minute and the other 4,000 gallons per minute. The huge, rustic log main lodge is used for offices and library. A biology-chemistry laboratory is housed in the lodge basement and the four small cabins have been remodeled into four adjoining residences. There are presently six residences on the property for employes and future plans call for three more. Employes' children attend school in Sundance.

Dedicated in 1964 by Senator Gale McGee, the lab launched a research program in early 1965 in a building that had been used as a fish hatchery by a former Ranch A owner. The then acting director, Bob Bridges and his staff had completed about a year's work on this program when a major and unprecedented flood occurred in the Sand Creek drainage on May 15. This devastating flood wiped out the studies in progress, and destroyed or severely damaged outdoor and enclosed fish rearing and testing facilities and water supply systems. Roads, bridges, and fences were extensively damaged and vast deposits of debris and silt littered the grounds after the flood had receded. Experimental lots of fish were killed, swept downstream or rendered useless by the wide spread mixing that occurred when the flood engulfed the holding facilities.

The situation created by the flood necessitated revision of immediate program aims that were turned from selective breeding activities to a redesigned program that stressed the investigation of facilities, procedures, tests, and measurements and adapted them to use in the future selective breeding program.

With the added boost of letters from the Sundance Commercial Club and other local organizations to the Wyoming Congressmen and Senators requesting the speedup of appropriations for the restoration of damages inflicted by the flood, the Fish Genetics Laboratory received a $220,000 supplemental appropriation during fiscal year 1966. These funds made the construction of the Research and Development No. 1 (R&D No. 1) building possible. This building, completed in November 1966, measuring 72' x 156' was equipped with 120 circular tanks. Visitors taking tours of the facilities are impressed by the constant noise of water, high humidity, the bright turquoise-blue color of the tanks, the smell of and the eye-burning sensations caused by formalin, a chemical used to control parasites in fish hatcheries, but used here to find the fishes' tolerance of exposure to it.

Extensive facilities are needed to implement the proposed program of genetics research and selective breeding. Plans call for a $2,500 construction program. $200,000 construction funds were appropriated in fiscal 1967 and none in fiscal 1968.

Efforts at the lab are concentrated on rainbow trout, a species that is most extensively produced by hatcheries. The rainbow is well adapted to reproduction and rearing under controlled conditions which makes this species ideally suited for selective breeding.

Six strains of rainbow trout maintained for lab studies are Sand Creek, New Zealand, Manchester, Wytheville, Donaldson and Arlee Albino which, von Limbach noted, excite an unwarranted amount of interest among people and were the subject of a news release last year. The lab's strain of albino trout occurred from hatchery eggs and are kept for investigation of the genetics of albinism in rainbow trout. Curiously, the New Zealand strain of trout, a 19th century native of California was only recently reintroduced to the United States for research purposes. A wild strain was needed for experiments and in these days of hatchery-planted fishing waters, researchers found that they had to go to New Zealand to obtain "this wild fish"—the same strain introduced in New Zealand from California many years ago.

Some of the characteristics of the various "super fish" now being researched at the lab are high growth rate, a tolerance of crowded rearing tanks, a two-year maturation (it takes most fish three years to reproduce), a tolerance of exposure to DDT (a widely used pesticide that sometimes gets in streams and kills fish) and a tolerance of exposure to formalin.

Sustaining t[redacted] of sport fishing despite the counter-pressures of expanding needs and deteriorating habitat is the challenge of sport-fish conservation. The objective of fishery research is to provide the knowledge by which this challenge can be met. How may the natural environment be managed to enhance the productivity of sport fishes? How can hatchery fish be produced more efficiently and used more effectively? How can fish habitat be protected from the adverse effects of pest control? How can fish that are pests be controlled effectively? Fishery research will answer these questions. The Fish Genetics Laboratory at Beulah seeks to provide their share of solutions by breeding strains of fish that are better able to withstand the adversities of an increasingly "civilized" world.

PARATROOPERS SHARE FOOD WITH VILLAGERS

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. LANGEN. Mr. Speaker, the American fighting forces in Vietnam have on occasion been accused of atrocities that have received widespread news coverage around the world. All too often the real spirit of the American fighting man, that of concern and compassion, is overlooked.

A recent report in the Crookston, Minn. Times tells of one of the many acts of compassion by our boys in battle. This particular story concerns the men under Capt. Dennis K. Anderson, a commander of airborne infantrymen. Captain Anderson's family lives in Bemidji, Minn., and his parents reside in Crookston, Minn.

I heartily recommend the article, which is reprinted at this point in the RECORD:

CITY MAN'S UNIT SHARES FOOD WITH VILLAGERS

PHU BAI, VIETNAM.—Sharing some of their individual rations, paratroopers from the 101st Airborne Division's 1st Brigade helped save local villagers from starvation north of here.

Airborne Infantrymen from the 2nd Bn. (Abn), 502nd Inf. discovered the victims of the recent Communist offensive while conducting an operation.

Capt. Dennis K. Anderson, C Co. commander, recognized the immediate need for food in the village while his paratroopers were conducting a search mission. He radioed for assistance from the brigade's civil affairs (CA) office.

Capt. Anderson is the son of Mr. and Mrs. Lloyd E. Anderson of Crookston, Capt. Anderson's family lives at Bemidji.

A CA team was dispatched to ascertain the exact needs of the people. Through an interpreter they learned from the village chief there were more than 5,000 Vietnamese suffering from hunger and in need of medical attention.

The team returned to their Phu Bai base camp to pick up supplies for the relief program. While gone, the C Co. paratroopers decided to do something to help. Under the guidance of Anderson, they shared food with the villagers. Each man gave from his own supplies.

As the paratroopers were leaving and the CA team moved in, an impression had already been made. The Screaming Eagles will always be remembered by their new friends.

SUPPORT OUR YOUTH COMMEMORATIVE POSTAGE STAMP ISSUED

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. BROYHILL of Virginia. Mr. Speaker, I should like to call the attention of my colleagues to the 6-cent, Support Our Youth, commemorative postage stamp which was issued yesterday in Chicago, Ill., during National Youth Week, sponsored by the Benevolent and Protective Order of Elks. This stamp will be available in Alexandria, Va., tomorrow, May 3, at an appropriate ceremony there.

In observance of its centennial this year, the BPOE is extending its youth service program. One activity will be a massive job hunt in some 2,100 communities to uncover summertime and part-time employment opportunities for young people.

Another activity is the Elks Boys Camp, where needy or underprivileged children are furnished a 2-week stay and the necessary clothing to wear while there.

The Alexandria, Va., Lodge also supports a Little League baseball team in the city, and joins with other member organizations throughout the State of Virginia in sponsoring a scholarship and leadership program for youngsters who desire further education but cannot afford it though qualifying through school grades and other activities.

The Support Our Youth stamp was designed by Edward Vebell of Westport, Conn., and depicts four young people against a red, white, and blue panel.

Mr. Speaker, I know our colleagues join me in congratulating BPOE on this occasion.

THE VETERANS EMPLOYMENT AND RELOCATION ASSISTANCE ACT

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. CURTIS. Mr. Speaker, I am introducing today in the House of Representatives, along with my colleague in the Senate, Senator JACOB JAVITS, the Veterans' Employment and Relocation Assistance Act. There are several important needs which this act seeks to fill. First and foremost, it is an effort to assist our returning veterans from Vietnam and elsewhere in filling the available civilian jobs, those which are economically sound and contain opportunities for advancement. As important parallel purposes, the act also seeks to augment our civilian economy by meeting the demand for skilled employees. There are more good jobs going begging than there are unemployed. The act will minimize the frustrations of those returning veterans who otherwise might return to high unemployment areas by providing assistance in locating where the jobs are.

Furthermore, by matching the military training in civilian-related skills with private industry's demand for these skills, the bill will alleviate some of the dislocations and turn them into benefits for the individual veterans and the society as a whole.

THE NEED

According to the Department of Defense estimates over 400,000 returning servicemen will need some type of help in 1968 in obtaining employment in civilian life. This number is approximately one-half of the projected 813,000 men discharged in 1968. It is over 33,000 each month. Many will wish to complete their schooling, and perhaps take advantage of the GI Bill of Rights. Others may find job training or even local employment through the assistance of private employment agencies or of the local U.S. Employment Service Office. But there will remain a portion who might otherwise be returning to high unemployment areas, where training and jobs are less available.

Correspondingly, there are hundreds of thousands of jobs going begging in the private sector of our economy. This fact is often overlooked by those who focus their attention on the jobs that are eliminated rather than those that are created by technological advances. These new jobs generally require skilled workers and many of these could be men who had received their initial training while in the armed services.

The need is easily recognizable. Indeed on April 24, 1968, this body passed House Concurrent Resolution 705 reported from the Committee on Post Office and Civil Service—which replaced House Joint Resolution 1052 requested by the President in his message on veterans—among other things expressing the sense of the House that private industry and commerce give preference in their hiring practice to returning Vietnam veterans. The Congress should now go beyond the fine rhetoric of resolutions and seek appropriate and efficient ways to resolve the employment problems of many of our returning service men.

UTILIZATION OF THE COMPARABILITY OF SKILLS RATIO

Many of these returning veterans have skills acquired in the military which have counterparts in the civilian economy. In the service each man generally learns from one to three military occupation specialties—MOS—which could be anything from radio repairman to cook to rifleman. Most all military occupational specialties have their civilian counterparts. In the course of my studies on the feasibility of a voluntary system of military manpower procurement. I found that over 90 percent of the skills used by the military had their counterpart in the civilian economy. CONGRESSIONAL RECORD, volume, 113, part 7, page 9469.

In the context of the proposal for a volunteer army, I urged that this high comparability ratio be used to its best advantage in that it showed we could develop a system of bringing manpower into the military services from the civilian economy through a variety of inducements and benefits designed to attract individuals with the particular skills needed. Today, facing the problem of finding jobs for returning veterans, we should explore the advantages of turning this high comparability ratio around to help those in transition from the military to the civilian sector of our society.

THE AVAILABLE DATA ON COMPARABLE SKILLS

Unfortunately, the figures on how many individuals released each month with a particular MOS are not available from the Defense Department. This includes data on those veterans having a primary MOS less marketable in the civilian economy, such as rifleman, who may also have a relatively more marketable secondary or tertiary MOS, such as baker or electrician.

It would be important to know this in order to evaluate the maximum benefits of the proposed Veterans Relocation Assistance Act and it is one of the purposes of the act to develop this and much additional data. During the Joint Economic Committee hearings on April 27, 1967, on the economic effect of Vietnam spending and military manpower alternatives, Mr. Harold Wool, Procurement Policy and General Research—Manpower—of the Department of Defense, and I, engaged in a dialog on the functional value of a dictionary of occupational titles for the military similar to the one that exists for the civilian sector. Again in the context of procuring a volunteer army, I was interested in knowing whether the military had developed the nomenclature for the various skills that they need. Mr. Wool responded that each of the military services have a Military Occupational Specialties Manual with the equivalent civilian skill designated insofar as possible. Such a list was used, of course, not as a basis of recruitment as I was urging, but for the practice called "civilian by-pass." This is a limited but commendable practice whereby,

after induction or enlistment and basic training, a serviceman may be directly assigned an MOS based on his particular civilian skill and avoid the expense and time of additional training in that area.

A difficulty which was brought out in my dialog with Mr. Wool was that the equivalent civilian skill which the military was using was taken from the existing version of the Labor Department's Dictionary of Occupational Titles which was prepared in 1949. Under the Manpower Development and Training Act of 1962 directions were given to the Labor Department to update the dictionary, but the revised edition did not become available until early in 1965 and has not been revised since. Therefore, the extent and accuracy of any conversion from the military's Military Occupational Specialties Manual to the Labor Department's Dictionary of Occupational Titles, is probably quite limited. Mr. Wool and I agreed at the time that updating both dictionaries and providing for direct convertability between them must be an ongoing task.

The Veterans Employment and Relocation Assistance Act directs both the Labor Department and the military to give high priority to the task of identifying and correlating equivalent and comparable skills in both the military and civilian sectors of our society. Such data will be useful both for devising a rational system of military manpower procurement as well as assist those in transition from the military to the civilian economy.

Military occupational specialties however do not denote the only civilian job related training which a man may receive while in the service. There are other sources of such training which may cut down still further the small number of men released each month without any civilian related skill. For example, a significant number have already received training through former Defense Secretary McNamara's "Project Transition," established in 1967, which offers voluntary training in vocational skills taught at onbase facilities by military, and private industry personnel, to servicemen with from 1 to 6 months service time remaining.

An article by John I. Brooks, which appeared in the April 18, 1968, issue of the Reporter entitled "A Belated Job Program for Vietnam Veterans," indicates that of the 4,674 servicemen counseled for the 1967 Project Transition pilot programs, 3,300 took no training whatever because the courses they desired were unavailable, but that 38 enrolled in courses leading to eighth grade certificates, 408 in courses leading to high school certificates, 391 for academic courses beyond the high school level, and 477 entered vocational training courses. There are many positive aspects to Project Transition, some of which can be supplemented by the Veterans Employment and Relocation Assistance Act, as discussed subsequently. On the other hand there are some aspects of Project Transition which show the proclivity of Government agencies to foster institutionalized Government training programs with little reliance on the private sector, and which might well be replaced entirely rather than supplemented by a working veterans employment and relocation assistance program. Nevertheless, Project Transition does show an awareness of the means at our command to provide vocational assistance, and when administered effectively results in fewer men discharged each month without any marketable civilian vocational skills.

THE MECHANICS OF THE ACT

The problem can essentially be broken into three parts: first, improving the assimilation of data on both the jobs available in the private economy and the corresponding skills needed to fill those jobs which can be taught in the military; second, nationwide matching of the jobs and skills voluntarily and efficiently on an overall and an individual basis; and third, providing financial assistance, where necessary, for a veteran to relocate to accept a job. If parts one and two are well administered it will be found there will be little call for part three action.

COLLECTION OF JOBS AVAILABLE INFORMATION

The first element, improving our information on jobs and skills, is an important feature of this bill and is a proposal for action that I have long advocated. Information on jobs available in our economy, and the types of skills necessary to fill those jobs, is essential to any vocational job training or employment assistance program. The act would direct the nationwide collection of job vacancy statistics by the Bureau of Labor Statistics of the Department of Labor. The Department of Labor would also be directed to update and maintain current the Dictionary of Occupational Titles which are the nomenclature of these statistics and which is essential for meaningful conversion from the Military Occupational Specialties Manuals. The Joint Economic Committee, on which both Senator JAVITS and I serve, held hearings in 1966 on the need for job vacancy statistics and the updating of the Dictionary of Occupational Titles, and the committee unanimously recommended that the task be immediately undertaken. Regrettably, the $2.5 million needed for this purpose has not yet been asked for by the administration. Yet the need still exists and more uses are continually being found for this information, such as this act to assist returning veterans find meaningful employment in our economy.

Prior to the collection of comprehensive job vacancy statistics, the bill directs the utilization to the fullest extent possible of whatever jobs available information is currently being collected. Two important sources are the data on job opportunities collected in each locality by local offices of the U.S. Employment Service, and the surveys taken in each locality by the Department of Labor pursuant to the Manpower Development and Training Act. Information on available jobs collected in this fashion, and through other appropriate sources, will be compiled on a nationwide basis—something not yet done—at a National Relocation Center, established under the act for this purpose.

This nationwide pooling of information on available jobs will then be made accessible under the provisions of the act to local U.S. Employment Service Offices advising returning veterans. Nationwide employment information will add an important new dimension to the assistance provided by the local USES office. Heretofore, the USES's assistance has been limited to advising veterans on available jobs in that locality only, and that information has come to their attention primarily because the local employer has voluntarily submitted a request to them. Additional nationwide data will be particularly helpful to those veterans returning to high unemployment areas, where there are no local jobs available, and where people need assistance most. The potential of this new dimension will, of course, be enhanced to its fullest only after comprehensive job vacancy statistics are substituted for the jobs statistics now available.

COLLECTION OF SKILLS-AVAILABLE INFORMATION

Additional data will also have to be compiled on skills-available coming from the military. The act requires that the Department of Defense compile monthly lists of the skills and home of record of each dischargee. The skills listed would be from the sources previously mentioned such as military occupational specialties correlated to the civilian Dictionary of Occupational Titles and other vocational training re[redacted]ugh Project Transition and other programs. Such data would be valuable in at least two ways. First, in its bulk form, the aggregate numbers of men released each month with a particular skill could be made public so that prospective employers could be made aware of what skilled manpower is soon to be available. This would be useful in soliciting corresponding jobs-available information from employers, and in allowing them to formulate any particular training programs based around various initial skills. Also available would be information on the extent and nature of training needed to qualify for each military occupational specialty.

Another usage of such data would be to be certain that all such information is provided in specific form to the local office of the USES in the area in which the veteran makes his home of record. Such data would be useful in augmenting the President's January Executive order requiring that the local offices actively seek out those returning veterans in likely need of assistance.

THE MATCHING PROCESS

The second phase of the act, the matching of skills, would expand to a potentially national scale the present USES practice of offering returning veterans assistance regarding only local job opportunities. It would also augment the practice of the Department of Defense, in cooperation with the Veterans' Administration, of alerting each serviceman upon discharge of all veterans' benefits programs by including additional information on nationwide jobs available for the veterans demanding his particular skill.

It is to be expected that most recent dischargees will desire to return to their families and friends, and have little immediate thought of what job they will seek during their first few weeks after

discharge. The Department of Defense estimates on the average that a period of 5 to 6 weeks elapses between discharge and employment. Accordingly, it is reasonable to assume that most veterans will not take advantage of the Veterans Employment and Relocation Assistance from the point of discharge, but will visit their local USES offices a few weeks later. Upon this visit the matching process begins. The act requires the USES to direct the veteran requesting assistance to employers in the local area first, as is the present practice. If no employment is available locally, the USES, using current information compiled from the National Relocation Center, must then direct the veteran to potential employers out of the immediate area, with due regard to minimizing the distances involved. Thus the possibilities for the veteran are greatly expanded, and his mobility is now extended to a potentially national scale under the act. This is most important to those men who 2 years previously faced the choice of enlistment or the draft precisely because they may not have come from a background where they could attend college, or may have been impelled toward the service because there were no jobs available to them in their local area.

MOBILITY ASSISTANCE

Job mobility is the key, the heart of the act, and it is so for several reasons. First, it is clear today even the "new economists" have tacitly admitted that the type of unemployment we are experiencing is not due to inadequate aggregate demand in the economy creating too few jobs and requiring great expenditures of Federal money. Rather, unemployment today is structural and frictional; created by lack of training for the new jobs available, and the immobility of the labor force to reach many of them. This act is an effort to reduce the immobility for a limited, and particularly deserving segment of our population.

Second, whatever training the veteran received in the service, one can reasonably expect, was determined primarily on the needs of the military at a particular moment of time early in the veteran's tour of duty. All too often choice of training was unavailable, and therefore frequently whatever training was received was not that which the veteran would have selected as a practical basis for employment in his home community based on his knowledge of the opportunities there. Unless he is to lose whatever benefit he did receive, it may be necessary for him to relocate.

Third, at this period of his life, the recently discharged veteran is at the peak of his own ability to relocate. He is more mobile than ever before, and may ever expect to be again. In fact, in addition to vocational training, the service has probably broadened his outlook and psychologically prepared him for new challenges and new environments. John Brooks, in his previously mentioned article in the Reporter, discusses a limitation of Project Transition and states:

> Mobility presents another difficulty, because much of project transition's success depends on a man's willingness to go where the job is. The results of past government experiments in shifting workers from areas of high unemployment to more promising places have been discouraging, but McKernan (Frank N. McKernan, Director, Project Transition) believes that the returning veteran is at "a high point of mobility" in his life because of his recent separation from home and his travels in the service.

The theory underlying Project Transition is premised upon increased mobility. The fear evoked by past governmental failures in experiments in shifting workers, expressed by Brooks, may be lessened by a program specifically directed to willing veterans who are provided financial assistance, which they voluntarily applied for, as under the Veterans Relocation Assistance Act—an excellent supplement for Project Transition in this respect.

A fourth reason mobility should be encouraged through such a program as the Veterans Relocation Assistance Act is that it corresponds with the wishes of the residents of the inner cities as expressed in the population trends. Last summer I prepared a paper for the Subcommittee on Urban Affairs of the Joint Economic Committee—CONGRESSIONAL RECORD April 9, 1968, pages 9357–9363—containing population statistics which show, contrary to common belief, the population of the central cities is falling. What is more important is that this phenomena is in accord with the wishes of the population because the historical reasons for the high rise city in America have disappeared, and with them the need and the desirability of the center city living. History shows us that two economic factors, the industrial power source and the labor supply, have molded and directed the growth of the high rise city in America. Coal, the source of power for mass production in the late 19th and early 20th centuries, could only be transported easily to what were the centrally located areas accessible generally by water. Labor aggregated in these central areas to be close at hand to the source of production. Because land in these central locations was scarce, the result was the architectural movement upward, and the development of the high rise city. Since the 1920's, however, electricity replaced coal as the source of power, allowing industry to be located at much greater distances from the center city; and the automobile provided a similar mobility to the labor force. The high rise city began to die from that point, and statistics bear this out, as people and industry freed from necessity began to follow their preferences toward decentralized living.

Because of the legitimate concern for those who remain in the center city, many proposals have been advanced with the intent to restore it. Although advanced in the name of progress, this is actually counterproductive. There is no more historical need, nor is there any great personal preference for highly centralized urban living in our core city areas. Rather than bring industry back into the inner city, which is a proposal that has been recently advanced in many different varieties and with widely varying price tags, we would be more productive in the long run if we open channels which allow the inner city residents to move out to where the jobs exist. This is mobility, and what is more it is in accord with historical progress and the population's desire.

The method prescribed in the Veterans Employment and Relocation Assistance Act is to allow the prospective employee to receive reasonable expenses for an interview with a prospective employer selected from the information supplied by the National Relocation Center. If an offer of employment is made and accepted, the veteran would receive additional assistance to cover the costs of moving himself and his immediate family to the new location. Close supervision of the reasonableness of the expenses and the distances traversed would be expected of the local USES office; but flexibility and discretion is desirable in these cases.

Because of the values of increasing a veteran's job mobility, these expenses would seem worth taking. Such expenses are analogous to the expenses borne by the society under the Manpower Development and Training Act programs, or the proposed Employment Incentive Act in which Senator PERCY and I advocate reimbursing an employer for the reasonable difference between the lower benefits derived by the employer from hiring and training an untrained and unproductive employee and the minimum wage required to be paid [redacted] is also analogous to the proposed Human Investment Act sponsored by over 160 Members of the House and the Senate, which recognizes that tax impediments should be removed from efforts to train and retrain workers. The Veterans Employment and Relocation Assistance Act, like those mentioned, and others in the area of education and training, is essentially an investment. It is a capital investment in human beings, helping them get on their economic feet, which in the long run will pay important dividends to society as a whole.

POLISH CONSTITUTION DAY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. DERWINSKI. Mr. Speaker, May 3 is the traditional Independence Day of Poland, specifically commemorating the Polish Constitution of May 3, 1791. This year, the 177th observance of the adoption of the first democratic constitution in Europe, has special significance for the Polish people since they are in the throes of efforts to ease the oppression of the Soviet-maintained Warsaw government.

Unfortunately, under the tyrannical domination of their Communist rulers, the brave people of Poland cannot speak out on this day as proudly and vigorously as they wish. The Gomulka dictatorship, which obviously is not representative of the freedom-loving Polish people, forbids proper observance of the religious and historical events of which the Polish people are so rightly proud. However, Americans of Polish extraction and people of Polish origin scattered through-

out the world, as well as other freedom-loving people, join in this commemoration of the historic Constitution Day of Poland.

We in the Congress must continue to show how strongly we support the desire of the Polish people for the restoration of freedom and a democratic government which truly represents them.

We should also take note, Mr. Speaker, that the Polish Constitution of May 3, 1791, was a forward-looking document emphasizing freedom for all people. The Polish people, unlike their present-day Communist oppressors, recognize the right of all peoples to self-determination.

HE WHO SAVES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. DERWINSKI. Mr. Speaker, Members are aware of the continuing anti-Semitic propaganda barrage from Communists in Moscow and Warsaw.

This particular Communist propaganda involves substantial distortion of history. Americans of Polish descent are especially disturbed at the efforts of the Warsaw government to portray the Polish people as being in agreement with Communist anti-Semitism. It is, therefore, especially significant that I insert into the RECORD a commentary on a book by Col. Kazimierz Iranek-Osmecki telling of the Polish efforts to save Jews during World War II:

"HE WHO SAVES"

(Motto: "He who saves life . . . saves as if it were the world". (Polish efforts to save Jews during the Second World War.) Author: Colonel Kazimierz Iranek-Osmecki.)

LONDON, 1968.—In April, 1943, the Germans had started final liquidation of Jewish people in the Warsaw Ghetto. The Jews offered an armed resistance known as "Warsaw Ghetto Uprising". There is now the 25th Anniversary of it.

On every anniversary of the fighting in the Warsaw Ghetto all major Jewish groups pay homage to the heroes who laid down their lives in the struggle. The fighters in the Warsaw Ghetto have become a symbol of the fate of the Jews in the World War II. They were an inspiration to the troops fighting for the future of Israel in the campaign of 1948 and 1967; victorious campaigns which may serve as an example to the most efficient and brave armies.

The hopeless fight in the Warsaw Ghetto will remain forever a symbol of the struggle for human dignity. It has also another significance. It was an act of protest to the whole world for having allowed the infliction on the Jews of unprecedented sufferings as well as irremediable biological and material losses. The protest was sealed in the West by the suicide of Szmul Zygielbojm.

How much the Jews suffer? How high were their losses?

Statistics attempt to put into figures the number of people massacred. If the actual figures of the victims approximate to the truth—there is no established norm or measure with which to calculate or give a true picture of the enormity of the sufferings inflicted on the Jews by the Germans. This cannot be assessed in figures, nor can human imagination encompass it.

Documents surviving from this period, books and memoirs describing the experiences of Jews, throw light on mere fragments, on the fate of a group, on an extermination camp, on individual bereavement. They cannot give a full picture of the sufferings, of their infinite variety of shades; the heart throbs; the agony of mothers helplessly watching the death of their children; the tragic groans of hundreds of thousands dying of starvation, cold and ill-treatment; the experiences of millions of human beings suffocated in gas chambers.

He who has not actually lived through this nightmare, or did not witness it, will never understand the depth and extent of horror facing those condemned to destruction. For a very long time the West would not believe the information relayed from Poland.

The extermination was taking place within sight of the Polish people; they were the direct witnesses of the horror, but by no means passive witnesses.

This book is to give testimony of the behavior of the Polish nation regarding the extermination of the Jewish people. It shows that, in addition to the spontaneous initiative of the Polish people, the Polish Underground State, although itself in the throes of a deadly struggle with the invader occupying the country, created a special extensive organization to bring assistance to the Jews.

The Illinois Division of the Polish American Congress, in conjunction with publication of this book is forming a supporting Committee in Illinois. The Committee is headed by Atty. A. A. Mazewski, President, Polish National Alliance; Hon. John C. Marcin, city clerk, city of Chicago; Hon. Judge Thad. V. Adesko of Chicago; Edward J. Derwinski, M.C., and Dr. Edward C. Rozanski, President, Polish American Congress, Illinois Division. Many outstanding members of Illinois will be invited to join this project.

POLISH CONSTITUTION DAY

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. DADDARIO. Mr. Speaker, the people of Poland adopted a Constitution of great historic importance on May 3, 1791. This date became a national holiday, marking the transformation of the nation into a modern state.

The date also epitomized a critical time. In 1772, Russian, Prussia, and Austria had taken away large sections of Polish territory. Facing possible annihilation, all forces in Poland united behind the new Constitution, which was greatly influenced by the liberal movements in America, England, and France. It was one of the most liberal and progressive acts of legislation in 18th-century Europe.

This week, Poles living abroad and their descendants join in marking the traditions of this great document and what it means. Americans of Polish ancestry keep faith in this legacy. The Polish-American Congress has noted that the date coincides this year with the 20th anniversary of the death of Gen. Wladyslaw Sikorski, Poland's wartime leader; with the 70th anniversary of the discovery of radium by Madame Sklodowska-Curie, and the 50th anniversary of the rebirth of the Polish Republic.

ANARCHY, U.S.A.

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. UTT. Mr. Speaker, fantastic though it may seem, this great Republic is threatened with anarchy. In fact the threat has grown so far that the only salvation may be a military dictatorship. Anarchy and dictatorship represent two opposite extremes; the first, complete absence of government; the second, a totality of government. These two extremes have faced many civilizations over the past 4,000 years.

The Founding Fathers of this great Republic were well aware of this fact. They had done their homework, and they labored long and hard to produce a Republic with checks and balances sufficient to prevent the usurpation of power either by anarchists or by dictators. I have always felt that the primary responsibility of the Congress was to preserve this very delicate balance between these two extremes.

Success marked our progress for the first 160 years of our existence.

Over the [redacted] years, there has been a steady downgrading of this concept of government. The dignity and ruggedness of the individual have become submerged in collectivism, group dynamics, mass psychosis, humanism, and biochemistry, culminating in group self-criticism. All of this is aimed at destroying the independence, the self-confidence and self-reliance of the individual, which have always constituted the solid foundation of liberty, justice, and good government.

All of this was never more evident than the Pavlovian reaction of the American people following the death of Martin Luther King.

These are the tools of communism, which produce a dialectical materialism, aimed at the complete subversion of a great people. The campus demonstrations, the defiance of law and order, and destruction of property, both public and private, are manifestations of this sickness now sweeping America. It is this sickness that is bringing the so-called poor people's march on Washington, headed by Ralph Abernathy and his cabal of troublemakers. They intend to blackmail and blackjack the Congress into complete submission. Regretfully, too many featherlegged politicians are caving in on every side. People are too willing to believe that property rights should be taken without due process of law or just compensation, as provided in the fifth amendment to the Constitution.

We in Washington are facing an invasion intended to overthrow the Government by force and violence. The doctrine of nonviolence is as phony as a $3 bill, and falls in the category of dialectical materialism. The instructions of Lenin were to proceed in a nonviolent manner, in such a way as to provoke extreme violence, which would completely disrupt Government and society.

The writings of Ralph Bunche, founder of the National Negro Congress, a Communist front, in Science and Society, a

Communist magazine, of which he was a contributing editor, laid out the complete blueprint for what is happening in America today. He contributed to this publication and added his name and prestige as a professor of Howard University even after the Communists in their publication, the Communist, openly stated that Science and Society magazine had as its function "to help Marxward moving students and intellectuals to come closer to Marxism-Leninism" and "to bring Communist thought into academic circles." Any American who does not recognize the fine hand of communism in this unhappy picture is simply blind.

In these 35 years there has been a building up of the tools of dictatorship, augmented by decisions of the Supreme Court, and by a series of Executive orders, which give the President the unconstitutional right to take control of communications, transportation, public utilities, the labor force, in fact every facet of industry and local government, so that a dictatorship can be created instantaneously, and there is very little that can be done about it. In fact, after what you are going to go through, in the way of a long, hot summer of discontent, riots, murder, looting, and the destruction of property, you may well be conditioned to ask for dictatorship as a relief from anarchy.

This is the choice that you, my fellow Americans, face in this year of our Lord, 1968.

LT. GEN. VICTOR H. KRULAK

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial for Copley newspapers, April 26, 1968:

Perhaps the most accurate accolade that has been given Lt. Gen. Victor H. Krulak was by a fellow Marine who said: He is one of the most brilliant officers I ever have known...."

That was the evaluation of Gen. Krulak by the late Gen. Holland M. ("Howling Mad") Smith, a great Marine legend in his own right.

Because in many ways Gen. Krulak is synonymous with the activities of the Marine Corps today, it is with dismay that the United States of America learns circumstances have forced his retirement as Commander, Fleet Marine Forces Pacific, at the prime age of 55.

The secret of Gen. Krulak's genius is perhaps contained in his statement: "The harder I work, the luckier I get...."

An officer of towering intelligence and boundless energy, "Brute" Krulak gave the war in Vietnam his best, both in holding up morale on the civilian front and on the military front in prosecuting Marine Corps aspects of the war.

He visited Vietnam on more than 50 occasions and was perhaps closer to the war than any officer not actually stationed in Southeast Asia. Under his command the Marine Corps forces swelled to 80,000 and added measurably to the legend of the Corps.

Taking Gen. Krulak from his command now seems as if the Nation is taking the engine from a locomotive that has reached cruising speed. These are among the most perilous times for the United States and its allies in Vietnam—times that require the caliber of leadership exemplified by Gen. Krulak. The military battle in that troubled land has reached a climactic point. Communists can be expected to begin last-ditch efforts to establish a favorable climate for negotiation.

And, as the experience of Korea shows, should negotiations come the United States will need men in command who understand the strategies, and tactics of communists.

Gen. Krulak has that experience. It has ranged from service in China, to a command as assistant chief of staff for the fleet Marine force during the Korean War, a command as counter insurgency specialist and his four years as Pacific commander of the Marines.

At the age of 55 Gen. Krulak is at the height of energy, intelligence and judgment. It is too early for the nation to lose the services of this man in this perilous time.

Gen. Krulak has more than earned a rocking chair or a fishing pole. But it is not in the nature of this man to retire just as he is reaching stride.

And it would be a travesty for the nation to lose him when it needs the services of Gen. Krulak so urgently in the months ahead.

L. B. J.: AN APPRAISAL BY JIM BISHOP

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. GARMATZ. Mr. Speaker, the noted columnist and author, Jim Bishop, once spent 11 days beside President Johnson in preparation for a book he was writing entitled "A Day in the Life of President Johnson." Mr. Bishop has been observing and writing about American Presidents for almost 40 years. His evaluation of President Johnson, therefore, is worth listening to since it is not based on snap judgment of superficial knowledge.

In a recent column, Mr. Bishop summed up President Johnson in these words:

He was the hardest-working and perhaps the most competent (President).

The column goes on:

The history books will show he enacted more progressive legislation in one year than any other President did in four.

The column also gets into the human and personal side of President Johnson in a way that few writers have been able to do. For the benefit of those who may not have seen his column I insert it in the RECORD:

[From the News American, Apr. 28, 1968]

SAVE A LITTLE PITY FOR THE NEXT PRESIDENT

(By Jim Bishop)

The decision of Lyndon Johnson not to run for office ripples across the land like summer thunder. The sound fades awhile. Then it comes back. The people glance at the political skies and they are uneasy.

They could always be sure of good old Lyndon. He was the human punching bag. No matter what went wrong—a strike, a war, a protest march—he was the target.

In time, most everyone took a shot at him. It wasn't fair to him to quit. Who are we going to blame?

People say: "You knew him. He trusted you. Didn't you know?" I did not.

The only time the President confided in me was in the 11 days he permitted me to remain at his side at the White House and at the ranch in Texas.

What I saw convinced me Lyndon Baines Johnson is the last of the professionals. The last.

He didn't trust me to like him. He trusted me not to slander him. I wrote a book about it called "A Day in the Life of President Johnson."

It was, I believe, an honest appraisal. I have been contemplating and writing about presidents for 38 years. He was the hardest-working and perhaps the most competent.

He wore the tough sun-squinted face of the hill-country Texan. The voice was half-southern, part western. The sophisticated writers called him a wheeler-dealer and he was.

The history books will show he enacted more progressive legislation in one year than any other president did in four. This is not surmise. It's fact.

Every president I met or researched could work without his wife except this one. She has been his executive assistant since he was a freshman congressman. I don't mean a wife merely drawing a salary.

Nor is she only a "steadying influence." Lady Bird is the wise and cautious side of the President.

Once, when we were talking at the White House, I said to him: "When you finish your second term, you will have served more time as president than anyone except Franklin D. Roosevelt."

He looked genuinely surprised. "Is that so?" he said, and he got a pencil and a piece of paper and began to work it out.

It was a clue to a one-term commitment, but I didn't see it. If Johnson proposed to serve two, plus Kennedy's 14- month legacy, he would have known the total would be nine years and two months, Johnson, like Truman, is a student of American history.

On another sunny day, when we were touring the LBJ Ranch in a car, he began to speak of what the ranch means to him. I mean, the actual feel of the soil sifting through his fingers.

We went to a small stone wall where there was an old oak with thick arteries lacing the sky. He took his hat off. Then I saw the brown polished headstones.

His kin are buried there. Most presidents presume they will be worth remembering with monuments in Washington. Not this one.

"That's my mother," he said, pointing. "My father is next to her. See the space after my mother's grave? That's where I will be buried because I'm the eldest."

It was as simple as that. In that matter of stepping out of the White House, I would guess Mrs. Johnson had something to do with it.

No President of this land can be so august as to be insulated from criticism. But none should be asked to submit to contempt—and that's what the editorial writers and cartoonists had to offer.

I wonder why any man aspires to be president.

The job is a killer. The pro steps down. Save a little pity for the next man to step up.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. SCHERLE. Mr. Speaker, this is the 101st day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

CRIME IN WASHINGTON

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. ROGERS of Florida. Mr. Speaker, in response to an inquiry, Mayor Washington has informed me that there were 243 bus driver holdups in the Capital in 1967. Of this number, only 58 were solved.

Thirty-eight individuals were charged with the holdups solved, but what happened to those 38?

Fourteen were juveniles, but only two were sentenced.

One adult was sentenced to St. Elizabeths.

One entered a plea of guilty in February, but still has not been sentenced.

One was found not guilty.

One case was dismissed.

Six cases have still not been resolved one way or the other.

Twelve cases, according to Mayor Washington, were "not available." What is meant by that is beyond comprehension. Surely the District government does not mean they have lost 12 cases. Someone must know what happened to them.

Mayor Washington also advises that the disposition of the 12 juvenile cases in which sentences were not imposed will not be disclosed by the Juvenile Court, even to the police department.

Mr. Speaker, this is a sorry record for any city. The police were able to arrest 38 people for bus holdups, but only three have been sentenced. Only one of those 38 was found not guilty. What of the others? They are apparently free to rob another 200 or 300 bus drivers this year.

The correspondence from Mayor Washington follows:

APRIL 26, 1968.

Hon. PAUL G. ROGERS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROGERS: Receipt is acknowledged of your letter of March 8, 1968, requesting information relative to bus driver holdups, arrests of the criminals and the disposition of the cases.

In this connection, the following information is forwarded.

During the year 1967, there were 243 bus driver holdups.

Fifty-eight cases were closed.

Thirty-five persons were arrested in these cases. Ten of those arrested were responsible for other bus driver holdups. Twenty defendants were responsible for one holdup.

Fourteen of those arrested were juveniles and Juvenile Papers were filed in these cases.

Two defendants were sentenced under the Federal Youth Correction Act.

The present status of ten of the cases is as follows:

One case was dismissed for want of prosecution.

On one case a Nolle Prosequi was entered.

One subject was committed to St. Elizabeth's Hospital for sixty days on February 26, 1968.

One defendant filed a motion to suppress on March 1, 1968.

In one case the counsel vacated on February 14, 1968 and new counsel entered on February 23, 1968.

In another case, new counsel entered on February 23, 1968.

In one case, the defendant entered a guilty plea on February 19, 1968 and is awaiting sentence.

One case ended with a verdict of Not Guilty.

On March 1, 1968, a motion to suppress identification was filed in one case.

On March 6, 1968, in another case, a copy of the Indictment was mailed to the defendant.

The dispositions were not available in twelve cases. Further, Juvenile Court will not disclose dispositions on juvenile cases to anyone, including members of the Police Department.

I wish to advise that numerous conferences have been held between officials of the D.C. Transit Company and the Metropolitan Police Department concerning the problem of the holdup of bus drivers, and every effort is being made to alleviate this situation.

I trust this information will be of assistance.

Sincerely yours,

WALTER E. WASHINGTON,
Commissioner.

O'HARA: DUTY, HONOR

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. PATTEN. Mr. Speaker, it is indeed an honor for me to salute the distinguished Congressman from Illinois, BARRATT O'HARA, upon his attainment of age 86. One of the great pleasures I have had while serving in the U.S. Congress was to have had the personal friendship and guidance of my colleague BARRATT O'HARA. His interest and knowledge in foreign affairs is evidence of the noted statesman that he is.

I believe that the gentleman from Illinois [Mr. O'HARA], in his outlook and analysis of the problems confronting America, is one of the most astute and best informed Members of Congress. His record and experience substantiates this fact.

At this time, I would like to call to the attention of my colleagues in the House, an article that appeared in Roll Call, the newspaper of Capitol Hill, written by Mr. Allan C. Brownfeld. The article follows:

O'HARA: DUTY, HONOR—AT 86, LEGENDARY LAWMAKER PROVES THAT AGE IS NO BARRIER TO SERVICE

(By Allan C. Brownfeld)

When Ralph Waldo Emerson remarked that "We do not count a man's years until he has nothing else to count" he probably did not foresee a time when the battle cry of youth would be that "You can't trust anyone over 30."

This cry, however, is not entirely new. Speaking of his first political office, Barrett O'Hara of Illinois noted that "When I was thirty years old, running for lieutenant governor my issue was this: Get the old men out, give youth a chance. I believed it sincerely." Now O'Hara, who reached the age of 86 last week and is the oldest member of the House, says that "I am equally sincere. It's important to rely on experience."

And it is quite an experience which Barratt O'Hara has had. Sitting in his office one gets the impression that history is a living thing, not something in dusty books in musty libraries. Through a miraculous process, O'Hara has photographs of himself as a soldier in the Spanish-American War which look as if they were taken yesterday. He is, he proudly records, the only veteran of that war currently serving in the House.

As the youngest lieutenant governor in the history of Illinois he inaugurated the minimum wage concept of legislation. It came about as a result of investigations he started as to the low salaries paid to women and girls who were employed in the sweatshops of the city of Chicago and throughout the State. As a result of the disclosures of Barratt O'Hara's investigation, eight States immediately adopted minimum wage laws for women. His legislative leadership resulted in the first pension laws for policemen and firemen in Chicago.

But that was 1913. And now, 55 years later, O'Hara is 86. This fact is only important in the sense that it marks a lifetime of public service, one which has by no means come to an end. Frederick Brown Harris, chaplain of the United States Senate, recently wrote that "History and biography strongly suggest that the telltale figures the years ring up on the calendar register are not nearly as significant as those supplying the age tags seem to assume. What a man has done or what he is likely to do, what it is still in him to do, is not glimpsed in the numerals after his name. A given birthday may be an epitaph or a prophecy."

Yet there are those in the modern world who believe that only the young are fit to lead. Editori[redacted] have congratulated those elder statesmen who have seen fit to retire, saying that youth is needed and that age and experience have little value.

They forget such stories as that of William Gladstone. When he reached 61, the English leader had the idea that he was going downhill physically. He was tired and wanted to escape from public responsibilities. He thought he was old. At this time his wife urged him to continue the good fight. There were evils still to be corrected, gains still to be won. She prevailed and he served until late in his 80s. Gladstone later said that "Had I even died at three score and ten, fully half my work would have remained undone."

When Senator Carl Hayden of Arizona reached his 90th birthday Everett Dirksen congratulated him with these words: "Now as I think back, I think of others, because you have accomplished so much particularly in the later years of life. So did Adenauer when he became Chancellor of Germany. So did Winston Churchill who became Prime Minister of his country. So did Theodore Green when he was a member of the Senate."

O'Hara speaks of age with a twinkle in his eye. He remarked that "Some men get worn out at 65 and want to retire and that's fine." Others who want to remain past 65 are not really able to do it. In that case, "the voters can retire them at the next election."

He charged that those who urge compulsory retirement are adopting a philosophy which "doesn't jibe with their theory of equal representation. The span of life is enlarged. A large segment of the population is over 65. If they were unrepresented we would need a new Boston Tea Party?"

Two years ago Senator Joseph Clark introduced a measure which would permit a secret vote to select chairmen of congressional committees whose incumbent leaders have reached 70. Clark, himself approaching 70, has thus far been unsuccessful. Opposition, though not vocal, has been widespread. Senator Gale McGee stated that "Age is a state of mind, not of years. We've many cases of 21 year olds who are already ancient and 60 year olds refreshingly young."

Barratt O'Hara did not begin his career in Congress until the time in life when most

men retire. Prior to this he was one of the outstanding lawyers in Chicago and was associated with the celebrated Clarence Darrow in many cases. He was a radio commentator for WCFL (AFL) Chicago, and was one of the founders of the American Legion in Illinois.

In Congress he has served as chairman of the Subcommittee on Africa of the House Foreign Affairs Committee. Before his appointment as a representative to the United Nations in 1965 he answered 2,702 roll calls out of a total of 2,704. This set a House record, and is considered by O'Hara as added proof of his vitality.

Why the great urge by the young to displace the old? Rep. O'Hara thinks that there is one additional reason. He sums it up in one word: "Selfishness." The young men want the positions held by the older men, and the fastest way they see of achieving this end is to compel the older men to retire. But the young men forget that they too will grow older. Then, he notes, the chicken may come home to roost.

It is possible that the entire idea of classifying people by age began with the Bible which found it important that Methusaleh had reached the age of 969. Though his chief distinction lay precisely in the fact of his longevity, it appeared that there was little else of value or interest to report.

No one need refer to Barratt O'Hara in this manner. Rep. Roman Pucinski spoke this way of O'Hara: "My own career in public life has been relatively brief, by comparison to the years Congressman O'Hara has served the people. And it is particularly gratifying to know that, in a world, which often scoffs at idealism, there are still those rare individuals like Barratt O'Hara who can renew our faith in the future and our will to accept the problems thrust upon us by the times. Barratt O'Hara is ageless and of the ages."

Representing the Second District of Illinois for more than 20 years, O'Hara this year was denied the Democratic organization's endorsement. The reason "Age." Despite this fact, he is challenging the officially designated candidate in the primary. He asks whether experience and long years of service are to count for nothing. And when men have nothing to criticize but his years, Barratt O'Hara at 86 thinks this is some indication of a job well done.

HIGHER EDUCATION ACT IS ONLY A PARTIAL ANSWER

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. BINGHAM. Mr. Speaker, for many American families, paying for higher education for family members imposes a severe financial burden. Frequently the potential burden is so great that it simply cannot be undertaken, and a college education becomes an unattainable dream.

The loser, when this happens, is not just the child who is denied the promise of education; it is the entire Nation. The greatness of America is reduced when the potential of any of its citizens is limited by an education which is inadequate to the requirements of today and tomorrow.

In a very real sense, the money that is spent to provide a young man or woman with a college education is money spent on behalf of the Nation. It benefits all of us.

The various programs of financial assistance under the Higher Education Act have done much to relieve the financial burdens of higher education and, thereby, to help insure that no one with a capacity for higher education is denied that education for financial reasons. The 1968 amendments to the Higher Education Act which extend and refine these programs promise to make these programs even more efficient and effective. I have supported these assistance programs in the past, and I shall continue to support them.

I feel, however, that they are not the total answer—that not everything has been done that might be done to ease the financial burden on the American family that is fortunate enough to have youngsters who need, desire, and are capable of utilizing higher education.

Most available scholarships—provided both by Government and other sources—go to the small group of the very brightest students, and the small group of the financially poorest students. Loans make it possible for many youngsters to attend college, but they only postpone the financial burdens involved. Furthermore, we must recognize that they add to the financial problems of young graduates trying to get started in life and of their parents, many of whom are just beginning to think seriously about retirement.

In short, Mr. Speaker, the pattern of currently available Government and private assistance for higher education, valuable as that assistance is, tends to leave out a large number of students and parents—the students who are not quite bright enough to get the big scholarships, and the parents who are neither rich enough not to have to worry about college costs or poor enough to permit their children to qualify for assistance predicated on need. The resulting situation that we now face is that the costs of higher education weigh most heavily on the modest and middle-income families. These people—blue-collar and white-collar wage earners and salaried employees—work hard for their money, and they pay the largest share of their income of any group in Federal income taxes. Often they must struggle to buy homes and pay their bills with what is left over. If one of those bills is for college expenses, it may well amount to $2,500 or more a year for tuition, books, supplies, and other expenses. But that figure, $10,000 for each child who earns a bachelor's degree, is virtually out of the reach of a couple with two or three children and a yearly income of $10,000 to $15,000.

Mr. Speaker, what the hard-pressed, moderate-income families need and deserve is direct tax relief for the costs of higher education. We have talked about this concept for some years. Now is the time for action. Now we must decide whether we will treat expenses for education in the same way as expenses for health, moving, and other activities which, in our wisdom, we have determined are deserving of some form of tax relief.

Because I believe the time has come to take action, I am introducing today a bill for the modest-income family. It would grant up to $400 per student per year in a direct tax credit for families earning up to $15,000 to adjusted gross annual income. A smaller credit, up to $200, would be available to families making $15,000 to $20,000. Those making more than $20,000 are not very likely to need this kind of help.

The credit would be available in the first instance to the student who is paying his own expenses in any post-secondary school that is accredited or in the process of becoming accredited and that grants a recognized degree or whose courses are transferable for credit toward a recognized degree. Should he so desire, the student could pass these benefits on to his parents, his grandparents or some other member of his immediate family who is helping him continue his education. Or he could receive the tax credit himself if he is working his own way through school. The tax credit is limited to the student himself or a member of his immediate family to insure that it does not develop into another gaping tax loophole operating for the benefit of those who least need relief.

Credits for tuition payments and required fees, books, and supplies, would be computed as follows: 80 percent of all eligible expenses [redacted]ding $200, 30 percent of eligible expenses exceeding $200 but not $500, and 15 percent of eligible expenses exceeding $500 but not $1,500. A taxpayer in the $15,000 to $20,000 range would compute his benefits on the basis of 40 percent, 15 percent, and 7½ percent.

The relief, I emphasize, is in the form of a tax credit, reducing the taxpayer's obligation to the Federal Government by the full amount of the credit. It is not a deduction. A credit benefits every recipient equally, while a deduction, on the other hand, would have a greater dollar value for a man paying taxes on an income of $15,000 than for one paying taxes on an income of $5,000. This would be just the opposite of what is needed.

In no case under this legislation would an individual be entitled to a credit larger than his tax obligation to the Federal Government, which would constitute a sort of backdoor negative income tax scheme.

Although the student attending a relatively high-cost private school would be entitled to a larger credit in dollar terms, my bill would actually help the student at a public institution more, providing a credit for a considerably higher percentage of his expenses. For example, a student spending $500 a year on tuition, books, and supplies would receive a tax credit totaling 50 percent of his expenses, while a student spending $1,500 a year would receive a credit of less than 27 percent of his expenses.

The cost of higher education has been increasing at a truly frightening rate. Median tuition in 1955 was about $140 a year at public institutions and $440 at private ones. By 1965 these figures had climbed to $200 and $810, respectively. The Office of Education estimates that the average cost of a year of higher education in 1966–67 ranged from $1,102 for students attending community colleges to $3,360 for students attending "high

cost" private colleges. By 1971 average tuition charges will reach more than $350 a year at public institutions and $1,115 at private ones.

One reason costs are rising at a rate of between 5 and 10 percent a year is rapidly increasing enrollments. The college population which is expected to expand another 50 percent by 1975, puts pressure on institutions to enlarge their facilities and faculties. This, in turn, means higher tuition charges. And the cost of education, like everything else, is rising for other reasons as well.

The student or parent who is faced with these increasing costs is also saddled with higher and higher taxes. Right now, a single student working to put himself through college pays $330; in Federal income taxes if he earns $3,000, or $670 if he earns $5,000. A couple earning $7,500 a year, with two children in college, pays the Federal Government $685 in taxes. And there is every prospect that these figures will climb even higher in the near future.

I have introduced this legislation to provide tax credit for individuals paying bills for higher education in conjunction with consideration by the House of Representatives of the 1968 amendments to the Higher Education Act because I feel these are companion measures. A program of tax credits for higher education will complement direct assistance already being provided for in the loans and grants under the Higher Education Act. It will ease the financial burden for students and parents who, for the most part, have not been helped by Higher Education Act programs.

To insure full compatibility of the tax credit program with existing scholarship and higher education assistance programs, both Government and private, the legislation I am introducing provides that any financial assistance received by a student shall be deducted from the amount for which he can claim a tax credit.

My legislation, Mr. Speaker, is a logical and important "next step" toward a more complete and equitable system of promoting higher education and limiting the financial burdens involved to what each individual and family can reasonably be expected to endure.

I hope my colleagues in the Congress will give this measure careful consideration and agree with me that it represents the direction we need to take now to supplement and strengthen the strong programs of direct assistance to higher education we already have under the Higher Education Act.

INDIAN CRISIS: FOOD OR ARMAMENTS?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. RARICK. Mr. Speaker, while U.S. tax dollars are used in India to relieve that Government of the financial burden of providing food for its people—to prevent Communist expansion—it is interesting to note the activities of the Indian Government.

India has now purchased 100 Soviet SU–7 jet fighters and four or five submarines from Russia—and, in fact, is with Soviet aid building a Mig factory in India.

Strange conduct for a country that cannot afford to feed its own people.

Can this be a holdover of Ghandi's nonviolence?

I place news clippings and letters from the U.S. Department of State at this point in the RECORD:

[From the Christian Science Monitor, Mar. 23, 1968]

INDIA KEEPS MUM ON DEAL FOR SOVIET PLANES AND SUBS

(By Ernest Weatherall)

NEW DELHI.—Indian officials are maintaining a stony silence about reports that they have received 100 planes and soon will get four or five submarines from the Soviet Union.

The story that New Delhi would receive the planes originated in Washington. It reported that the Soviets were sending India SU–7 jet fighters, but there has never been any official confirmation of the story.

The SU–7 is a single-seat ground-attack fighter, named after its Soviet designer, Pavel Osipouich Sukhoi. It is not a new plane. It was seen first in the Soviet Union on "Aviation Day" in 1956. It was later observed in the Berlin area, and has been supplied by the Soviets to Poland and Czechoslovakia.

There are several versions of the SU–7. The one the Russians may be sending or have already sent to India carries four Soviet air-to-air missiles, and is equipped with a 30mm. cannon.

India no doubt would use the SU–7 for close air support, which is what it was designed for, and leave high-altitude fighting to the Russian-built MIGs in its Air Force.

BREAKDOWN DEBATABLE

A plant built with Soviet aid in South India has just gone into the production of MIG fighters. There is a question, however, on how much of the jet fighter is actually being manufactured in India, and how much in the way of prefabricated material and turbine components is being received from the Soviet Union to be assembled.

When Soviet Premier Alexei N. Kosygin was the guest of honor during the Republic Day parade, he not only saw MIG fighters and Soviet transports during the fly-over but the first Russian-built SAM missile shown to the public. The latest components of the SAM were not in the parade since they are still classified.

Most of the secrets of the SAMs were learned last June when the Israelis captured an Egyptian SAM base during the Middle East war. The Arabs had not fired a single missile nor had made any attempt to destroy the base before abandoning it.

Western intelligence experts were able to learn what modifications had been made so that SAM missiles could operate in the heat of the desert and under other tropical conditions.

During the Indo-Pakistan war in 1965, it is said here the Russian-built SAM missiles, which ringed India's large cities, saved them from being bombed by the Pakistani Air Force. The Pakistanis were said to be so impressed with the Soviet assertion that the U–2 (which left on its overflight from a base in Pakistan) was shot down over the Soviet Union by a SAM missile, that they stayed clear of targets in India protected by them.

COMPLAINTS AIRED

As for the four or five submarines the Soviet Union is delivering to India, New Delhi has never denied the report. What has not been released is whether India is paying hard currency for the subs or has made some deal with the Russians to allow their warships to use Indian bases.

Recently the Soviet Navy Chief, Adm. Sergei Gorshkov, made a 10-day tour of India as a part of his effort to line up a worldwide system of ports of call and bases for his navy. He hoped to persuade India to allow Soviet warships to pick up fuel or make repairs in Indian ports.

There is no doubt that since India's fleet is too small to fill the vacuum in the Indian Ocean when Britain pulls out in a few years, the Russians will want to come in.

India defends its turning to the Soviets for help in building up its armed forces. "After all," one general said, "You (the United States) wouldn't sell us any fighter planes or military equipment after the war with Pakistan, so we turned to the Soviet Union."

This is echoed by Pakistan, which perhaps has an even bigger complaint. After having geared their entire defense to the American hardware, they found, because of the Indo-Pakistan war, that the United States would not sell them any spare parts for their equipment.

"Our American friends let us down," said one Pakistani official, "but we found the Chinese were willing to help us. It is as simple as that."

The first submarine ordered by India is expected to arrive from Russia by early spring. The Indian Navy's frigate "Talwar" left early in February for the Baltic port of Riga to escort the sub back. To be called the "Kavari," the [redacted] conventional model and will have to be refueled by the "Talwar" during its journey.

[From the Washington (D.C.) Evening Star, Apr. 11, 1968]

MORE AID TO VIETNAMESE REDS PLEDGED BY SOVIET UNION

Moscow.—The Soviet Communist party pledged new aid to the Communists of Vietnam today and called for ideological warfare against Western attempt to undermine Red doctrine.

The promise of aid indicated that new military and economic supplies will go to both North Vietnam and the Viet Cong.

It said the aid will be given "in the name of earliest peace"—the closest it came to endorsing talks between Hanoi and Washington.

Guidelines of Soviet policy were in a statement issued today after a 2-day session of the 360-member central committee of the Soviet Communist party, the nation's most powerful policy-making body.

Informed sources said the session debated peace in Vietnam and the recent turmoil in Eastern Europe. The statement reflected little of that debate, beyond hints that the Kremlin blamed the liberalization in Czechoslovakia and student unrest in Poland on "Western propaganda."

It demanded that Soviet organizations wage war on "bourgeois ideology" at home and warned of a stiff campaign against works of art that embody any "views alien to the Socialist ideology of the Soviet society."

AID PLEDGE GIVEN

An official Kremlin statement last week had expressed approval of the initial Hanoi-Washington contacts. The central committee did not follow suit, but it is charged with planning long-term policy and may not have wished to deal with a situation so fluid as the peace talks.

It did, however, promise "comprehensive aid . . . to the Democratic Republic of Vietnam (and) to the people of Vietnam, in the name of repulsing the imperialist attack on the brotherly socialist country and in the name of earliest peace in Vietnam."

The Russians have never said that they have sent military aid to the Viet Cong. But

the phrase, "the people of Vietnam," has often been applied by the Kremlin to the South Vietnamese Communists.

The apparent reference to the events in Czechoslovakia and Poland came in accusations that "anti-Communist propaganda is directed at weakening the unity of Socialist countries."

RESISTANCE DEMANDED

It came down hard, however, on charges by Soviet intellectuals of injustices here.

The statement demanded that Soviet citizens be trained to resist "any form of bourgeois influence."

A campaign will be waged, it said, "against attempts to pull views alien to the Socialist ideology of the Soviet society into individual works of literature, art, etc."—a possible hint of tougher censorship to come.

[From the Evening Star, Apr. 20, 1968]

KOSYGIN IN PAKISTAN

Soviet Premier Kosygin's current visit to Pakistan constitutes an exacting test of his diplomatic skill. President Ayub, who is convalescing from a serious pulmonary illness, has been brooding for some time—and so have many of his countrymen—over the Kremlin's very considerable armaments aid to India.

The aid includes submarines, destroyer escorts, rocket weapons and no fewer than 100 jet fighter-bombers. The Pakistanis hold that all this military hardware, despite Soviet assurances to the contrary, is aimed at them. The Russians may assume that India is using it only for defense against Red China, but Ayub and his government emphatically argue that that is a mistaken view and that the Kremlin ought to take corrective action.

What Ayub would like, according to reports from sources close to him, is a recognition by Kosygin that unless Pakistan receives comparable help the balance of power between it and India may be dangerously upset. Accordingly, if the Kremlin intends to keep on supplying the Indians with arms, it should make available countervailing equipment to the Pakistanis—either that or step up its relatively meager economic aid to enable Ayub's government to shop for weapons elsewhere.

This is a viewpoint that Kosygin, the first Soviet Premier ever to visit Pakistan, must weigh with care. Ayub has had flirtations with Mao Tse-tung's China, which was his chief arms source during the 1965 war with India. If he cannot get such aid from Russia or America now, he may turn to Peking again, although the long-term effect of such a dalliance would be unpromising in the extreme for the Pakistanis—and for China's other neighbors as well, not excepting the USSR.

To be sure, the Dale Carnegies of the Kremlin have placed India high on the list of people to be influenced and friends to be won. The reason for this is that the Soviet command, with its burgeoning naval power in the Mediterranean and elsewhere, is anxious to be allowed to use Indian ports for refueling and repair purposes. After all, with the British withdrawing from that part of the world, who can blame the Russians for trying to move into the void?

Given factors of this sort, Ayub may find Kosygin altogether cool to the idea of dealing evenhandedly with Pakistan and India.

[From the Washington Post, Apr. 17, 1968]

KOSYGIN VISITS PAKISTAN TODAY—ARMS AND AID SEEN TOPICS

(By Bernard D. Nossiter)

RAWALPINDI, PAKISTAN, April 16.—Alexei Kosygin, the Soviet Premier, comes to Pakistan Wednesday for the first time, a fresh reminder of Russia's growing stake in the subcontinent.

Arms, aid and influence are expected to head the list of topics Kosygin will cover in his two days of talks here with Pakistan's strongman president, Ayub Khan. Kosygin will also see some sights and show his face for two more days in Lahore and Karachi before flying back to Moscow on Sunday.

His visit will give Pakistanis, or at least those with airport passes, their first chance to see Marshal Ayub in the flesh since he was stricken last in January. The President, who will be 61 next month, suffered an attack of pneumonia and several embolisms or clots on the lung.

The state of his health has been the subject of much speculation. Officials here say he is clearly on the mend and now works a few hours each day in his garden. Ayub's well-being is intimately bound up with the fate of his country. He rules it as a more or less benevolent autocrat but, like many of his kind, has provided no plausible system of succession.

Kosygin's trip matches two that Ayub has made to Moscow since Pakistan withdrew from the cold war and decided to patch things up with Russia. Earlier this year, the Soviet Premier went to New Delhi and his latest voyage underscores Moscow's ambition to keep a firm place in both of the subcontinent's camps.

High on the Pakistan agenda, officials say, are the weapons Russia is selling to India. Ayub is likely to tell Kosygin that he is upsetting the military balance between the two bitter rivals.

Pakistanis say the Russians are selling New Delhi about 150 SU–7 fighter bombers, an advanced model far better than anything Pakistan can buy from its principal arms supplier, China; several hundred air-to-air and ground-to-air missiles; five freighters or destroyer escorts and six submarines.

Responsible officials here little expect that the Soviet Union will curb its arms sales to New Delhi, so they hope that Kosygin will sell to them, too.

The arms complaints then become a useful talking point to extract more economic aid from the Russians. Here it is thought Kosygin will be helpful. Pakistanis like to say that the Soviet Union is now the second largest source of assistance, after the United States.

Russia may be second, but it is a distant one. Moscow has promised $35 million a year for the current Pakistan five-year plan and has delivered well under that. The United States has been pouring in about $300 million a year into Pakistan's growing economy.

Ayub is ritually compelled to ask Kosygin to use his influence in India to urge a settlement of the long dispute over Kashmir. The Russians, however, appear to regard this as incapable of solution, as does the United States.

Apart from showing the flag, it is less clear what Kosygin wants from Ayub. It would surprise no one here if he talks of a role for the Soviet navy in the Persian Gulf and Arabian Sea. The Pakistanis are hinting that they would be cool to any such scheme. After the British leave these waters in 1971, Pakistan would be perfectly happy to keep the region free of armed vessels.

This first visit of a Soviet government leader to Pakistan completes the third leg of the triangular tightrope that Ayub says he wants to walk. He has received several Chinese leaders including Liu Shao-chi and Chou En-lai. Lyndon Johnson stopped here as Vice President and touched down in Karachi to see Ayub last winter.

DEPARTMENT OF STATE, AGENCY FOR INTERNATIONAL DEVELOPMENT,
Washington, D.C., April 12, 1968.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR MR. RARICK: In case you missed it, I'm forwarding a reprint of Look magazine's March 19 article on India's agricultural revolution. It's a very encouraging story. The article focuses on Tanjore District of Madras State, one of India's best rice-growing areas. But the same thing is happening all over India, outside the areas of the so-called "package" programs. Proportionate gains at least as great are being made in high yielding varieties of wheat, corn and other food grains.

As you know, India has long been one of the countries where A.I.D. development assistance is concentrated. Among other things, A.I.D. loans have financed substantial fertilizer imports and the construction of fertilizer plants. A.I.D. assistance, together with that from other donors, has also encouraged key changes in Indian agricultural policy.

The $423 million A.I.D. program proposed for fiscal year 1969 in India includes $220 million in loans to finance continued imports of American fertilizer, pesticides and seeds, and a $15 million loan to build more fertilizer plant capacity in India itself. If India continues her excellent self-help progress and gets the outside support she needs, I think we can be optimistic about prospects for the future.

Sincerely yours,

WILLIAM S. GAUD.

DEPARTMENT OF STATE,
Washington, D.C., April 29, 1968.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RARICK: Thank you for your letter of April 22 in which you asked about Indian arms purchases from the Soviet Union.

The USSR provides military assistance to India on long-term credit terms at concessional interest rates (2–3%). Repayment is made in rupees. The Soviet Union uses these rupees to purchase such Indian goods as leather products.

If I can be of further assistance to you, please let me know.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

ADDRESS BY HON. A. S. MIKE MONRONEY, U.S. SENATE, BEFORE THE 15TH ANNUAL MEETING OF THE POTEAU RIVER WATERSHED COUNCIL, WILBURTON, OKLA., APRIL 26, 1968

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. ALBERT. Mr. Speaker, on April 26, 1968, the 15th Annual Poteau River Watershed Council met in Wilburton, Okla. This council, over 15 years ago, saw the coming trend in watershed development, and the great need for conservation of this most precious of man's tools, and organized to make use of the facilities at hand. The wisdom of such men as Dr. Loyd Church and Rev. John Evans in establishing and working to maintain such a vital, growing instrument has proved to be great and far reaching.

One of the speakers at that occasion was Oklahoma's distinguished senior Senator, A. S. MIKE MONRONEY. Senator MONRONEY has been for all his years in Congress a leading proponent of small

watershed and small dam development, and it was indeed fitting that he should make the principal address at that meeting. Senator MONRONEY has done an outstanding job of commemorating this anniversary, paying due respects to the founders of the council, and pointing the way to greater achievements.

Under unanimous consent I include his address at this point in the RECORD:

Ladies and gentlemen, once again you have honored me with the privilege of your platform.

I know of no more dedicated group than this—the Poteau River Watershed Council.

I'm proud to participate in your 15th annual meeting. Never once in a decade and a half have you wavered in your purpose. Never once have you been discouraged to the point of turning back. Never once have you lost sight of the goal you set for yourselves when realization of such a goal was merely a possibility—not a probability. Never once have you faltered in your belief that the Poteau watershed was not contributing its fullest to the life of the people, and that it *could* and *should* be made to do so.

You didn't lose sight of your dream—and you didn't let others lose sight of it, either.

Together you worked and hoped and worked some more.

Today some of your dream has come true. Some of your hopes have been realized.

But the big part of the job still lies ahead. You can't—and I know you won't—take a breather or rest on your laurels. I know you won't be satisfied until the whole job is done—until the Poteau watershed is a place where beauty of the countryside joins hands with utility; where floods are curbed and sedimentation is controlled; where prosperity through new industry reigns; where water is controlled and impounded for many purposes—industrial and municipal use, and recreation and fish and wildlife management.

You have been pioneers in the truest sense of the word for you were talking about watershed management and watershed protection a full year before the Congress authorized this sort of work in Public Law 566, the small watershed program.

You were talking about over-all plans and studies of river basins before river basin surveys as now constituted had been initiated on a comprehensive, coordinated basis by federal, state and local agencies concerned with water conservation and development.

So may I, as a long-time supporter and friend and as a long-time admirer of your persistence, salute you for what you have done and for your tenacity in the face of what often seemed to be insurmountable obstacles.

One of the fruits of your long labors is completion of the Poteau River Basin Survey, which was undertaken at your specific request and completed after five years of work by the Corps of Engineers, the Department of Agriculture, and state and local agencies.

I'm sure you are familiar with the five major developments recommended in this report for the immediate future, so I shall not enumerate them. They are in the report for all to see and study, and I urge that you do so.

The report makes it clear that the Poteau basin annually suffers losses from floods, erosion, flood-plain scour and nonfarm damages that add up to more than $1.3 million. The report further states that feasible measures suggested by the study will reduce these annual damages by an estimated 88 percent.

Among the recommended measures are five upstream watershed projects under P.L. 566. Three such projects were authorized for operation by the time the survey was underway, and a 4th has since been authorized.

And you all know that the towns of Waldron, Arkansas and Wilburton, our host town, are already getting their municipal water from watershed lakes.

These are merely examples of the good that will come to the Poteau watershed when all the recommended measures have been installed, when truly the Poteau will be a "land of milk and honey."

Then—on that day—the perseverance and the vision and the hard work of men such as Rev. John Evans and Dr. Loyd Church will be evaluated for its true and lasting worth and inscribed on the tablets for future generations to see.

So you are on your way, but the job is far from finished. Not only your own job here in the Poteau, but the job across the land in countless other watersheds that have yet to catch your vision and make a beginning; in the halls of Congress where we need more understanding and appreciation and support of this great work; in the Bureau of the Budget and the agencies of the Executive Branch where sometimes a penny wise and pound foolish attitude seems to prevail and where this work is not always recognized as an investment in the future but as an expenditure we can reduce.

In this broader picture we need your help as you continue to help yourselves.

You have been through the mill, as pioneers, and you, as much as any other organization in the land, know what the true and honest needs are—what is government's proper role, what the local people should do and what they should pay for.

In short, you are wise in these matters and your leadership can be of great value as we try to evaluate the problems of a growing nation and the complexities of modern living in the face of international and domestic tensions and mounting needs.

There are those who say that our natural resources are so vast that we can afford to forget them and concentrate on more important things.

I would ask, and I know what your answer would be: What is as important as the soil and the water and the plants and the air that are the very foundation of our greatness as a people and as a nation?

This complacency—this "why worry?" philosophy—if you take a look at history, led, to the downfall of ancient civilizations and cultures that in many ways were as advanced as we are today. When their natural resources were wasted away they too wasted away, and disappeared as a people.

We do not actually face this danger—yet. But we do have among us—and far, far too many of them—those who believe that public interest and public support in preserving and protecting and developing our natural resources are unimportant when compared to social and technological progress.

We are far too timid in our approach to resource development. We provide less than pennies for it while we provide dollars to many activities of highly debatable permanent value to the nation and to our people.

I am not one who says butter comes before guns, when guns are needed, but I am one who says that we can not ignore or delay or short-change programs that are essential to preservation of our land and water base.

The small watershed program, for example, should be greatly expanded. It is moving far too slowly. Doubling its present rate would not be at all excessive. If we don't get moving at an accelerated pace we may find ourselves in a situation of too little and too late.

In that connection, at the moment we are not only moving too slowly—we are at a complete standstill because of a dispute between the legislative and the executive branches concerning approval of small watershed projects.

The present controversy is not a partisan political quarrel. It is important that you understand it and then let your wishes be known—to your legislative and executive representatives—for it must be resolved, and quickly.

When P.L. 566 was enacted in 1954 it contained a provision that Congressional Committees—Agriculture and Public Works—should give prior approval to work plans of certain watershed projects.

This system worked satisfactorily until about a year ago when the Budget Bureau objected to it, held up some 50 projects for a few months, and finally released them at the same time proposing a change in P.L. 566 that would provide for Congressional *review* of watershed work plans but not *approval*.

The Congress has objected to this proposal, and, in the House, the legislation proposed by the Executive Branch has not even been introduced.

The Executive Branch is standing pat on its proposal that the legislation it has requested be enacted or that action by the Congress as a whole be taken on watershed projects. And it has served notice it will not fund any watershed project approved by the committees under the existing procedure.

That is why no new watershed projects are being authorized for operations. And none likely will be until this impasse is resolved. Thus the standstill.

The standstill will continue to be a standstill until the wishes of the people are made known—and clearly. And it should not be delayed. We are already far behind in our efforts to solve problems in our upstream watersheds. It seems inexcusable to delay work that is ready to go.

There is *o* [redacted] we all face.

Not only d[redacted] we need to settle this current impasse and to accelerate the watershed program greatly. We need also to broaden the legislation to make it more workable and more useful to the people.

We need to broaden the watershed act in the manner proposed in S. 1423, of which I am proud to be a cosponsor. I testified for its approval before a Subcommittee of the Committee on Agriculture and Forestry of the Senate.

This bill would correct three imperfections in the original act. It would speed up land treatment in watershed projects by providing for long-term cost-sharing agreements that would enable this work to be done on a scheduled basis.

It would remove the restriction on the use of Federal funds other than P. L. 566 watershed program funds for land, easements, or rights-of-way. Local people now must pick and choose and then forego any other assistance available. Federal programs, it seems to me, should work together, should supplement each other, and not be in competition. You folks in the Upper Poteau Watershed in Arkansas know what this restriction means—and so do the people in Stillwater, Oklahoma.

The third provision of S. 1423 would add Federal cost-sharing in watershed projects for water quality management, an authority that is already included in water resource programs of the Corps of Engineers and the Department of the Interior. It is unfair and unwise to deny this provision to upstream watershed projects for they can contribute greatly to water pollution control.

I believe S. 1423 is worthy of your interest and support. If enacted, it would greatly strengthen the small watershed program and make it more useful.

I believe another piece of pending legislation deserves your consideration and support. It also provides for broadening and making more effective our national program of soil and water conservation.

The bill I refer to, on which Senate hearings are scheduled to be held shortly (House hearings have already been held) is S. 2040.

Very briefly, this legislation would make it

possible to attack three major sedimentation problems that have long been neglected and are still being neglected.

Sediment pollution from our secondary roads and upstream streambanks and abandoned strip mines is costing America nearly two billion dollars a year. Very little is being done to cope with the problem in these three areas because the job is too big for individuals or the local people and because Federal agencies, in this instance the Soil Conservation Service, do not have authority to give more than token assistance.

This legislation would provide for cost-sharing of erosion control measures, in addition to technical assistance, on 2 million acres of abandoned strip mines that are pouring silt and acid runoff into our streams and reservoirs, on 425,000 miles of rural roads and other secondary highways, and on some 300,000 miles of streambanks.

No matter how good a job we do in reducing sedimentation from our rural lands and urban development areas we can never get the problem under control until we provide the means to move against roadside, streambank and abandoned surface mine erosion problems.

This area, as is true of our entire resource development efforts, represents an investment and not an expenditure. The estimates I have seen indicate that the losses we sustain now from these sediment sources add up, every six years, to the total estimated cost of taking corrective action. In other words, we pay the cost of stopping this waste every six years but we are getting nothing in return for our money. That doesn't make a lot of sense to me.

So, along with S. 1423 I would suggest that you support S. 2040. These bills are sound. They will return benefits far exceeding their costs. But even if this were not true, they would still qualify solely on the basis that it is in the national interest to protect our land and water resources regardless of the cost!

Now you good people of the Poteau know that I have been an active supporter of resource conservation and development for 30 years.

I intend to keep on being an active supporter. I can't think of anything more important among my duties as a United States Senator.

The small watershed program is a major part of the resource development effort, and I have followed it very closely.

I need no one to tell me of its far-reaching and lasting benefits. I have seen them first-hand in my own state, and in Arkansas, too. And they are evident all across the country.

Instead of creeping destruction that I once saw, flying at low levels in a small plane, the long-reaching angry arms of erosion and gullies are being turned back into productive lands and the barren red clay of our hardpan soil is returning to productive use through adequate flood programs, soil rebuilding, and water-runoff control.

I believe in this program, as you believe in it and have fought for it for the past 15 years—even before there was any legislation at all to help you.

I want others to see this program "like it is." Only then will it move toward its potential.

The potential benefits stagger the imagination.

Based on the benefits and accomplishments of 817 watershed projects, some fantastic figures have been projected for the 8,300 potential watershed projects estimated as the national need.

Perhaps some of you have seen these projections. Let me cite a few. Remember, these projections are based on all the needed work being done in 8,300 watershed projects.

Example: The projected benefits for flood prevention are $8.8 billion in agricultural damage prevented and $4.8 billion in non-agricultural damage prevented.

Example: The projected benefits for land conservation and development are $7.4 billion.

Example: The projected benefits in increased income are $5.6 billion.

These are just a few of the projections that are based on actual benefits from accomplishments so far in the watershed program.

They demonstrate beyond doubt that the small watershed program has almost unbelievable potential for America and all Americans. They demonstrate that we have barely scratched the surface of this potential, that we are moving far too slowly. They demonstrate that the watershed program doesn't cost—it pays!

The good people of Arkansas and Oklahoma have recognized the worth of the watershed program and have been in the vanguard since its beginning. They are among the leading states in the program, but even so you are moving ahead only about half as fast as you should be—this because national interest and support are not as realistic as they should be.

I asked my good friend and yours—Hollis Williams of the Soil Conservation Service—for a rundown on watershed activities in Arkansas and Oklahoma. As usual, Hollis obliged. And I'm grateful to him for the following summary.

In Arkansas, the estimated total Federal cost of projects approved to date is $38,759,000 and the total estimated Federal obligations to date are $19,146,000.

In Oklahoma, the estimated total Federal cost of projects approved to date is $80,965,000 and the estimated total Federal obligations to date is $39,795,000.

In Arkanasas, since the first P.L. 566 project was approved in August 1957, local sponsors have guided 119 watershed projects to the application stage, 56 have gone on into planning and 35 have reached the operations stage. The figure 35 is about 12 percent of the State's estimated total need for watershed projects. So you can see 88 percent of the job lies ahead.

It may be of interest to note that Arkansas ranks third in the Nation in applications received, fourth in planning authorizations, and fifth in approvals for operations.

Probably some of you know that the Soil Conservation Service has authorized an amendment to your plan for the Poteau River Watershed that will provide for a 960-acre recreational lake at an estimated cost of more than $1,500,000. Costs of the development will be shared by P.L. 566 funds, the U.S. Forest Service, and the Arkansas Fish and Game Commission.

And some of you probably know about the recreational development in the Flat Creek project in Lawrence County. This development, and the one planned for the Poteau River, will provide 429,000 visitor-days of recreation to residents of surrounding areas.

Oklahoma's first P.L. 566 watershed application was submitted in 1954. Since then, local sponsors have filed 109 applications for watershed projects. Of these, 59 have been authorized for planning and 44 have reached the operations stage.

That is a brief rundown on watershed project progress in Arkansas and Oklahoma

You have a right to be proud of the record. It is good. It is better than the record of most of the States.

But this program in its totality ought to be moving ahead much, much faster.

The dream you are making come true in the Poteau must be extended to all corners of the Nation. It must penetrate into the halls of the Congress, and into the Budget Bureau. It must filter also into the State Legislatures and the Governors' mansions.

What you have done and are doing here can serve as inspiration and guidance to others who have the same problems.

Your work is already serving that purpose, perhaps more so than you think. For example, I doubt if one could measure the national influence of the two fine articles about your work in the April issue of Soil Conservation Magazine.

Share with others the dream that you have nurtured from vision to reality. It is a dream worth sharing because it exemplifies the nobility of man's highest purpose on this earth to leave a better land than he found.

VIETNAM CEASE-FIRE

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1968

Mr. REES. Mr. Speaker, on April 9 the citizens of Beverly Hills voted on an initiative measure calling for an immediate cease-fire and steps toward rapid deescalation of the war in Vietnam. I include in the RECORD Beverly Hills City Ordinance No. 68–0–1310 setting forth the resolution.

During the initiative campaign many community meetings were held and all facets of the Vietnam war were rationally discussed.

The resolution f[redacted]

ORDINANCE NO. 68–0–1310

Ordinance of the city of Beverly Hills relating to United States' involvement in Vietnam

The people of the city of Beverly Hills do ordain as follows:

"Whereas, the war in Vietnam continues to consume great numbers of American lives and acts as a continuing drain on our national wealth; and

"Whereas, urgent problems within this nation, this state, and this city are being neglected as a result of the enormous expenditure of national resources for the war; and

"Whereas, involvement in the war raises serious unanswered moral and legal questions; and

"Whereas, the end of the death and destruction in Vietnam is nowhere in sight, and the present policy seems to hold only the prospect of an accelerating escalation and with it the danger of world conflict;

"Resolved, that the city of Beverly Hills inform the President and Congress of the United States that the city favors an immediate cease fire and steps toward rapid deescalation of the war in Vietnam through negotiations with all parties to the conflict, specifically including the national liberation front.

"The City Clerk shall forward copies of this ordinance to the President and Congress of the United States; and to Stephen Kandel, President of the Concerned Voters of Beverly Hills, 202 North Beverly Drive, Beverly Hills, California.

"The City Clerk shall certify to the adoption of this ordinance, and shall cause a copy of this ordinance and his certification to be entered in the Book of Ordinances of this City.

"This ordinance shall become effective and in full force and effect ten (10) days after its passage.

"Adopted April 9, 1968.

A. FREDRIC LEOPOLD,
"Mayor of the City of Beverly Hills, Calif.

"Attest:

RICHARD B. PIATT,
"City Clerk."