

NUMBER, COURSE TITLE, CREDIT, INSTRUCTOR, DAY, TIME, AND FEE

1-5: Rocks and Fossils (non-credit), Russell C. McGregor, Bureau of the Budget, W 6:10-8, \$15. (Principal rock types and fossils of Central Atlantic Region. Three field trips.)

2-95: Improving Reading Ability (non-credit), Dee W. Henderson, Graduate School, USDA, Tu 6:10-8, \$15. (Skills to improve reading.)

2-26: American Protest Literature (non-credit), Eleanor W. Traylor, Montgomery Community College, Tu 6:10-8, \$15. (Study of selected essays, stories, and one novel.)

2-27: Significant Books of Twentieth Century (non-credit), M. Clare Ruppert, Trinity College, W 6:10-8, \$15. (Greek biography and drama.)

2-32: Swahili (non-credit), Milan G. P. de Lany, Voice of America, Tu 6:10-8, \$15. (Introduction to elementary Swahili.)

3-6: Preparatory Mathematics for Introductory Statistics (non-credit), William E. Kibler, Statistical Reporting Service, USDA, Tu 6:10-8, \$15. (Basic review of numeric operations and algebraic manipulation.)

4-9: Basic Concepts of Data Processing (non-credit), Robert E. Nicholson, National Security Agency, W 6:10-8, \$15. (Elements of data, components of machine system, and history of data processing.)

6-27: War Against Poverty USA (non-credit), Andrew S. Adams, Office of Economic Opportunity, W 6:10-8, \$15. (Federal anti-poverty programs.)

6-40: Urban Systems (noncredit), Peter W. House, Washington Center for Metropolitan Studies (Coordinator), W 6:10-8, \$15. (Operation of an urban gaming model—City I or City II—in which an urban area's physical development, economic base, fiscal policy, political life, public administration, and systems operation are examined.)

6-38: Civil Rights—Problems and Solutions (non-credit), Robert J. Coates, Department of Transportation, Tu 6:10-8, \$15. (To develop understanding of problems facing minority groups in our society.)

6-36: Governing Science and Technology, (non-credit), Warren H. Donnelly, Legislative Reference Service, M 6:10-8, \$15. (Review of substance and formation of science policy by Executive and Legislative branches.)

7-11: Public Policy and Environmental Pollution, (non-credit), Leon G. Billings, Subcommittee on Air and Water Pollution, Senate Committee on Public Works, Tu 6:10-8, \$15. (Examination of impact of air, water, and residue of human consumption on man and society.)

7-12: Conditions of Personality Growth, (non-credit), Eugene Stammeyer, St. Elizabeth's Hospital, Tu 6:10-8, \$15. (Aspects of society that contribute to emotional integration.)

7-13: Changing Human Behavior, (non-credit), Joseph J. McPherson, Office of Education, Tu 6:10-8, \$15. (Basic principles involved in changing human behavior.)

7-14: Your Mind: Key to Success in Government (non-credit), James M. Keys, Department of the Interior, M 6:10-8, \$15. (Traditional Aristotelian logic as valuable tool in everyday work situations, even in computerized world.)

7-16: Racial Conflict in United States (non-credit), Stuart Wright, National Institutes of Health, M 6:10-8, \$15. (To review problems of Negro-white conflict and to help the student develop his own working philosophy of race relations.)

7-17: Introduction to Modern China, (non-credit), Joseph J. Simon, Central Intelligence Agency, W 6:10-8, 15. (Social background to modern China.)

7-20: World Politics (non-credit), Stuart

H. Sweeney, Attorney, W 6:10-8, \$15. (Basic problems of mankind relative to government.)

7-18: Youth and Change (non-credit), Logan H. Sallada, Office of Education, Th 6:10-8, \$15. (Mobility of youth and desire to establish lines of communication and identification with forces of change.)

7-38: Early Childhood Education (non-credit), Earl S. Schaefer, National Institute of Mental Health, and Lois-Ellen Datta, Office of Economic Opportunity, W 6:10-8, \$15. (Social, emotional, and cognitive development and infant and pre-school intervention.)

7-19: Great Decisions 1969 (non-credit), John B. Holden, Graduate School, USDA (Coordinator), M 6:10-8, \$15. (Czechoslovakia, Soviet Union, and Eastern Europe; Africa, Asia, and development decade; Southeast Asia; Western Europe and United States; Castro's Cuba; Middle East tinder box.)

7-21: Critical Issues and Decisions (non-credit), Dee W. Henderson, Graduate School, USDA (Coordinator), Th 6:10-8, \$15. (Man, society, and state; democracy, mass culture, excellence, and political dissent—Federal executives as leaders.)

8-16: Architecture of Washington, D.C. (non-credit), Donald E. Jackson, National Capital Planning Association, W 6:10-8, \$15. (Architecture of unique Federal City, Walking trips.)

8-17: Pencil Sketching (non-credit), James V. Cupoli, Artist, F. 6:10-8, \$15. (Sketching on Georgetown Canal.)

8-18: Art Appreciation (non-credit), Edward R. Brohel, Artist, Tu 6:10-8, \$15. (Survey of main collections in Washington museums, Field trip.)

8-70: Popular Photography (non-credit), Norman L. McCullough, Research Analysis Corporation, Th 6:10-8, \$15. (Nontechnical demonstration course.)

## SENATE—Tuesday, May 20, 1969

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

President Hugh B. Brown, first counselor in the first presidency, the Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah, offered the following prayer:

O God, the Eternal Father, in all of the vicissitudes of life, we are aware of Thy mercy and Thy love, and we acknowledge Thy sovereignty and omnipotence. As we pause in prayer, we thank Thee for the blessings of the past. We implore Thy forgiveness for the weaknesses to which we are prone. We pray for Thy guidance and direction in the future.

We pray that Thou wilt bless the great flag of America and the Constitution of the United States, under whose wise provisions we have our freedom. We pray that Thou wilt bless the President of the United States with wisdom, with health, and with inspiration, as he carries the heavy responsibilities of his great office.

Bless, also, all those who are engaged in Thy work in the governmental affairs of our Nation, in the executive, the legislative, and the judicial arms, that all may work together for the good and welfare of the people of our great country.

Grant us peace, O Lord, both at home and abroad, and be with us with Thy

Holy Spirit as we separate and go about our various responsibilities this day and always.

In the name of Jesus Christ. Amen.

### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, May 16, 1969, be dispensed with.

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

### REPORT OF BOARD OF ACTUARIES FOR THE RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States received on May 19, 1969, under the authority of the order of the Senate of May 14, 1969, which was referred to the Committee on Armed Services:

To the Congress of the United States:

Pursuant to Section 1444(b), title 10, United States Code, transmitted herewith is the Fourteenth Annual Report of the Board of Actuaries for the Retired Serviceman's Family Protection Plan,

covering the administration of the Plan for Calendar Year 1967.

The Plan, inaugurated in November 1953, provides that members of the uniformed services may elect reduced retired pay during their lifetime in order to provide survivor annuities for their widows and children. The basic principle underlying the Plan is that reductions in retired pay shall be computed by the actuarially-equivalent method using actuarial tables selected by the Board. Thus, the Plan is to be self-supporting, imposing no added cost to the Federal Government, beyond administrative costs.

RICHARD NIXON.  
THE WHITE HOUSE, May 19, 1969.

### MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 14, 1969, the Secretary of the Senate on May 19, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on May 19, 1969, see the end of the proceedings of today, May 20, 1969.)

#### REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the Senate of May 14, 1969, the following report of a committee was received on May 19, 1969.

By Mr. McINTYRE, from the Committee on Armed Services, without amendment:

H.R. 9328. An act to amend title 37, United States Code, to provide special pay to naval officers qualified in submarines, who have the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agreed to remain in active submarine service for 1 period of 4 years beyond any other obligated active service, and for other purposes (Rept. No. 91-182).

#### MESSAGES FROM THE PRESIDENT

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

#### REPORT ON THE NATURAL GAS PIPELINE SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which, without being read, will be referred to the appropriate committee, and will be printed in the RECORD.

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

#### To the Congress of the United States:

I am pleased to transmit the first Annual Report on the Natural Gas Pipeline Safety Act of 1968. This report covers the period from August 12, 1968, through December 31, 1968.

RICHARD NIXON.

THE WHITE HOUSE, May 20, 1969.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate sundry 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.)

#### LIMITATION ON STATEMENTS DURING THE 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 VICE PRESIDENT. Without objection, it is so ordered.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with "New Reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

#### DEPARTMENT OF DEFENSE

The bill clerk read the nomination of Daniel Z. Henkin, of Maryland, to be an Assistant Secretary of Defense.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

#### U.S. ARMY

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

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

#### U.S. MINT AT PHILADELPHIA

The bill clerk read the nomination of Nicholas G. Theodore, of Pennsylvania, to be Superintendent of the Mint of the United States at Philadelphia.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

#### EXPORT-IMPORT BANK OF THE UNITED STATES

The bill clerk read the nomination of R. Alex McCullough, of South Carolina, to be a member of the Board of Directors of the Export-Import Bank of the United States.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

#### FEDERAL HOME LOAN BANK BOARD

The bill clerk read the nomination of Carl O. Kamp, Jr., of Missouri, to be a member of the Federal Home Loan Bank Board.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

#### UPPER GREAT LAKES REGIONAL COMMISSION

The bill clerk read the nomination of Alfred E. France, of Minnesota, to be Federal cochairman of the Upper Great Lakes Regional Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK, THE ARMY

The bill clerk proceeded to read sundry nominations in the Army which had been placed on the Secretary's desk.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President

be immediately notified of the confirmation of these nominations.

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

#### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

#### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

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

#### THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 161 and the succeeding measures in sequence.

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

#### COMPOSITION OF THE COMMISSION FOR EXTENSION OF THE U.S. CAPITOL

The bill (S. 1888) to change the composition of the Commission for Extension of the U.S. Capitol was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paragraph entitled "Extension of the Capitol" under the heading "Capitol Buildings and Grounds" in the Legislative Appropriation Act, 1956 (69 Stat. 515), is amended by inserting after the words "the Speaker of the House of Representatives," and before the words "the minority leader of the Senate," the following: "the majority leader of the Senate, the majority leader of the House of Representatives,"*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 173), explaining the purposes of the bill.

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

#### SUMMARY OF THE BILL

S. 1888 would increase the membership of the Commission for Extension of the U.S. Capitol from five to seven members by adding thereto the majority leader of the Senate and the majority leader of the House of Representatives.

#### GENERAL STATEMENT

The Legislative Appropriation Act of 1959 (69 Stat. 515) created the Commission for Extension of the U.S. Capitol and designated that it be composed of the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, the Minority Leader of the House of

Representatives and the Architect of the Capitol. Under this composition, both parties in the U.S. Senate are represented on the Commission only when the President of the Senate is a member of the majority party. As the Commission stands today it has no member from the majority party of the Senate. By increasing the membership of the Commission from five to seven members and designating the two additional members as the Majority Leader of the Senate and the Majority Leader of the House of Representatives, the Commission for the Extension of the U.S. Capitol will always be composed of members from both the majority and minority parties of the Senate and the House of Representatives, regardless of which party elects the President of the Senate.

#### COMMITTEE VIEWS

The committee, in reporting S. 1888, recognizes the importance of having the Commission for Extension of the U.S. Capitol composed of members from both parties of the Senate and the House of Representatives and urges its enactment.

### THE 100TH ANNIVERSARY OF WICHITA, KANS.

The bill (H.R. 8188) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 174), explaining the purposes of the bill.

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

#### GENERAL STATEMENT

The bill authorizes the Secretary of the Treasury to strike and furnish to the Wichita Centennial, Inc., not more than 100,000 medals, in quantities of not less than 2,000, in commemoration of the 100th anniversary on July 21, 1970, of the founding of the city of Wichita, Kans. No medals shall be manufactured under the authority of this legislation after December 31, 1970.

The design of the medals, including emblems, devices, and inscriptions, shall be determined by the Wichita Centennial, Inc., subject to the approval of the Secretary of the Treasury. In addition, the bill provides that the Secretary shall make these medals available at not less than the estimated costs of manufacture, including labor, materials, dies, use of machinery, and overhead expenses. Security must be furnished satisfactory to the Secretary to indemnify the United States for full payment of all costs of the medals.

### RICHARD VIGIL

The bill (S. 620) for the relief of Richard Vigil was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 620

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to Richard Vigil, of Denver, Colorado, in full satisfaction of all claims of the said Richard Vigil against the United States for personal injuries suffered by him, including the loss of his right arm, when he accidentally exploded a projectile, property of the United States, found near the boundary

of Camp Hale, a United States Army base located in Leadville, Colorado, the said Richard Vigil having been eleven years of age at the time such accident occurred: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 175), explaining the purposes of the bill.

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

#### PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Treasury to pay \$10,000 to Richard Vigil, in satisfaction of his claims against the United States for personal injuries suffered by him, including the loss of his right arm, when he accidentally exploded a projectile, property of the United States, found near the boundary of Camp Hale, a U.S. Army base located in Leadville, Colo., said Richard Vigil having been 11 years old at the time of the accident.

#### STATEMENT

The Department of the Army does not object to the enactment of this legislation. Bills were introduced in the 89th and 90th Congresses for the relief of this claimant. The Department of the Army in its report on S. 3387 of the 89th Congress relates the following:

Records of the Department of the Army reveal that on April 5, 1945, Anthony Vigil, a 13-year-old brother of Richard Vigil, while fishing in Turkey Creek at a point one-quarter of a mile outside the boundary of Camp Hale, Colo., found a live 37-millimeter high-explosive projectile on the stream bank. He did not know what it was but carried it home and his father concluded it was a surveyor's marker and directed Anthony to return it to the place where it had been found. Anthony said that he would do so, and placed the projectile on the outside sill of the kitchen window. The following morning, April 6, 1945, at about 8:30 a.m., Richard Vigil, the 11-year-old brother of Anthony, noticed the projectile in the window sill and took it with him as he left for school, intending to show it to his teacher. While walking to school, he noticed an object frozen in the ice on a bridge and attempted to break it away by striking the ice with the point of the projectile. On the third blow it exploded, mangling Richard's right hand and forearm and inflicting a compound fracture of the tibia and severe lacerations of his left leg. He was removed to a civilian hospital where his right arm was amputated 4 inches below the elbow and his other injuries were treated. He remained in the hospital until April 14, 1945, and was confined to bed at his home for an additional 2 weeks.

On October 1, 1945, Ginio Vigil, the father of Richard, filed a claim with the U.S. Army for medical, hospital expenses, and for property damage to Richard's clothing. The claim was approved in the amount of \$193.25 on the basis that the father's temporary custody of the projectile did not constitute wrongful or negligent intervention and that the damages arose out of injuries incident to noncombat activities of the Army and were cognizable within the meaning of the act of July 3, 1943 (57 Stat. 372). This act limited settlements to \$500 in time of peace

and \$1,000 in time of war, for property damage and reasonable medical and hospital expenses, and was the only remedy available for his personal injuries at the time of this accident. There is no direct evidence as to how the projectile reached the place where it was found on the bank of Turkey Creek which drains a part of Camp Hale. Fragments from the exploded projectile were identified by ordnance officer as being part of a 37-millimeter projectile. Such ammunition had been used in firing practice at Camp Hale during the period from September 1, 1943, to April 30, 1944. No contributory negligence can be attributed to the boys or to the father because of their inability to identify the ammunition. There is nothing in the record to suggest that they knew or should have known that the object was a projectile containing an explosive charge and dangerous.

The present bill had been introduced to grant relief in the amount of \$10,000 to Mr. Richard Vigil, now an adult, for his disabling injuries and the amount is not deemed excessive by this Department on the basis of a review of decisions involving personal injuries decided by the Supreme Court of Colorado, the State in which this incident arose. One of the decisions held a verdict of the district court not to be excessive which awarded damages of \$11,000 to the plaintiff for injuries to his arm of a permanent nature (*McCarthy v. Eddings*, 109 Colo., 526, 127 P. 2d 883 (1942)).

The Department of the Army is without statutory authority to compensate Mr. Vigil for his permanent injuries but is not opposed to an ex gratia award in his case. This Department did not oppose similar bills which were enacted as Private Law 86-285 and Private Law 88-258. Under the facts and applicable law in this case, there is no liability on the part of the Government, but the Department of the Army is aware of the compassionate relief granted by Congress in similar cases and would not, therefore, oppose the bill.

The committee after a study of the foregoing, concurs in the recommendations of the Department of the Army and recommends that the bill S. 620, be considered favorably.

### MARIA PRESCILLA CARAMANZANA

The bill (H.R. 2948) for the relief of Maria Prescilla Caramanzana was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 176), explaining the purposes of the bill.

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

#### PURPOSE OF THE BILL

The purpose of the bill is to grant first preference status to the adopted daughter of a citizen of the United States, which is the status enjoyed by the natural-born alien sons and daughters of U.S. citizens.

### MARIA BALLUARDO FRASCA

The bill (H.R. 3464) for the relief of Maria Balluardo Frasca was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 177), explaining the purposes of the bill.

There being no objection, the excerpt

was ordered to be printed in the RECORD, as follows:

**PURPOSE OF THE BILL**

The purpose of the bill is to facilitate the admission into the United States in an immediate relative status of the alien child adopted by citizens of the United States.

**MRS. IRENE G. QUEJA**

The Senate proceeded to consider the bill (S. 564) for the relief of Mrs. Irene G. Queja, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Mrs. Irene G. Queja shall be held and considered to be within the purview of section 203(a)(2) of that Act and the provisions of section 204 of the said Act shall not be applicable in this case.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 178), explaining the purposes of the bill.

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

**PURPOSE OF THE BILL**

The purpose of the bill, as amended, is to preserve second preference status in behalf of the widow of a lawful permanent resident of the United States. The bill as introduced would have granted the beneficiary permanent residence in the United States. However, the committee feels that the appropriate relief would be to preserve the status to which she would have been entitled were it not for the death of her husband.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

**MILITARY OPERATIONS IN VIETNAM**

Mr. KENNEDY. Mr. President, after the cessation of bombing last November, the President issued an order to the field that American military forces were to maintain a constant and steady pressure upon the enemy. As a result, the levels of combat and casualties did not remain the same, but actually increased. The number of U.S. offensive actions making contact with the enemy grew significantly; the total number of U.S. battalion-size operations was raised; the amount of bomb tonnage dropped in the South rose to a total greater than the amount of bomb tonnage previously dropped on the North and South. In effect, the President's order of last November to maintain steady and constant pressure not only has been carried out by our military commanders in the field, but also, it has been carried out to the letter and then some.

In his April 18 press conference, President Nixon reaffirmed President Johnson's earlier directive by stating that he has not ordered, nor did he intend to order, any reduction of our activity in Vietnam. He explained that this was in

the interest of maintaining the strength of our bargaining position in Paris.

I am compelled to speak on this question today, for I believe that the level of our military activity in Vietnam runs opposite to our stated intentions and goals in Paris. But, more important, I feel it is both senseless and irresponsible to continue to send our young men to their deaths to capture hills and positions that have no relation to ending this conflict.

President Nixon has told us, without question, that we seek no military victory, that we seek only peace. How then can we justify sending our boys against a hill a dozen times or more, until soldiers themselves question the madness of the action? The assault on "Hamburger Hill" is only symptomatic of a mentality and a policy that requires immediate attention. American boys are too valuable to be sacrificed for a false sense of military pride.

I was most disappointed that the President did not ask for a significant decrease in military operations and personnel in his speech of May 14. I would ask him now to issue new orders to the field—orders that would spare American lives and perhaps advance the cause of peace.

**THE SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM**

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution recently prepared by Dr. George Fox Mott, commander of National Defense Post No. 46 of the District of Columbia American Legion, for presentation to all commanders of the Department of the District of Columbia. This resolution was unanimously approved by members of National Defense Post No. 46 at its luncheon meeting Thursday, March 15, 1969. It will be presented to the department commanders on Thursday evening, May 22, 1969.

I believe that this resolution fairly presents the arguments in favor of President Nixon's proposal for a Safeguard anti-ballistic-missile system.

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

**RESOLUTION IN SUPPORT OF THE SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM**

Whereas the continuing consensus of The American Legion, frequently expressed at its national and department conventions, has been to maintain the essential security of the Nation against any internal or external segment of society seeking, under any pretext or for any reason, to compromise or adversely affect the Nation's defense readiness; and

Whereas The American Legion, now in its Fiftieth Anniversary Year, has always been democratically representative of every social, cultural, and occupational category of American life, without partisan, racial, religious or status prejudice of any kind; and

Whereas, all members have not only served their Nation in one or another of the military services in time of national need as determined by the elected leadership of the country, but also have rededicated themselves as Legionnaires to maintaining the clear welfare and security of the Nation; and

Whereas it has become increasingly evident that American lives and the very existence of the Nation will be continuously in jeopardy

if the Congress fails to concur with, and approve and fully implement by all necessary action and support, the exceedingly modest and minimum security recommendations of the President of the United States as to the Safeguard anti-ballistic missile system; and

Whereas, this position of the American Legion has been taken only after its leadership has given tempered consideration and appropriate weight to all the evidence, including, among other, that:

(1) The USSR now exceeds the United States in ICBM megatonnage capability for a first-strike possibility, with its continuing development of the SS-9 megaton warhead designed to knock out U.S. Minuteman ICBM retaliatory missiles; and that

(2) The USSR is known to have deployed a considerable number of ABM's for defense of its own ICBM's and other military installations, and thus has a strategic advantage which is a compelling danger to the security of the United States; and that

(3) The USSR is continuing to increase the size of their submarine-launched ballistic missile force; and that

(4) A re-evaluation of evidence reported in 1967 indicates that the Soviet Union is already well on its way toward its goal of strategic superiority designed to win a nuclear war rather than merely deter one; and that

(5) Parity between the United States and Soviet Russia has come and gone with the USSR's effort to achieve nuclear superiority: Now, therefore, be it

*Resolved by the District of Columbia Department of the American Legion, on this 22nd day of May, 1969,*

1. That, in furtherance of the American Legion's national position and as an extension thereof, the D.C. Department supports and commends, as being in the national interest, the decision of the President of the United States to deploy as rapidly as possible the Safeguard Anti-Ballistic Missile System, and urges immediate approval by the Congress of the necessary funds to implement this essential defense measure, and

2. That the position of the American Legion be broadly disseminated through its various Departments as well as its National Headquarters, in order to encourage individual citizen and Legionnaire action to make every member of Congress keenly aware of the American Legion's support of the President's decision to deploy the Safeguard Anti-Ballistic Missile System; and, be it further

*Resolved,* That a copy of this Resolution be sent to the President of the United States; the Executive Secretary of the National Security Council; the Secretary of Defense; each of the Service Secretaries; the Joint Chiefs of Staff; each member of the House and Senate Armed Services Committees; each member of the Senate Foreign Relations Committee; each member of the House Foreign Affairs Committee; and each member of the House and Senate Appropriations Committees; as well as to all members of both Houses of Congress not on those Committees, who are still in their first terms as members of the Congress.

**THE PROPOSED MEETING OF PRESIDENT NIXON AND PRESIDENT THIEU**

Mr. SCOTT. Mr. President, I welcome the news that President Nixon will meet with President Thieu of South Vietnam at Midway Island on June 8, at that time to continue the close cooperation between the Government of the United States and the Government of Vietnam, in order to pursue our common objective for a peaceful solution of this war. I am sure that close cooperation between the two Governments has never been as ef-

fective or as well effected as at present, and that this is itself a tremendous advance in making progress toward peace.

I believe that this meeting is desirable at this time. I believe there is real hope for the solution of our many problems. I believe that Hanoi is reflecting this in its own way and to a certain degree.

I shall not try to second-guess the President on the conduct of the war because I truly believe that no man is more dedicated to ending the war than he is.

I further am convinced that what we are doing both in the military and in the diplomatic spheres are designed to end the casualties as soon as possible. I recall, and we all do, the story of the Battle of Gettysburg, the fight for the capture of Little Roundtop—which was only a hill, only a little hill—and we all remember Cemetery Ridge, and other little hills in my Commonwealth of Pennsylvania. If those hills had not been fought for with the blood of American soldiers, then the entire outcome of that war might have been different.

Therefore, I do not know whether, when Americans are ordered to take a hill and hold it, it is a military judgment of the highest worth or not. I only know that unless we continue to have our confidence in the military and in the political and diplomatic spheres, we are not ourselves advancing in the best way the cause of peace.

Mr. President, in the words of one who recorded that struggle for a little hill at Gettysburg:

God lives!  
He forged the iron will  
That clutched, and held  
That trembling hill.

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

Mr. SCOTT. I am glad to yield to the Senator from Massachusetts.

Mr. KENNEDY. Does the Senator see any distinction between the battles for hills that our troops fought for at the time of the Revolution and during World War I and World II, and their importance in achieving our total national objective of military victory, and the objective as stated by the President in a recent speech in which he indicated that a military solution is not the objective of our national policy at the present time?

I am wondering if the Senator would distinguish between the significance and importance of achieving military victories and the capture of certain hills in connection therewith, and what now is the present administration's stated policy, which is to expedite peace.

Mr. SCOTT. Mr. President, my reaction is that it is not for me to judge the military decisions being made, but it is for me to conclude that unless we protect our forces in the field we might as well accept a total defeat and a complete withdrawal with the much greater casualties that that would entail, as any person in the military would agree. It would lead also to the massacre of hundreds of thousands of South Vietnamese. Therefore, I am not contending for a hill, but I say if our military are told to contend for a hill it is a part of the strategy which is essential to maintain-

ing the military posture while we talk for peace.

I will add that I do not accept the Communist "talk-fight" strategy and I believe there will come a time when we will have to react accordingly. We cannot afford to permit the war to continue and to talk while casualties grow. But until that time comes, in the judgment of the President, it would be better if all of us did not try to second guess whether taking a hill is essential or not, because we are not there.

Mr. KENNEDY. Mr. President, I wish to make a further observation. The frustration reflected in my previous remarks is felt because I thought we were looking for new kinds of initiatives, and new kinds of efforts. But with the explanation the Senator from Pennsylvania has given, it would appear that we are resorting to the old kinds of approaches, which I find most disheartening and disappointing.

Mr. SCOTT. Mr. President, I reject totally any conclusion that we are not using new kinds of initiatives. Wars continue to be fought by soldiers, and wars continue to be fought in the military pattern, but within the military and diplomatic pattern, the President—and I speak with some knowledge—is definitely pursuing certain new initiatives designed to end the war. Therefore, it would not be correct to say we are not taking new initiatives and seeking new imaginative procedures and not making progress, because I suggest we are.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks informed the Senate that pursuant to the provisions of section 1, Public Law 86-42, the Speaker had appointed as a member of the U.S. delegation of the Canada-United States Interparliamentary Group the gentleman from Maine, Mr. KYROS vice Mr. SLACK.

The message announced that the House insisted upon its amendment to the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. JOHNSON of California, Mr. HALEY, Mr. SAYLOR, and Mr. HOSMER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the bill (S. 278) to consent to the New Hampshire-Vermont Interstate School Compact, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 408) to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required, with amendments,

in which it requested the concurrence of the Senate.

The message also announced that the House had passed, without amendment, the joint resolution (S.J. Res. 104) to authorize the President to reappoint as chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3667. An act to amend sections 312, 320(a), and 321(e) of the Immigration and Nationality Act;

H.R. 6790. An act to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general;

H.R. 6808. An act to amend section 1781 of title 38, United States Code, to eliminate the prohibition against receipt of certain Federal educational assistance benefits, and for other purposes;

H.R. 8018. An act to amend section 1072(2) of title 10, United States Code, to include a foster child within the definition of dependent;

H.R. 8020. An act to amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the naval service on permanent duty aboard a ship overhauling away from home port whose dependents are residing at the home port; and

H.R. 9233. An act to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with certain functions of the Commission, and for other purposes.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 207) honoring General of the Army Omar N. Bradley, in which it requested the concurrence of the Senate.

#### ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 6269) to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina, and it was signed by the Vice President.

#### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 3667. An act to amend sections 3122, 320(a), and 321(a) of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 6790. An act to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general;

H.R. 8018. An act to amend section 1072(2) of title 10, United States Code, to include a foster child within the definition of dependent; and

H.R. 8020. An act to amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the naval service on permanent duty aboard a ship overhauling away from

home port whose dependents are residing at the home port; to the Committee on Armed Services.

H.R. 8808. An act to amend section 1781 of title 38, United States Code, to eliminate the prohibition against receipt of certain Federal educational assistance benefits, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 9233. An act to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with certain functions of the Commission, and for other purposes; to the Committee on Post Office and Civil Service.

#### HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 207) honoring General of the Army Omar N. Bradley, was referred to the Committee on Armed Services.

#### STEWART O. H. JONES AS U.S. ATTORNEY FOR THE DISTRICT OF CONNECTICUT

Mr. DODD. Mr. President, on May 16, the Senate confirmed the nomination of Mr. Stewart O. H. Jones, of Connecticut, to be U.S. attorney for the District of Connecticut for the term of 4 years.

Stewart Jones was a classmate of mine at Yale Law School. He is a good lawyer and will be a good U.S. attorney. I was pleased when President Nixon nominated him for the post and I am very proud that the Senate has given its advice and consent to his nomination.

#### JOHN DAVIS LODGE—AMBASSADOR-DESIGNATE TO ARGENTINA

Mr. DODD. Mr. President, this morning, the Ambassador-designate to Argentina, John Davis Lodge of Westport, Conn., appeared before the members of the Committee on Foreign Relations.

I have known Ambassador Lodge for many years, both as a public official and as a personal friend. His qualifications for this very important assignment are topnotch. Ambassador Lodge is a highly competent and very capable and respected diplomat.

He is a former Governor, a former Member of Congress, and former Ambassador to Spain. In all three positions, he performed his duties and responsibilities with remarkable success.

I believe that his nomination as Ambassador to Argentina was the best that President Nixon has made to date. I commend the President for his judgment, and this morning, I urged the members of this Committee on Foreign Relations to give their unanimous approval to his nomination.

It is my sincere wish that this nomination will soon be brought to the floor and that the Senate will give its advice and consent to the appointment of John Davis Lodge as our Ambassador to Argentina.

#### J. WILLIAM MIDDENDORF II TO BE AMBASSADOR TO THE KINGDOM OF THE NETHERLANDS

Mr. DODD. Mr. President, Mr. J. William Middendorf II, of Connecticut, who has been nominated by President Nixon

to be the American Ambassador to the Kingdom of the Netherlands, appeared before the Committee on Foreign Relations this morning.

I have known Mr. Middendorf for some time and commend the President for choosing this very capable and dedicated man for this important post. Mr. Middendorf is a highly successful businessman who also devoted much of his time and his talents to civic affairs.

As our Ambassador to the Kingdom of the Netherlands, there is no doubt that he will perform his duties in a manner that will reflect great credit upon the United States.

Mr. President, I have no doubt that the Committee on Foreign Relations will render a favorable report on this nomination and that the Senate will give its advice and consent to Mr. Middendorf as the Ambassador to the Kingdom of the Netherlands.

#### ADDRESS BY SENATOR McCLELLAN BEFORE THE LAW ENFORCEMENT OFFICERS' RECOGNITION DINNER IN OMAHA, NEBR.

Mr. HOLLAND. Mr. President, on May 8, 1969, our distinguished colleague, the senior Senator from Arkansas, chairman of the Government Operations Committee and ranking member of the Judiciary Committee (Mr. McCLELLAN) made a thoughtful and constructive speech in Omaha, Nebr., at the law enforcement officers recognition dinner sponsored by the American Citizens Forum, Inc.

Mr. President, I know of no one who has pursued a more relentless war on crime than has the senior Senator from Arkansas, and I know of no one more appropriate to address the law officers of this Nation than our most able colleague from Arkansas, a distinguished lawyer in his own right and who was prosecuting attorney of the seventh judicial district of Arkansas from 1926 to 1930.

Since coming to the Congress first in the House of Representatives and subsequently here in the Senate where he has served continuously since January 3, 1943, a period of over 26 years, he has distinguished himself as one of our most able and knowledgeable members in the field of criminal jurisprudence.

Mr. President, the eminent qualifications of the senior Senator from Arkansas compel one who is interested in the field of crime prevention and punishment—a field I believe we all are deeply concerned about—to pay heed to his words. I, therefore, ask unanimous consent, Mr. President, to have the speech of the senior Senator from Arkansas placed in the RECORD to enable our colleagues to be enlightened as have I by his excellent remarks.

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

REMARKS OF SENATOR JOHN L. McCLELLAN, LAW ENFORCEMENT OFFICERS RECOGNITION DINNER, SPONSORED BY AMERICAN CITIZENS FORUM, INC., OMAHA, NEBR., MAY 8, 1969

#### INTRODUCTORY REMARKS

Mr. Chairman, the war in Vietnam, rising inflation, and rapidly increasing crime were three major issues in last year's Presidential campaign. The views and the positions taken

by the respective candidates on these vital issues—what they would do about them—as interpreted by the voters, were, no doubt, the decisive factors in the outcome of that election.

Therefore, ending the war, halting inflation, and controlling crime have become the chief goals of the Nixon Administration and the hope of the nation.

The President has given top priority to these three prime objectives—and, rightly so. For these paramount issues and their ramifications constitute the principal and growing burden of national concern. The compelling necessity and urgency for finding and applying correct solutions to these grave and pressing problems impose upon us a task of a scope and magnitude unparalleled in our generation.

Without minimizing in any way the tremendous costs in material resources and in human lives and suffering and without depreciating to any degree the potential consequences of the tragic war in Vietnam, I am convinced that the greatest threat—the more immediate danger—to our internal security and survival stems from the revolting lawlessness and revolutionary militancy that now afflict the social, political, and economic welfare of our nation.

More than 100 years ago, Abraham Lincoln said that if danger "ever reaches us, it must spring up among us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher . . . as a nation of free men, we must live through all time or die by suicide." I think Lincoln's appraisal and prophecy were sound then and are quite applicable to conditions that prevail today.

Our country is in trouble. The preservation of the Republic and the perpetuation of our free society are endangered. Law and order and constituted authority are being persistently assaulted on many fronts by the insidious forces of crime and subversion.

Never since the Civil War have we experienced such dissension, turmoil, strife, and violence. During the past decade, an epidemic of crime has engulfed our nation and moved us far in the direction of chaos and anarchy. Crimes of violence are committed everywhere—in the streets and alleys, in our schools and churches, and in our marketplaces and homes. There is no longer any sanctuary or refuge to which one can retreat for safety or certainty of protection.

The number and frequency of murders, rapes, robberies, thefts, riots, arsons, and lootings have reached proportions which portend open rebellion against orderly society and the rule of law. Massive trespass, civil disobedience, and turbulent demonstrations and disorders are daringly advocated and resorted to for the redress of alleged grievances and for the imposition of inordinate and unlawful demands. Threats, intimidation, and blackmail are today instruments of common use to force the government, our public officials, and our free institutions to be subservient to the will and demands of the lawbreaker and the mob. The rash of campus disorders and violence that plagues our colleges and universities throughout the land today simply "accentuates the positive" and emphasizes a growing rebellion against traditional norms and constituted authority.

The lawbreaker—the habitual criminal—today enjoys greater privileges, immunities, and protections than ever before. The chances that he will be apprehended, convicted, and punished are less now than ever before. Only about one out of every 15 who commits a major crime is ultimately convicted and punished. And, too often, the punishment—the penalty imposed—is not at all commensurate with the gravity of the crime committed.

The scourge of lawlessness now being inflicted upon our nation is producing a crisis that cannot be endured. Projected at the present rate of increase, 16 percent annually, we find there will be more than 12 million

major crimes reported in the year 1975—just six years from now—and over 20 million by 1980—11 years from now. I do not believe that our society can withstand such a vicious assault upon its structure, nor can our nation survive such a devastating blow to its sovereignty. We must remedy this condition before it is too late.

Public alarm over this mounting crime menace is prodding the Congress and the Executive Branch of the Government into legislative and administrative action to remedy this deplorable crime condition. I wish I could report that a comparable effort is being made at the highest level of the Judicial Branch of our Government—but, I cannot. For, in my judgment, the United States Supreme Court is making serious default in this area of its responsibility. Its decisions are hurting—not helping—law enforcement.

As you know, the last session of Congress passed the Omnibus Crime Control and Safe Streets Act of 1968. This law, among other things, provides for the recruiting, training, and equipping of police forces and for a greatly expanded training program for state and local police officers at the National Academy of the Federal Bureau of Investigation.

It also creates a National Institute of Law Enforcement and Criminal Justice to begin a modern research and development venture which will put science and the laboratory to work in the detection of crime and the apprehension of criminals.

(\$63 million appropriated last year and another \$296 million is expected to be appropriated this year to finance these programs.)

Other features of the Safe Streets Act, Titles II and III, provide law enforcement agencies with some new weapons and strong reinforcements. If Title II of the Act—which deals with arraignment and confessions and which modifies the famous *Mallory* and *Miranda* Court decisions—is interpreted, administered, and used as Congress intended, it will surely make the pursuit of crime more risky and less profitable and the apprehension, conviction, and punishment of the criminal much more probable. If correctly interpreted and applied, the provisions of this law will bring the scales of justice into better balance as between the rights of society to protection and safety and any rights that the accused may have to liberty and immunity.

Title III of the bill, authorizing the use of electronic surveillance and wire tapping under strict regulations and court supervision, provides another important and useful tool to law enforcement agencies. This evidence-gathering procedure has been represented by the Honorable Frank Hogan, District Attorney of New York County, as providing: "the single most valuable weapon in law enforcement's fight against organized crime."

Notwithstanding these two Titles of the Act were adopted overwhelmingly in the Senate by Roll Call votes and that the bill was finally enacted by a vote of 72 to 4 in the Senate and 368 to 17 in the House of Representatives, the Attorney General of the last Administration flouted the will of Congress and refused to make use of these constructive weapons. Fortunately and properly, the present Administration has announced that it will use these tools as the law provides and as Congress intended.

Already this year some 27 bills have been introduced in the Senate and referred to the Judiciary Subcommittee on Criminal Laws and Procedures. Some of them are Administration bills. Two of these measures which I introduced and which are co-sponsored by Senator Hruska, are intended primarily to aid in combating organized crime.

One of them, S. 30, would:

- (1) Revamp the grand jury system;
- (2) Authorize the granting of immunity to obtain testimony over objections of self-incrimination;
- (3) Provide for civil contempt proceedings against recalcitrant witnesses;

(4) Eliminate outmoded evidentiary restrictions in false testimony prosecution;

(5) Authorize taking the depositions of witnesses who are in danger or threatened with reprisal, and extend physical protection to such witnesses; and

(6) Provide for increased punishment—up to 30 years—for habitual, professional, and organized crime offenders.

Today, before leaving Washington, I received a letter from Attorney General Mitchell commenting on this bill in which he says, among other things, that it is "vitaly needed legislation."

The second bill that I introduced, S. 1816, would strike at the take-over or operation of legitimate businesses and other enterprises by predatory criminal groups through such racketeering practices as threats of violence to life or property, or by the investment of "black money," so to speak, that is, money derived from the proceeds of trafficking in narcotics, illegal gambling, and other such syndicated crime activities. It would authorize fines, imprisonments, and forfeitures as well as civil remedies of divestiture, dissolution, and injunction. This will provide the government with additional tools that it needs, both criminal and civil, to eradicate criminal influence in legitimate businesses and organizations. It would help drive the racketeers and gangsters out.

There are a number of other bills now pending before the Judiciary Committee which also have merit. Some of them, no doubt, will be enacted into law during this session of the Congress.

I believe that the Executive and Legislative Branches of the Government are now working in harmony and as a "team"—in a concerted and determined effort to strengthen law enforcement and to improve criminal justice. This is, indeed, very gratifying to me; for too often in the recent past, we have had to reject or disregard the views of the Justice Department in order to enact constructive legislation in this field.

However, as I have already indicated, there is another branch of the government whose cooperation is sorely needed if law enforcement and the protection of society are to be achieved and sustained.

Unhappily and tragically, a majority of the Supreme Court has chosen this decade of turbulence and unrest to weaken, rather than to strengthen, the agencies of social control and the forces of law and order. Instead of helping to stem the tide of permissiveness, civil disobedience, and lawlessness by adhering to and honoring long-established precedents and traditional interpretations of the Constitution, the Court has abandoned and repudiated many historic legal landmarks. It has created, largely out of whole cloth and inverse logic, a host of new "individual" rights for the accused. Some years ago, Mr. Justice Jackson, in a dissenting opinion, said:

"This Court has gone far toward accepting the doctrine that civil liberty means the removal of all restraints . . . and that all local attempts to maintain order are impairments of the liberties of the citizen. The choice is not between order and liberty. It is between liberty and order and anarchy without either. There is danger that, if the Court does not temper its doctrinaire logic with a little practical wisdom it will convert the constitutional Bill of Rights into a suicidal pact."

That warning of Justice Jackson some 20 years ago was sound, and the danger to which he referred is now upon us.

A review and a fair assessment of the Supreme Court's record in criminal cases for the last few years leads to the inescapable conclusion that it has become addicted to strained and illogical constructions and to the invoking of specious technicalities which have produced a rash of decisions that dispense unequal justice favoring the criminal and adverse to the rights of society. Many of these decisions have trampled and disparaged the valid rights of society while magnifying

and exalting fictitious and exaggerated rights of the criminal.

Statistics dramatically portray the picture. Since 1960, the Supreme Court has reviewed 112 federal criminal cases and 144 state criminal cases in which it handed down written opinions. Out of these 112 federal convictions, 63—60 percent—were reversed; of the 144 state convictions, 113—80 percent—were reversed. Out of 21 habeas corpus petitions heard by the Court since 1960, 18—85 percent—were granted.

I cannot believe that our State Supreme Courts are so careless or incompetent or that our Federal and Circuit Judges are so incapable and prone to error as to warrant this overwhelming record of reversals by the Supreme Court.

Since 1960, the Supreme Court, in the criminal justice area alone, has specifically overruled its previous decisions or rejected the reasoning of 25 of its own precedents—often by 5-4 margins. Seventeen of these decisions involved a change in Constitutional doctrine, seven represented a new interpretation of statutory language, and one may be classified as modifying the common law. As you know, these decisions have caused great frustrations and disarray in law enforcement.

Many examples could be cited, but one of the most flagrant, of course, is the famous 5-4 *Miranda* decision. In order to reach a reversal in the *Miranda* case, five members of the Court repudiated prior and traditional interpretations of the Constitution and overruled precedents that had been the law of the land since the founding of the Republic.

In 1886, in the case of *United States vs. Wilson*; in 1912, in the case of *United States vs. Powers*; and, again, as late as 1958, in the case of *Cicenia vs. Lagay*, the Supreme Court held that warnings such as those required in the *Miranda* decision were not a prerequisite for the admissibility of a voluntary confession. So, since 1896, 28 Justices of the Supreme Court have affirmatively held that the so-called *Miranda* warnings are not required by the Constitution—included among those Justices are such able jurists as Associate Justice Oliver Wendell Holmes, the first Associate Justice, John Marshall Harlan, and Chief Justice Charles Evans Hughes.

We have, I think, not only the right but the duty to ask and consider who is right—the five Justices who decided the *Miranda* case or the 28 who decided the three previous cases. There were no new facts or circumstances present in the *Miranda* case. The issue was the same; our Constitution is the same; and nothing really changed except that five members of the Court arrogated unto themselves the power to amend the Constitution.

Mr. Justice Harlan, in the case of *Berger vs. New York* decided in 1967, having in mind a number of recent Court decisions, declared that:

"Newly contrived constitutional rights have been established without any apparent concern for the empirical process that goes with legislative reform."

He further said that:

"The Court has more and more taken to itself sole responsibility for setting the pattern for criminal law enforcement throughout the country."

Since 1960, the United States Supreme Court has virtually revolutionized the way in which criminal justice must, in its view, be administered on both the federal and state levels.

There are those who contend that these reversal decisions are having no adverse impact on law enforcement and on the rising incidence of crime. Their contention is certainly repudiated by facts and statistics.

Our population in this country has increased 10 percent since 1960. Serious crime reported increased 89 percent in that same period. Operating under the new standards and requirements imposed by recent Supreme Court decisions, police clearance of serious

crime has experienced a steady, across-the-board decline. The clearance for robbery, for example, has dropped 25.9 percent, and burglary has fallen 38.8 percent. Significantly, too, not guilty verdicts in robbery cases have increased 23 percent and in burglary 53 percent.

Our people are growing restless and becoming disillusioned. Public confidence in the Court is declining. It is now at an all-time low. A Gallup Poll last year reflected that 60 percent of the people disapprove of and are dissatisfied with the performance of the Supreme Court. A recent Harris Poll found that a majority of Americans attribute the breakdown in law and order to our courts.

Yes, the Congress, the Executive Branch of the Government, and law enforcement officials need the cooperation of the Supreme Court in this war on crime. It is quite obvious that President Nixon has—or will soon have—the opportunity to save not only the Supreme Court from the consequences of its own grievous errors but to save and preserve the nation as well by appointing new Justices to serve on the Court who will revere and construe the Federal Constitution as written and intended by our founding fathers. When this has been done, confidence and proper esteem for the highest Court in the land will be restored. The support, combined strength, and dedication of all law-abiding citizens are needed in this crucial fight against the internal forces of destruction. But, time is running out. We must use all the constitutional power and all legal weapons that can be made available to stem the tide of lawlessness that is sweeping our land. We must stop pampering agitators of violence and stop coddling criminals and condoning crime and strengthen our law enforcement machinery at all levels. We will never have safe streets and safe homes until we get the self confessed criminals and other felons off the streets and in the jails where they belong.

I am disturbed and deeply concerned, but I do not despair. For I cannot believe that a people who have attained greatness, who have built a mighty nation of unprecedented economic and military strength, and who have the genius to reach the moon and plumb the depths of the ocean have suddenly become impotent and powerless to defend and preserve their heritage and the greatness that they have achieved.

We have the ingenuity, the power, and the essential weapons with which to win the war against crime, but do we have the "will" to do it. Time, of course, will tell. But I have an abiding faith that will ultimately come through to a decisive victory.

#### COMMEMORATION OF THE 100TH ANNIVERSARY OF THE TERRITORY OF WYOMING AND THE 100TH ANNIVERSARY OF WOMEN'S SUFFRAGE

Mr. HANSEN. Mr. President, yesterday, May 19, 1969, marked the 100th anniversary of a memorable event in the history of the United States which was to have an unexpected impact on the history of this Nation and, indeed, of the world.

On May 19, 1869, the government of the newly-formed Territory of Wyoming was organized.

In 1867, the construction of the Union Pacific Railroad brought civilization to this part of the frontier of the Rocky Mountain west. A dozen new towns sprang up across what is now southern Wyoming as the railroad pressed toward the Pacific. Cities such as Cheyenne and Laramie appeared overnight.

Construction of the Union Pacific Rail-

road brought about the organization of the Territory of Wyoming. The new population centers along the railroad were not satisfied with being a part of the Dakota Territory, whose capital and centers of population were located far to the northeast. Pressure was building in Congress to form a new territory. In 1868, the time was right and the Congress carved the Territory of Wyoming out of a land area which had previously been included in the Dakota, Utah, and Idaho territories.

The centennial anniversary of the formal inauguration of the territorial government of Wyoming is occasion enough to rise in the Senate and pay tribute to the State of Wyoming. However, the government organized in Wyoming Territory 100 years ago undertook a daring experiment which has called the attention of the world to the State of Wyoming. In 1869, Wyoming Territory became the first government in the world to grant women equal voting rights.

Wyoming Territory led the way in adopting other equal rights for women. In addition to the Woman's Suffrage Act, the first territorial legislature adopted legislation establishing the right of married women to own and control property and to guarantee the enjoyment of the fruits of their labor, and to prohibit discrimination with regard to pay on account of sex in the employment of teachers. Susan B. Anthony, the great national advocate of woman's suffrage, said:

Wyoming is the first place on God's green earth which could consistently claim to be the Land of the Free.

Legend has it that on the evening following the enactment of woman's suffrage legislation in Wyoming, the men of the territory congregated in the saloons of Cheyenne and proposed the following toast:

To the lovely ladies of Wyoming—once our superiors—now our equals.

But the action taken by the young territory to give women equal rights was not an empty gesture. Two months after the woman's suffrage measure was adopted, Governor Campbell appointed Mrs. Esther Morris as the first woman justice of the peace in the Nation. Mrs. Morris, who had lobbied for woman's suffrage among the members of the territorial legislature, served in her post with distinction, and a statue of Esther Morris now represents Wyoming in Statuary Hall.

On July 10, 1890, Wyoming became the 44th State, and the first to grant women suffrage. The new State was promptly dubbed "the Equality State."

The election of 1924 resulted in another first for Wyoming in the field of women's rights. Nellie Tayloe Ross was elected the first woman Governor by a margin of more than 8,000 votes.

During Governor Ross' administration, the State of Wyoming adopted new coal mine safety regulations, a new banking code, and a child labor law. Governor Ross has been described by a Wyoming historian as "intelligent, tactful and gracious, a competent administrator, and an effective public speaker."

The administrative abilities of this

outstanding woman were recognized by President Franklin Roosevelt. Governor Ross was appointed Director of the U.S. Mint in 1933, and served in that capacity for 20 years, throughout the Roosevelt and Truman administrations.

Yesterday, I had the privilege of hosting a luncheon in Governor Ross' honor in the Senate Dining Room, to mark the occasion of the 100th anniversary of the Territory of Wyoming and the 100th anniversary of woman's suffrage. At 90 years of age, this lady whose competent administration advanced the cause of women's rights everywhere, is as alert and charming as ever.

Today, Wyoming still enjoys the active participation of its women in the government of the State. Two of Wyoming's five elected State officials are women. Secretary of State Thyra Thomson holds the highest elective executive position of any woman in the Nation, and serves as acting Governor when the Governor is absent from the State. State Treasurer Minnie A. Mitchell has served in elective State office for over 16 years. The speaker of the Wyoming State House of Representatives, Miss Verda James, is the only woman speaker of the house in the Nation. State Senator Edness Kimball Wilkins served as majority leader of the State house of representatives before being elected to the State senate. Mrs. Wilkins was secretary to Nellie Tayloe Ross for 14 of the 20 years Governor Ross served as Director of the Mint. Mrs. June Boyle has served four terms in the State house of representatives. Mrs. Nancy Wallace is a member of the State legislature, proudly continuing the contribution her family, the Brimmers, have made to our State.

Wyoming is proud of the leadership it has provided in women's suffrage. The trail blazed by the Territory and State of Wyoming has been followed by the remainder of the States of the Union, and by many of the nations of the world. In 1920, a full 50 years after Wyoming's pioneering legislation, the United States adopted the 19th amendment to the Constitution, granting all the women of our Nation the right to vote. Today, the nations of the world are following suit.

The Members of this body are daily reminded of the wisdom of the action taken by Wyoming in 1869, as we reflect upon the outstanding accomplishments of the senior Senator from the State of Maine. Senator SMITH's brilliant career testifies to the great contribution which the women of this Nation can make to its progress and success. Senator SMITH's dedication to her work as a U.S. Senator sets a high standard for us all.

The 100th anniversary of the organization of the territorial government of Wyoming and the 100th anniversary of the adoption of the first women's suffrage legislation are proud occasions in the history of our Nation. It is an honor to represent the State of Wyoming, and to be able to call the attention of the Senate to these accomplishments of Wyoming over the past 100 years. I look forward to the future accomplishments of the great State of Wyoming.

In closing, Mr. President, I ask unanimous consent that the message I

received from State Representative Nancy G. Wallace, in response to my invitation to join us for the luncheon yesterday honoring Mrs. Ross, be printed in the RECORD:

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

MESSAGE FROM STATE REPRESENTATIVE NANCY G. WALLACE

Very sorry that I cannot be with you on this propitious occasion marking the 100th Anniversary of Women's Suffrage. Having served in the 40th Legislature under the able leadership of Speaker Verda James made me once more cognizant of how fortunate I was to be born in the United States of America and in the great state of Wyoming, where women share with men equally the privileges of citizenship's rights and responsibilities. I trust Mrs. Nellie Tayloe Ross will be with you—as always, ably and graciously representing the women of Wyoming.

#### A CRITICAL SITUATION

Mr. HANSEN. Mr. President, the United States faces a critical domestic lamb marketing situation created by lamb meat imports from New Zealand and Australia.

This is a real emergency and one which must be dealt with in a meaningful way or else the whole industry stands in real jeopardy.

The exportations of lamb in the United States in recent months reveals that the American sheep producer is faced with a loss of \$20 million in 1969.

Lamb imports during November and December of 1968 amounted to 5,739,000 pounds. That compares with a little more than 3 million pounds during the same period of time—in 1967. This represents an increase of more than 87 percent. The live lamb price in December of 1968 in Denver was \$25.50 per hundred-weight. Without the significant increase of imports the estimated Denver price should have been \$27.50 per hundred-weight.

With the average lamb sold in December 1968, weighing 106 pounds, the loss to the lamb feeder and producer was an astonishing \$2.12 per head.

When we apply this per head loss to the total lamb slaughter of 853,000 in December, we find that the loss to the primary producer and feeder was more than \$1.8 million.

The problem has not resolved itself during the first quarter of 1969. Lamb imports for that period amounted to 6.1 million pounds. For the same period in 1968, imports totaled only 3.4 million pounds. This indicated an increase in imports of 80 percent. As a matter of fact, for 1 month—March—imported lamb amounted to 4.4 million pounds for an incredible increase of 192 percent over the previous March.

There are strong indications that this situation will worsen with an expected reporting of some 8 million pounds of imports of lamb for April of 1969. This compared to April 1968, lamb imports of only 947,000 pounds.

Experts in the field tell me that spring lambs will sell for \$2 under what they should be resulting in a loss to the American producer of some \$800,000 in April. The wholesale price of old crop lambs

has gone down \$1 per week since the middle of April reflecting losses back to the producer and feeder. As one can readily see, the real cost to the American producer—as a result of March and April lamb imports—is reflected at a lower price on spring lambs and the effect that that situation will have on lambs sold the balance of the year. It appears that the loss will amount to some \$20 million this year.

It is clearly apparent that some legislative action is necessary and I am pleased that Senator ROMAN HRUSKA, a member of the Senate Finance Committee which handles such legislation, is preparing a comprehensive import quota bill that will include not only beef and veal but lamb.

I am pleased to be a cosponsor of that legislation and hope that we may obtain action on it. The situation is critical for the lamb industry. I pledge my best efforts to see that they obtain the relief that is so important to them.

In this regard, Mr. Chairman, I ask unanimous consent that two recent press releases from the American Sheep Producers Council, Inc., 520 Railway Exchange Building, 909 17th Street, Denver, Colo., be included in the RECORD so that we can be aware of the significant impact lamb imports are having on the production and promotion of lamb in the United States in particular and on the entire U.S. sheep industry in general.

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

[Press release from the National Wool Growers Association, National Lamb Feeders Association, Denver, Colo., May 2, 1969]  
U.S. SHEEP INDUSTRY TO ACT ON DELUGE OF LAMB IMPORTS

In an emergency session in Denver today, the presidents of the two largest sheep organizations expressed alarm at the steady rise in imports of lamb in recent months into the United States.

James L. Powell of Fort McKavett, Texas, president of the National Wool Growers Association, and Reed C. Culp of Salt Lake City, Utah, president of the National Lamb Feeders Association, said in a joint statement that there is extreme concern about the imports of lamb which have grown out of all proportion in the first three months of 1969.

During the first quarter of 1969 lamb imports were 180 percent of the same period in 1968, while during March of 1969 they were 292 percent of March 1968. In addition, lamb producers in the U.S. expect an increased supply of imported frozen lamb during April.

Powell and Culp said the increased imports of lamb, which is not protected under any import quota law at present, have been reflected in weakening of domestic lamb prices at wholesale during the last three weeks.

Some of the important processors of lamb, as well as labor unions, have also expressed concern over the rising lamb imports.

Powell said the NWGA also objects strenuously to any attempt to cut tariffs on imported raw wool. "We are absolutely opposed to any cut in tariff because of the difference in cost of production between the United States and exporting wool countries."

Powell added that the sheep industry is making some giant strides toward improving its production and marketing practices under the Sheep Industry Development Program, but that the imports of lamb can

literally wreck this plan and with it the domestic sheep industry.

Culp supported the NWGA in this action and stated that the time has come for the domestic sheep industry to take appropriate action to save the industry. "We have just reached a point where we are turning around and progressing rapidly toward an improved and more successful industry. These imports could very well reverse this trend," Culp said.

[Press release from the American Sheep Producers Council, Denver, Colo., May 6, 1969]

#### LAMB IMPORTS UPSET U.S. PRODUCTION, PROMOTION

Lending full support for action to regulate imports of lamb, M. Joseph Burke of Casper, Wyo., president of the American Sheep Producers Council, said that lamb imports are undermining lamb production in the United States and raising havoc with the promotion program for lamb.

"The sheep industry has been making considerable progress in a self-help program to improve the technology of production and marketing, but the great increase in lamb imports has undercut the market," Burke said. "This means," he added, "that in the past three weeks the price of lamb has been forced downward by the heavy influx of imports by two to three dollars, or a total loss in the millions of dollars to producers, the labor force in this country, the packing industry and suppliers."

Burke also is chairman of the steering committee of the Sheep Industry Development Program, a plan to gather, evaluate and put into practice the latest techniques in production and marketing of lamb and wool. He said the program has reached the point where results will be published within the next eight months for use by sheep producers, but the imports, he added, may well short-circuit the benefits that could be realized from this program.

He pointed out that lamb feeders who bought lambs within the last six weeks have seen the margin dwindle as the pressure of imported frozen lamb reaches the retail market. "There is no other reason for it," he added.

Our promotion program for lamb, Burke said, has had to operate under a price difference that has been too much, despite the fact that the imported product is not fresh but frozen, and is shipped overseas to the United States. The quality of lamb produced in this country is the best in the world, Burke declared, and we know that some of the imported product is doing a disservice to lamb. When ASPC plans a lamb promotion it has no control over what imports might be dumped on the market.

As chairman of the steering committee of the Sheep Industry Development Program, Burke urged every sheep producer in the nation to rally behind the National Wool Growers Association, the National Lamb Feeders and the other sheep organizations in their efforts to get remedial legislation to curb lamb imports. The two largest sheep organizations last week cited the destructive force the wave of imports of frozen lamb was having on the domestic live lamb price.

It has been shown rather conclusively, Burke stated, that imports can and do seriously undermine the domestic sheep industry.

At present, there is no quota on imports of lamb. If these frozen imports are allowed to destroy the U.S. sheep industry it will certainly not be to the advantage of the consumer in the long run, Burke asserted.

The consumer also should be aware that some imported frozen mutton is coming in under the guise of lamb, which is a young tender meat, he said. In today's affluent society, most persons will gladly pay the difference for a fresh quality product, said Burke.

## ORDER OF BUSINESS

Mr. CHURCH. Mr. President, I ask unanimous consent that I may be permitted to proceed for 6 minutes.

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

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

Mr. CHURCH. I yield.

## ORDER FOR RECOGNITION OF SENATOR DODD

Mr. DODD. Mr. President, I understand the Senate will recess shortly, subject to the call of the Chair.

I ask unanimous consent that when the Senate reconvenes after the recess I may be permitted to speak for 20 minutes.

The VICE PRESIDENT. The Senator from Connecticut has asked unanimous consent that when the Senate reconvenes he be permitted to speak for 20 minutes. Is there objection? The Chair hears no objection, and it is so ordered.

## PRESIDENT NIXON'S ADDRESS: A REASSESSMENT

Mr. CHURCH. Mr. President, in the Sunday edition of the Washington Post, Mr. Chalmers M. Roberts, one of the most knowledgeable journalists of this city, contends that the Nixon administration has made a major change in the American negotiating position on Vietnam.

Mr. Roberts writes:

The Nixon Administration is now prepared to accept an interim coalition government in South Vietnam provided it is the first step in a political process which denies either the present South Vietnamese Government or the National Liberation Front (Vietcong) a guarantee of victory.

Furthermore, if such a political process should, either by negotiation between the rivals or by an election, produce a coalition government on a permanent basis for South Vietnam, the United States will accept it.

According to Roberts, the new Nixon position is imbedded in the nuance and innuendo of the President's speech of last Wednesday evening, where, he alleges, it is hinted at "by deliberately obscure and ambiguous sentences and phrases and by careful omissions."

The interpretation Roberts gives to the Nixon address, if accurate, would indeed represent "a major scaling down of American policies from those of the Johnson administration."

In listening to the President's message, I did not detect what could well be a subtle but significant shift in our bargaining position. Frankly, so much of the rhetoric was so reminiscent of the last administration that I characterized the speech on the morning after as "the same old Johnson wine poured from a Nixon bottle."

However, after a careful, sentence-by-sentence reexamination of the Nixon text, I must concede that it is susceptible to the construction Mr. Roberts has given it; namely, that the door may have been discreetly opened, insofar as the President is concerned, to the possible formation of a coalition government in

South Vietnam. If so, I applaud the President's initiative.

Perhaps the long years of bitter, brutal warfare in Vietnam leave no ground for any pact whatever between Saigon and the Vietcong. But I have long felt that such hope as may exist for a settlement of this war rests upon the possibility of forming a provisional government for South Vietnam in which both sides would participate.

Just recently, I reiterated this belief, following the submission by the National Liberation Front of its 10-point offer in Paris; I repeated it again when first reacting, last Thursday, to President Nixon's eight-point counterproposal.

If the President, as Chalmers Roberts maintains, has informed Saigon and signaled Hanoi that he is "now prepared to accept an interim coalition government in South Vietnam," this, in my opinion, the most important development since the peace talks began over a year ago. Such a move might not break the deadlock in Paris, but it would constitute the most promising step yet taken in that direction. Moreover, it would represent, on our part, a major departure from past policy of the very kind I, myself, have urged, and would, of course, render baseless my initial criticism of the Nixon address.

With these considerations in mind, I ask unanimous consent that the two press releases to which I have referred, the first issued on May 10, in reference to the recent NLF offer; the second issued on May 15, the morning following President Nixon's address, be printed in the RECORD, together with the full text of the intriguing article by Mr. Chalmers M. Roberts.

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

## REACTION TO NLF PROPOSAL FOR PEACE IN VIETNAM

WASHINGTON, May 10.—Senator Frank Church today issued the following statement on the latest Viet Cong proposal at the Paris peace talks:

"Winning a war is one thing; settling a war is another. If the Vietnamese War is to be settled by agreement between the warring factions, then a provisional coalition government is inescapable.

"The proposal by the NLF that such a government be formed is a recognition of the realities, although the formula for creating it may prove extremely difficult to agree upon.

"The Saigon Government, on the other hand, has yet to indicate any willingness whatever to even consider a coalition government. Thus the principal disputants are still out of reach of a settlement. And the chances are they will remain so, as long as the Generals in Saigon can rely upon American troops to keep them in power.

"American diplomacy must strike off the shackles of Saigon. Since young American soldiers bear the main burden of the fighting this new NLF proposal should be examined with their interests foremost in mind. It could be a sign that the NLF is now ready for serious negotiations.

"Other hopeful ingredients in the new package proposal are these: First, the suggestion that at some stage North Vietnam may be willing to withdraw its troops from the South; second, that international supervision of troop withdrawals might become

acceptable; and, third, that neither side should impose its political regime on the people of South Vietnam during the interim period, pending elections."

## INITIAL REACTION TO PRESIDENT NIXON'S ADDRESS

WASHINGTON, May 15.—Senator Frank Church today issued the following statement in reaction to President Nixon's Vietnam address Wednesday night:

"Every week, another couple of hundred young Americans are killed in Vietnam; a thousand more are maimed or wounded. Most of these young men are conscripts, not volunteers or professional soldiers. Over a hundred thousand of them have already become casualties in this protracted war in distant Asia. Some thirty-five thousand are now dead.

"Under these somber circumstances, I cannot react to President Nixon's address of last evening in a politic, cautious, or circumspect way. I must speak my mind as my conscience directs.

"During the last election campaign, Mr. Nixon repeatedly assured the voters that he had a plan to end the war, which he would disclose at an appropriate time. Last night he revealed that the Nixon plan for ending the war is the same as the Johnson plan.

"All of the shop-worn propositions were reiterated; no departure was apparent from the static stance of the former Johnson-Rusk-Rostow triumvirate. It looked like the same old Johnson wine poured from a Nixon bottle.

"As the President himself indicated, our bargaining position still rests upon the same two legs: a mutual withdrawal of American and North Vietnamese troops from South Vietnam and free elections for the people of that country. But it remains as obscure as before how acceptable elections can be held in South Vietnam without some form of interim government to conduct them. If we intend for them to take place while the present regime in Saigon remains in control, how can we expect the Vietcong ever to agree? After all, men who dared to run against the Thieu-Ky regime during the last election there are now in prison. The recent proposal by the NLF that a coalition government be formed for the purpose of conducting such elections is a recognition of these realities.

"President Nixon, like President Johnson before him, has ruled out 'attempting to impose a purely military solution on the battlefield.' Our objective is still a political settlement of the war, meaning that agreement must be reached between the warring Vietnamese factions, which makes the formation of a transitional coalition government inescapable.

"Yet Richard Nixon, like Lyndon Johnson before him, chooses to ignore this crucial issue, while the Saigon government publicly refuses even to consider it. Nor is it likely that the Generals in Saigon will soon change their minds, as long as American troops remain in South Vietnam to do their fighting for them.

"Perhaps the President has secret information that by adopting the Johnson Administration's position on Vietnam he can somehow advance the stagnant peace talks in Paris. I fervently hope so. But, on the face of it, Nixon's address is a bitter disappointment to me. I must regard it as a refusal to acknowledge the only clear mandate to emerge from his election last November—the mandate from the American people to end this awful war."

[From the Washington (D.C.) Post, May 18, 1969]

## THE UNITED STATES EASES STAND ON VIETNAM COALITION

(By Chalmers M. Roberts)

The Nixon administration is now prepared to accept an interim coalition government in

South Vietnam provided it is the first step in a political process which denies either the present South Vietnamese government or the National Liberation Front (Vietcong) a guarantee of victory.

Furthermore, if such a political process should, either by negotiation between the rivals or by an election, produce a coalition government on a permanent basis for South Vietnam, the United States will accept it.

These points plus others described below, it can now be said authoritatively, are the substance in the Nixon peace plan of which only hints were surfaced in the President's televised speech last Wednesday evening.

As spelled out by persons in a position to know, the Nixon plan—and it is said to have the detailed concurrence of South Vietnamese President Thieu—is much closer to the Front's ten-point plan of May 8 than had been known previously.

Taken as a whole, the Nixon plan, as signaled to the Communists in the Wednesday speech by direct statements, by deliberately obscure and ambiguous sentences and phrases and by careful omissions, represents a major scaling down of American policies from those of the Johnson Administration.

The central question, in the Nixon Administration's view, now is this: will Hanoi be willing to take some risks now that officials here feel Saigon at long last is willing to take risks?

If that decision has been made in Hanoi, then serious bargaining can now begin in Paris once the Communists understand what is being proffered. If that decision has not been made—and no one here has any feeling of certainty one way or the other—then the Paris talks may have to go through yet another phase of stalemate, it is believed here, while Hanoi rethinks its position and judges the meaning of its latest military offensive.

To understand what the Nixon Administration is trying to do requires viewing it in a logical progression, as follows:

Military withdrawals by the United States and North Vietnam (aside from some unilateral American withdrawals as the South Vietnamese take over some of the fighting fronts) is now viewed here as manageable issue.

This means that the obscure clause No. 3 in the Front's ten-point plan offers an acceptable device to Washington, once the political issues have been settled, so that withdrawal can be phased into the political developments. All the ends are not tied up, of course, but how that would be done is thought to be a resolvable problem for both sides.

The core issue, then, is the political future of the South, which, of course, is what the fighting has been all about.

Here the Nixon Administration, and it is said the Thieu government, have backed far off from the Johnson Administration's way of looking at it.

President Nixon's speech sought to signal Hanoi on some of the essential points in the political tangle. Secretary of State William P. Rogers' views, as made public in Saigon last Friday, are the tip of the iceberg.

As the Administration views it, and as it has said, "self-determination" is the problem to be resolved. The Administration believes that "self-determination" ought to be negotiated between Saigon and the Communists.

The United States cannot accept settlement terms which would turn the South over to the Communists and make a mockery of the years of American and South Vietnamese bloodletting. That is beyond the Nixon bounds though Hanoi may still hope for such an outcome.

But on the other hand, it is said here, the United States is not going to impose the present Thieu-Ky regime on South Vietnam forever. It is that regime which the Communists have so long castigated as "represent-

ing no one" and being no more than American "puppets."

The Administration, then, wants to see negotiation of "self-determination" which would deny a guaranteed victory to either the Communists or the Thieu-Ky regime. In short, it wants both of them to take a gamble on the outcome of the political process. Mr. Nixon believes he is taking a risk in proposing this.

Although Mr. Nixon spoke of elections being held under some form of international supervision, the Administration is not wedded to the election process. Indeed, influential officials in several important posts agree with what Douglas Pike, an American expert on Vietnam, wrote over a year ago.

The "win-lose, all-or-nothing process" of elections has "something non-Vietnamese" about it. "Voting, to a Vietnamese," said Pike, "ignores the imperatives of group harmony."

Harmony doubtless is illusory in South Vietnam after all these bloody years of brother against brother. But the tendency to accommodation, when there is no other way out, remains strong and could come into play at this time, it is felt here.

So the Administration visualizes a political process about which it has developed detailed ideas that it has discussed with Thieu. But the contention is that the Administration is highly flexible about details.

The Communist ten-point program calls for creation, first, of a negotiated "provisional coalition government," and officials here say that is not unacceptable provided it is a part of a larger and longer process.

The Communist plan also calls for this interim regime, composed of both Communists and non-Communists (and here the Administration means the Thieu regime in the latter role, something the Communists have yet to accept categorically), to be succeeded, after elections of a new Constituent Assembly, by a permanent "coalition government of South Vietnam."

Rogers in Saigon, by indirection, hinted at what is now said categorically here: the United States will accept a coalition government if it is freely negotiated or is the result of elections.

It should be noted that the Administration, as an earnest of its view that elections are not essential, has assiduously avoided the "one-man, one-vote" formulation of the Johnson Administration. The phrase has never passed Mr. Nixon's lips.

In his now famous Foreign Affairs article on Vietnam before he became Mr. Nixon's White House foreign policy adviser, Henry A. Kissinger wrote that "it is beyond imagination that parties that have been murdering each other for 25 years could work together as a team giving joint instructions to the entire country."

The Communists, during some of the Paris conference sessions, have openly ridiculed the idea of elections by citing the obvious fact that they could hardly expect to have a fair shake if they were run by the Thieu-Ky government.

The Administration has taken all this into account. Mr. Nixon, it is pointed out—and Hanoi should note it—carefully did not say in his speech that the Communists would have to enter into a political process run by the current government of South Vietnam.

What Mr. Nixon did say, it is also noted, was that any settlement must include "a guarantee that this process" of self-determination "would be a fair one."

This was an obscure way of meeting the Communist objection to taking the risk of compromise. American officials thus can visualize either some form of joint Saigon-Front commission or an international group of outsiders to provide that guarantee. The presence of American and North Vietnamese troops could do the same.

The aim, it is said, is to avoid any chance that Saigon would seize upon the Front's

entry into such a political process to carry out what is described as an Indonesian-type massacre.

When all these components, some fairly clear, some still shadowy, are added together, they represent an immense change from past American policy.

They also represent a vast departure, or at least a vast potential departure, from the steps thus far publicly taken by President Thieu. Doubtless Thieu would have preferred some other type of Nixon speech on these points but, it is said, he has gone along nonetheless.

What the United States now hopes is that the Communists will decide to take the risk of compromise, without guarantee of ultimate victory for either side in the South, and then enter into negotiations at Paris on how to bring it about.

In sum, the Nixon Administration has reduced American demands to the simple one that there must be some real sense of choice for the South Vietnamese, a form of self-determination which the rivals work out themselves.

The United States is willing, as Mr. Nixon said, to join the Paris discussion with the Front as long as Saigon is there to do the main business. It is assumed that in such a case Hanoi would also be present.

When one looks back over the polemics from both sides in the past years since the massive American military intervention, one is struck by how far the Nixon Administration has moved. Because of the eye-catching line in the President's speech about withdrawal of most American troops within 12 months, the subtleties on the key political issues have been too much overlooked.

Indeed, it is said that some of the hard-sounding Nixon rhetoric in the speech, reminiscent of President Johnson, was adjudged necessary lest Hanoi and the Front still hope for total victory through either a collapse on the American home front or a collapse of the Saigon regime brought about by the Paris talks.

So it was necessary, it is added, to be sure that the Communists did not read into the flexibility that Mr. Nixon displayed or hinted at on political issues a signal that the United States is about to bug out of the war and hand the South over to them.

Coalition government long has been a perjorative term in Washington and Saigon. Dean Rusk said over and over that the United States would not "impose" a coalition on South Vietnam. More than three years and thousands of battle deaths ago, when the late Sen. Robert F. Kennedy called for admitting the Communists into "a share of power and responsibility" in Saigon, the then Vice President Humphrey compared the proposal to "letting a fox in the chicken coop."

And it now has been more than 14 months since presidential candidate Richard Nixon, declaring his opposition to a "coalition government" in Saigon, said in a campaign statement that "a coalition with the Communists is like putting a cobra and a mongoose together—they try to eat each other."

Finally, it is now nine months since the doves tore apart the Democratic Convention in Chicago with a platform plan proposing that "we will encourage our South Vietnamese allies to negotiate a political reconciliation" with the Front "looking toward a government which is broadly representative of these and all elements of South Vietnamese society."

Mutatis mutandis. Some necessary changes, indeed, have been made.

#### EIGHT-MILLION-DOLLAR UNNECESSARY EXPENDITURE BY DEPARTMENT OF THE AIR FORCE

MR. WILLIAMS of Delaware. Mr. President, today I call attention to an

unnecessary expenditure of \$8 million by the Department of the Air Force.

The Air Force solicited competitive bids for a certain type of flight instruments for the KC/C-135 aircraft. Three bids were received: The first from Collins Radio Co. for \$60.1 million; the second from Bendix for \$58 million; and the third from Sperry Flight Systems for \$52 million.

Notwithstanding the fact that there were two lower bids the Air Force awarded the contract to the highest bidder, Collins Radio Co., and their explanation was that "the Air Force had an urgent requirement for an integrated dual flight director/rotation go-around system" and the "total price would not be the governing factor in determining the successful offeror."

I ask unanimous consent that my letter of May 6, 1969, directed to the Secretary of Defense, asking for an explanation of this transaction, and the reply of May 13, signed by Col. John J. Shaughnessy, U.S. Air Force, be printed in the RECORD.

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

U.S. SENATE,  
Washington, D.C., May 6, 1969.

HON. MELVIN R. LAIRD,  
Secretary of Defense,  
Washington, D.C.

MY DEAR MR. SECRETARY: I have received a report alleging that the Department of Defense, through the Air Force, has awarded contract No. F34601-69-c-2462, which is on a KC135 aircraft.

It is alleged that this contract was awarded to the Collins Radio for \$60.1 million but that there were two lower bids submitted, one by Bendix in the amount of \$58 million and one by Sperry Flight Systems for \$52 million.

I would appreciate a report as to whether or not this allegation is true; and if so, why was this contract not awarded to the lowest responsible bidder?

Yours sincerely,

JOHN J. WILLIAMS.

DEPARTMENT OF THE AIR FORCE,  
Washington, D.C., May 13, 1969.

HON. JOHN J. WILLIAMS,  
U.S. Senate,  
Office of the Secretary.

DEAR SENATOR WILLIAMS: This is in reply to your recent letter to Secretary Laird regarding a contract recently awarded to Collins Radio Company, Cedar Rapids, Iowa, for flight instruments for the KC/C-135 aircraft fleet.

The decision to award the contract to Collins Radio Company resulted from a source selection evaluation in which price and other factors were considered. The letter of request for proposal sent to interested sources highlighted that:

a. The Air Force had an urgent requirement for an integrated dual flight director/rotation go-around system to enhance safety of flight of the KC/C-135 fleet.

b. A technical evaluation would be conducted so as to select the system that best operates within the environment of the -135 series weapon system. The five major areas to be evaluated on an integrated basis were technical, supportability, operations, management/production, and cost.

c. Maximum emphasis would be placed on proven capability, reliability and performance, demonstrated mean-time-between-failure, timely kit availability, and safety.

d. Total price would not be the governing factor in determining the successful offeror.

The basis of evaluation of proposals and the weighing factors utilized in the source

selection processes were established before proposals from industry were received by the Air Force. Each proposal received was evaluated impartially and in consonance with existing Air Force Regulations and Manuals concerning source selection. This evaluation established that Collins Radio Company had demonstrated the best capability for fulfilling the requirement considering all factors.

We hope this information will be helpful. Sincerely,

JOHN J. SHAUGHNESSY,  
Colonel, USAF, Chief, Plans Group,  
Legislative Liaison.

Mr. WILLIAMS of Delaware. Mr. President, my questions are: If there was only one company qualified why did they solicit competitive bids in the first place, and once having solicited bids why was not the contract awarded to the lowest responsible bidder?

This contract was awarded at a cost of 15 percent above the lowest competitive bid and represents an unnecessary expenditure of \$8 million.

#### NEW TAX LOOPHOLES FOR OIL INDUSTRY

Mr. WILLIAMS of Delaware. Mr. President, in the April 25, 1969, issue of the Cleveland Plain Dealer, there appeared an article by Donald L. Barlett, entitled "Oil Firms 'Carve Out' New Tax Loopholes" followed by an article with a Washington dateline entitled "Oil Firms Lost Battle, Won War."

This first article furnishes an excellent record of the manner in which the oil industry escapes the payment of Federal income taxes, and at a time when we are considering the raising of the taxes of every taxpayer it should be read by every Member of Congress. Certainly this is one loophole which must be closed. This is one industry which is not paying its proportionate part of the cost of operating our Government.

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

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

[From the Cleveland (Ohio) Plain Dealer,  
Apr. 25, 1969]

#### OIL FIRMS "CARVE OUT" NEW TAX LOOPHOLE (By Donald L. Barlett)

WASHINGTON.—The petroleum industry has zeroed in on a loophole in the nation's federal income tax laws that opens the door to a billion dollar tax dodge.

Once perfected, the loophole—virtually unknown outside the minerals industry—can enable an oil company to avoid payment of all federal income taxes.

The tax gimmick already is being used by some oil companies to escape the brunt of the 10% surcharge and income taxes running into the hundreds of millions, a Plain Dealer investigation disclosed.

The loophole involves a transaction known as a carved out production payment.

It is used in a complex bookkeeping system in which income is shifted from one year to another to create special tax advantages.

The accounting device gives a company an inflated income one year and a self-induced loss the following year.

Unlike the long controversial 27½% oil depletion allowance, a tax-saving benefit that was granted by Congress, the production payment is a tax-avoiding device.

When used in conjunction with the de-

pletion allowance, the production payment allows an oil company to:

Increase the value of the depletion allowance above the level intended by Congress when the depletion law was enacted.

Create self-induced paper losses through bookkeeping manipulations that reduce and eliminate federal income tax liability.

Lower the income tax payments of other businesses owned by the oil company, giving these firms a subsidized advantage over competitors.

Growing use of production payments was found in a continuing Plain Dealer inquiry into the federal income tax status of the oil industry.

Although aware of the tax-avoidance technique, federal agencies are just beginning to compile figures on the scope of production payment sales.

U.S. Treasury aides call the payments a "tax abuse" and Congressional tax reformers label them a "tax dodge."

A production payment is similar to a loan, with the oil in the ground serving as collateral. The oil company borrows money from a lending institution and repays the loan as oil is produced and sold.

It is a transaction that is unique to the petroleum and minerals industry in that the proceeds of the loan are treated as income for tax purposes by the oil company. This may sound like a disadvantage but it works to the company's benefit at a later time.

This special tax treatment stems from court decisions and private rulings issued by the Internal Revenue Service (IRS).

The Treasury Department, in its preliminary study, estimates the government lost a minimum of \$350 million in tax revenue in 1966 as a result of the production payment loophole.

A Capitol Hill tax expert places the potential loss to the government at more than a billion, noting that oil companies started using production payments to escape income taxes only in the last few years.

The practice is spreading—on a much smaller scale—to other mineral businesses such as coal and cement.

The only government statistics available on the subject are based on a limited Treasury survey.

These figures show that the sale of carved out production payments soared 150% from 1965 to 1966, rising from \$214 to \$540 million.

But the Treasury figures appear to be on the conservative side.

A Plain Dealer study showed that:

Ten large and small oil companies alone sold production payments totaling \$217.4 million in 1967—the last year for which complete statistics are available.

Of the 10 companies, four reported owing no federal income tax at all, while recording combined profits of nearly \$140 million.

A projection of production payment sales, based on these 10 companies, places the total for 1967 in excess of \$1 billion. There are dozens of major and large independent companies, thousands of smaller firms, partnerships and individuals—all eligible to sell production payments.

Preliminary figures for 1968—based on company reports still being issued—indicate a continuing rise in sales.

Use of production payments is widespread, with a sizable majority of the major and large independent oil companies reporting the transactions.

Some oil companies conceal the actual production payment figure, lumping it with other income in their financial statements.

A production payment may be compared with a home mortgage loan transaction in which an individual borrows money from a bank to purchase a house.

The bank, in return for the money it lends, receives a claim (mortgage) against the property.

In the case of the production payment, the oil company obtains a loan from the bank, which receives a claim against the company's untapped oil reserves.

The loan usually is for one year, at a fixed rate of interest, and repaid out of the income from oil or gas produced and sold in the following 12 months.

Unlike such dealings in any other business production payment is considered as income rather than a loan.

The courts have ruled the buyer is purchasing an economic interest in the mineral in the ground—making the income of the production payment subject to the 27½% depletion allowance.

This inflates an oil company's income for one year, causing a mismatching of income and expenses for two years—a bookkeeping practice frowned upon by many professional accountants.

The mismatching occurs when the company reports the income from the production payment one year and the expenses incurred in extracting the oil the following year.

Under the depletion allowance, a company pays no federal income tax on 27.5% of its income from wells.

But the tax-free sum—according to the depletion statute—may not exceed 50% of a company's net income.

By selling a carved out production payment, the oil company bypasses the 50% limit imposed by Congress.

Using a fictitious firm, here is how the percentage depletion allowance was intended to work:

Cuyahoga Oil Co.'s income from wells was \$10,000,000 for the year. Deductions for business expenses and costs totaled \$8,000,000, leaving a net taxable income of \$2,000,000.

Income from wells.....	\$10,000,000
Business expenses.....	-8,000,000
Net income.....	2,000,000

The depletion allowance is based on gross income from the wells—27½% of \$10,000,000. This represents \$2,750,000 in tax free income.

Income from wells.....	\$10,000,000
Depletion allowance.....	×.275
Tax free income.....	2,750,000

However, this deduction may not exceed 50% of the company's net taxable income, which in this case is \$2,000,000. Fifty percent of this figure is \$1,000,000.

Net income.....	\$2,000,000
Allowable depletion.....	×.50
Taxable income.....	1,000,000

The maximum allowable depletion deduction then is \$1,000,000, or \$1,750,000 less than full depletion allowance.

Net income.....	\$2,000,000
Allowable depletion.....	-1,000,000
Taxable income.....	\$1,000,000

This leaves \$1,000,000 on which Cuyahoga Oil Co. must pay federal income tax. At the corporate rate of 52.8%, the company pays \$528,000 in income tax.

Taxable income.....	\$1,000,000
Corporate tax rate.....	×.528
Federal income tax owed.....	528,000

Using the same figures over a two-year period, Cuyahoga Oil Co. would pay a total of \$1,056,000 in federal income taxes.

Through a carved-out production payment, the company avoids federal income taxes in the following manner:

The company sells a production payment to a bank, foundation, insurance company or some other lending institution.

In this case, the production payment amounts to \$8,000,000.

Added to Cuyahoga Oil Co.'s original \$10,000,000, this increases the firm's income from wells to \$18,000,000 in the first year.

Deductions for business expenses remain the same as before, \$8,000,000, but now the net taxable income is \$10,000,000.

Income from wells.....	\$18,000,000
Business expenses.....	-8,000,000
Net income.....	10,000,000

The depletion allowance is based on gross income from the wells—or 27½% of \$18,000,000. This represents \$4,950,000 in tax-free income.

Income from wells.....	\$18,000,000
Depletion allowance.....	×.275
Tax free income.....	4,950,000

Now Cuyahoga Oil Co. may deduct the full depletion allowance because it does not exceed 50% (\$5,000,000) of its net taxable income.

Net income.....	\$10,000,000
Tax free income.....	-4,950,000
Taxable income.....	5,050,000

Taxed at the corporate rate of 52.8%, the company pays \$2,666,400 in federal income tax in the first year.

Taxable income.....	\$5,050,000
Corporate tax rate.....	×.528
Federal income tax owed.....	\$2,666,400

The following year the company's income from wells remains the same—\$10,000,000. However, the company deducts as an expense, the funds used to satisfy the production payment (loan) of \$8,000,000 leaving a balance of \$2,000,000.

Income from wells.....	\$10,000,000
Production payment.....	-8,000,000
Balance.....	2,000,000

The company's business expenses for the year still total \$8,000,000, creating a self-induced paper loss of \$6,000,000 and eliminating any federal income tax liability for the year.

Balance.....	\$2,000,000
Business expenses.....	-8,000,000
Self induced loss.....	(6,000,000)

Cuyahoga Oil Co. then applies the \$6,000,000 loss in the second year as an operating loss carryback, collecting a refund from the government of the \$2,666,400 paid in federal income taxes in the first year.

The \$6,000,000 paper loss offsets the \$5,050,000 income the first year, leaving \$950,000 to be carried forward or back to other years.

Self induced loss.....	\$6,000,000
Prior taxable income.....	-5,050,000
Unused loss.....	950,000

Thus Cuyahoga Oil Co. eliminates payment of federal income taxes over the two years totaling \$1,056,000 (\$528,000 each year if no production payment), while showing a book profit of \$2,000,000.

The company may repeat this cycle every two years, perpetually avoiding payment of any federal income tax.

The unused loss of \$950,000 also may be used to reduce the tax liability of subsidiary businesses.

For example, Cuyahoga Oil Co. may own a publishing firm that reports net taxable income of \$3 million.

The \$950,000 paper loss is deducted from the \$3 million. Instead of paying income tax on \$3 million, the publishing company pays tax on \$2,050,000.

This procedure is followed when the oil

company files a consolidated tax return that includes all its subsidiaries.

One of the issues raised by production payment critics is the unorthodox accounting system that mismatches income and expenses over the two years.

The oil companies are so sensitive to the unique accounting procedure that it is never made public.

An oil company reports to mismatching of income and expenses only on its tax return—a secret document.

In its annual report to stockholders—a public record—the company lists the income from the production payment in the same year the oil is produced.

The dual income reporting system means two sets of financial books: one for the tax man and one for the public.

The use of production payments to elude payment of income taxes has received little publicity outside the petroleum and securities industries.

Even some members of Congress, who profess to be familiar with petroleum tax laws seem to be unaware of the tax-avoiding potential.

Last February, Sen. William Proxmire, D-Wis., alluded to a tax loophole (production payments) which permits an oil company to use the depletion allowance to offset income from other sources.

His statement brought an immediate response from a colleague who observed that he was certain Proxmire was mistaken and added:

"It is (my) understanding . . . that the percentage depletion deduction is only available with respect to oil properties, or the income from oil properties . . . I would have to have powerful evidence to the contrary.

"Before I came to the Senate I prepared tax returns involving oil operating interests and never have I heard that percentage depletion could be offset against anything except oil production.

"Furthermore, as the Senator (Proxmire) has accurately pointed out, it cannot exceed 50% of net income, and that net income is from the oil property or the oil income and not from other income.

"This is a technical area of the tax law and I can understand how one could be confused over it."

As one tax reformer put it:  
"This is a very complex issue and most people don't understand it.

"It was only a few years ago, after some court and IRS rulings, that the tax lawyers found the loophole and said, 'Oh, boy, here we go.'"

A Treasury aide told the Plain Dealer that some farsighted oil companies sold production payments to reduce or eliminate the impact of the 10% surcharge.

The companies shifted income from 1968—the year the surcharge went into effect—back into 1967.

This was accomplished by selling a huge carved out production payment in December 1967.

The Plain Dealer study of production payments showed that oil companies from the smallest to the largest utilize the tax dodging technique.

The amounts of the production payments sold varied widely.

Aztec Oil & Gas Co. of Dallas, with a net income of \$2.5 million, sold a production payment for \$2.2 million—nearly the full amount of its profit in 1967.

In the same year, Atlantic Richfield Co. of New York had a net income of \$145.2 million and sold future production amounting to \$56.3 million.

Atlantic Richfield reported owing no federal income tax from 1962 to 1967—while registering total profits of nearly a half-billion dollars.

Complete financial statistics are available only for 1967. But incoming reports for 1968

indicate another increase in production payment sales.

General Crude Oil Co. of Houston—another firm that has owed no income tax in recent years—sold a production payment for \$609,000 in 1967. In 1968, the figure rose to \$6 million.

The Signal Companies, Inc., Los Angeles, sold a \$7.7 million production payment in 1967 and a \$19.8 million payment in 1968.

Observes a Congressional tax reformer:

HOW CARVE OUTS CUT TAXES

[Dollars in thousands]

	Production payments sold	Net income before taxes	Federal income taxes owed	Percent of profit owed in tax	Profit after taxes
Atlantic Richfield Co. ....	\$56,325	\$145,259	None	0.0	\$130,005
General Crude Oil Co. ....	609	5,500	None	.0	5,500
Aztec Oil and Gas Co. ....	2,200	2,516	None	.0	2,510
Wilshire Oil Co. of Texas. ....	284	392	None	.0	392
Amerada Petroleum Corp. ....	8,407	103,979	\$887	.9	58,461
Pennzoil Co. ....	28,000	16,296	337	2.1	15,959
Union Oil Co. of California. ....	26,626	163,820	10,400	6.3	144,963
Sinclair Oil Co. ....	18,500	130,017	10,585	8.1	95,372
Tenneco, Inc. ....	71,541	159,812	13,604	8.5	146,208
Continental Oil Co. ....	4,900	241,362	30,031	12.4	149,962
Total and tax average. ....	217,932	968,953	65,844	6.8	748,332

Note: This table is based on financial information obtained from reports filed with the U.S. Securities and Exchange Commission in Washington, D.C. The table, for the year 1967, shows value of carved out production payments sold, net income before taxes, Federal income tax owed, the tax rate and profits of 10 large and small oil companies. In some cases, the above figures for production payments sold are lower than the actual amounts because the companies reported the sales net of deferred income tax.

**OIL FIRMS LOST BATTLE, WON WAR**  
WASHINGTON.—The government tried to plug a petroleum industry income tax loophole back in 1958 and the big loser was the U.S. Treasury.

The reason:  
In a successful legal battle to close one loophole, worth a few million dollars to oilmen, the government opened another loophole worth an estimated billion dollars or more to the same oilmen.

Looking back on the legal proceedings, a Capitol Hill tax expert says:

"It is the most expensive victory the government ever won."

The unusual victory came in a decision handed down April 14, 1958, by the U.S. Supreme Court in a case known as the P. G. Lake Case.

For the oil industry, it was a landmark decision that opened the door to a billion dollar tax dodge through the use of carved out production payments.

The issue then before the court was this: Should the proceeds of a production payment be taxed at the low capital gains rate of 25% or at the ordinary income tax rates that ranged up to 91%?

Until 1958, lower courts and the U.S. Tax Court had held that the sale of a carved out production payment constituted the transfer of a capital asset.

Using this interpretation of a production payment, the lower courts said the proceeds from the transaction should be taxed as a capital gain.

The Lake case was a consolidation of five separate cases, four involving oil production payments and one dealing with sulphur.

The lower courts had sustained the taxpayer's argument that the production payment represented the sale of a capital asset and thereby the lower tax rate.

In appealing the case to the Supreme Court, the government contended that the payments were merely an assignment of future income subject to taxation as ordinary income and not capital gains.

The Supreme Court upheld the government, moving The New York Times to report the following day:

"The Supreme Court held unanimously that payments for rights to future oil profits are taxable as ordinary income, not as capital gains.

"The ruling was a blow to what has become a widespread practice in the oil industry, so-called 'in-oil payments.'

"Sales of production payments are increasing in geometrical proportions each year.

"As more people learn how to use production payments, they eventually will result in a greater tax loss than the depletion allowance.

"It's another example of the oil companies finding a crack in the tax laws and widening it until it reaches the proportions of a chasm."

years when tax experts found a way to reduce and often eliminate an oil or mineral company's federal income tax liability through the sale of a production payment.

SANE ENERGY POLICIES  
A DESPERATE NEED

Mr. METCALF. Mr. President, the Nation urgently needs coordinated energy policies that will assure the most efficient use of our resources and, at the same time, reverse the present trend toward severe environmental damage of a kind that is often irremediable. We must strike a balance between maintaining a growing and prosperous economy on the one hand and maintaining or restoring the quality of our air, water, and land, on the other hand.

Secretary of the Interior Walter Hickel gave his full assent to this kind of balanced approach to resource development during hearings on the confirmation of his nomination earlier this year. I voted to confirm his appointment because he convinced me that he meant what he said about this.

So far I have had little reason to regret my affirmative vote, and a letter the Assistant Secretary of the Interior for Water and Power, James R. Smith, wrote to me regarding energy policies in the Northwest gives me further encouragement.

The letter was in response to a request by the senior Senator from Montana (Mr. MANSFIELD) and me to Secretary Hickel for a fully coordinated study of the electric power needs of the Northwest and the means for meeting these needs. Our contention was that current plans to meet rapidly growing electric energy needs in the Pacific Northwest rely too much on nuclear generating plants; and that alternative approaches should be considered because of the many unresolved conservation problems in connection with nuclear generation—as well as sharply escalating costs of nuclear plant components and fuel.

The alternative we suggested was the use of coal reserves in the northern Rocky Mountain and Great Plains States as a source of energy, combined with a grid of extra-high-voltage transmission lines—"electrical superhighways"—to carry the energy to markets in the Pacific Northwest and perhaps to the Midwest as well. We pointed out that certain already completed Interior Department studies point to this alternative as more economical and less damaging to the environment than the nuclear power schemes now being proposed.

Assistant Secretary Smith's reply was most encouraging because it demonstrated awareness of the problems we face, both in terms of the economics of energy development and the environmental problems involved. The letter evidenced willingness to study these questions in detail and I trust the Interior Department will soon be getting underway with such a study, although the letter makes no absolute promises.

In our letter, Senator MANSFIELD and I also urged an all-out program to develop magnetohydrodynamics, a highly promising new technology for the conversion of coal and other fossil fuels to electric energy without air and water

"Forty-three cases are pending before the Internal Revenue Service and officials have said 'many millions' in tax revenue are at stake.

"In the government's view, the disputed practice was a way to anticipate future income and avoid paying full income tax on it."

As a result of the court's decision, the production payment device has been used by the oilmen not to "avoid paying full income tax"—but to avoid paying any income tax, as explained.

The decision paved the way for an oil company to create self-induced paper losses that may be used to reduce or eliminate the income tax payments of not only the oil company but its subsidiaries.

In the Lake case, the legal issues considered by the Supreme Court were quite narrow and did not involve the propriety of selling production payments to reduce taxes.

But the Tax Court, other lower courts and the Internal Revenue Service (IRS) all have issued similar opinions on techniques employed to lower income taxes.

Typical is a decision handed down by the U.S. Court of Appeals, Fourth Circuit, which states:

"The legal right of the taxpayer to decrease the amount of his taxes, or altogether to avoid them by means which the law permits, cannot be doubted.

"If, upon careful scrutiny, the transaction has real substance and is not a sham, it matters not whether the taxpayer's aim was 'to avoid taxes or to regenerate the world' . . ."

In private rulings, the IRS has expressed the same opinion on production payments, saying they are proper as long as there is a bona fide transaction.

There is nothing new about the sale of carved out production payments—only the purpose of the transaction has changed over the years.

The use of production payments in the petroleum industry dates back to the turn of the century—years before the United States had an income tax.

At that time, a wildcat oil operator would grant a production payment to a landowner in exchange for the right to drill on his property.

This concept later was expanded and the wildcaters gave the production payments to drilling companies—instead of cash—for their services.

The final refinement came in the last few

pollution and at about 50 percent more efficiency than in conventional plants and even greater efficiency than in the highly inefficient nuclear plants.

It strikes me that there is a tremendous imbalance in money allocated to various new technologies for energy production with the lion's share of Federal funds now going to atomic energy and only token amounts being spent on coal research and development. There have been almost no Federal funds appropriated for MHD, for example, and the entire Office of Coal Research budget has been in the neighborhood of only about \$12 million annually. This is in stark contrast to the hundreds of millions spent so far on civilian nuclear power programs by the Atomic Energy Commission.

Thus it seems quite apparent to me that the Nation is badly in need of overall coordination of its energy policies. In our letter, Senator MANSFIELD and I suggest studies only of energy policies in the Northwest, but I firmly believe that such studies increasingly need to be made on a national scale. I very much hope that this sort of effort will be forthcoming and I plan to work with others who wish to create the means for implementing such studies.

I ask unanimous consent to have printed in the RECORD the letter Senator MANSFIELD and I wrote to Secretary Hickel and Assistant Secretary Smith's reply.

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

MARCH 19, 1969.

HON. WALTER J. HICKEL,  
Secretary of the Interior, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: It has come to our attention that the Bonneville Power Administration and utilities in the Pacific Northwest, basing their plans partly on the results of a study by Battelle Institute, are contemplating a vast program to build thermoelectric generators in that region. Many, if not most, of these generators are to be nuclear.

We are concerned about the conservation aspects of this projected program, about the rapidly escalating cost of nuclear plants and about other unresolved problems in connection with nuclear generation. We would thus like to suggest study of an alternative course of action which might provide at least part of the energy needs of the Pacific Northwest region and therefore lessen the reliance on nuclear generation.

There is ample engineering evidence, we believe, to indicate that electric energy produced with coal at mine-mouth in Eastern Montana and Wyoming, then transmitted via extra-high-voltage facilities to the Pacific Northwest, would be highly competitive in cost with energy produced in the Pacific Northwest in nuclear plants. The extra-high-voltage lines could possibly be a part of a larger network of such lines which would produce a number of other benefits. Thus the cost could be brought down even further, and the coal-produced power might enjoy a clear competitive advantage over nuclear power.

It is ironic that right in the files of the Department of the Interior repose studies which appear to back up this contention. Interior's Study 190, a study of a plan to connect the entire western two-thirds of the nation with extra-high-voltage lines, outlines the benefits to be achieved through such interconnections. These benefits would be produced in the form of increased reliability and through massive interchanges between the eastern and western portions of the sys-

tem, taking advantage of hydrological, seasonal and time-zone diversity. Another report, produced by Robert Nathan and Associates for Interior's Office of Coal Research, suggests that coal-produced power from Montana and Wyoming would be competitive with nuclear power produced near Pacific Northwest load centers—even without the benefits of the Study 190 transmission system and before the recent escalation in nuclear costs.

Other recent information indicates that coal from the Lake DeSmet area of north-central Wyoming, and probably coal in certain nearby areas of Montana, can be produced at a cost of six to seven cents per million British Thermal Units—compared to an earlier Missouri Basin low coal cost of 12 cents per million BTUs. The six-to-seven-cent cost is one of the lowest anywhere in the world.

South-central Montana and north-central Wyoming have more than adequate water for cooling purposes (although in some cases it might have to be transported to point of use). We refer here to the industrial water available from the U.S. Bureau of Reclamation's Yellowstone Reservoir in Montana, from USBR reservoirs in Wyoming, from a proposed State of Montana reservoir on the Tongue River in Montana and from the proposed (by USBR) Moorhead Reservoir on the Powder River in Montana and Wyoming.

The Montana-Wyoming coal fields are also perfectly situated for being traversed by one of the main east-west links of the Study 190 extra-high-voltage system. The coal fields would thus lie approximately half-way between large load centers on the system—in the Midwest and in the Pacific Northwest—and thus perhaps could serve both.

The potential is greatly enhanced by the possibility of the development of magnetohydrodynamics, a new technique for generating power from fossil fuels developed by a AVCO-Everett Research Laboratories. MHD (as it is called) offers a possibility for using coal to generate power without air pollution, with little need for cooling water and at about 50 percent more efficiency than in conventional coal-fired plants (and yet greater efficiency than in the relatively inefficient nuclear plants). For some unexplained reason, a \$10,000,000 request for an MHD pilot plant was not included in President Johnson's 1970 budget, even though immensely greater sums are appropriated for nuclear energy.

We would like to add that the potential for large-scale extra-high-voltage interconnections appears, from experience so far, to be even greater than was anticipated during planning stages. For example, the Northwest-Southwest intertie enabled 800,000 kilowatts of capacity to be transmitted from California to the Pacific Northwest during a recent cold snap in the latter region. Originally it had been intended that only energy (as opposed to capacity) had been scheduled for northward transmission over this intertie, but the capacity was needed because of unusual weather conditions—and it was available because of the intertie. We would expect similar unforeseen benefits to accrue from massive interties between the Pacific Northwest and the Midwest.

We therefore propose that the Department of the Interior, and its agencies involved with water, energy, and power, launch as soon as possible a study to identify the combined economic benefits of the Study 190 transmission system and the use of power from Montana-Wyoming coal in the Pacific Northwest. If you could develop a price tag for the study, we would be happy to supply all possible support for appropriations at hearings this spring. We believe this to be of urgent importance in view of the present planning by BPA and Pacific Northwest utilities. It is essential that we take a careful look at alternative proposals so as to achieve a system which will provide the greatest

benefits to all concerned—including the taxpayer.

We also wish to ask that an appropriation request for MHD be restored to the Budget. We would like to note that the Interior Department energy policy staff last summer recommended a total expenditure of \$50,000,000 for MHD development and we think that this is a reasonable amount for a program of such important potential.

Very truly yours,

MIKE MANSFIELD,  
U.S. Senator.  
LEE METCALF,  
U.S. Senator.

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., May 8, 1968.

HON. LEE METCALF,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR METCALF: We deeply regret the delay in responding to your letter of March 19 and wish to acknowledge receipt of your May 5 letter on the same subject.

We were impressed with your excellent analysis of the electric power resource and related transmission economics as it pertains to the Pacific Northwest and generally to the western area of the United States. This Department agrees that all interested agencies, Federal, public and private, should continually investigate the electric power resource and transmission situation to foster the delivery of ample supply of low-cost power to the consumer. The report "A Ten-year Hydrothermal Power Program for the Pacific Northwest, January 1969" prepared by Bonneville Power Administration together with "Transmission Study 190, February 1968" prepared by the Bureau of Reclamation, Southwestern Power Administration, and Bonneville are examples of studies which lead to implementation of low-cost power development. The Public Power Council, a group of 106 publicly owned utilities in the Pacific Northwest, is considering the initiation of a study of potential electric power resources that will provide their future energy. Their studies will delve into the economics of all practical alternative energy sources. A prime portion of the PPC studies will include investigation of potential development of mine-mouth plants in low-cost coal areas in Montana, Wyoming and other Rocky Mountain and Missouri River Basin states. Other investigations involving possible import of Alaskan coal, potential Canadian coal resources, pressurized and boiling water reactors, development of prototype fast breeder reactors and prototype magnetohydrodynamic fossil fuel generation facilities may also be included in the Public Power Council programs.

We would like to respond to the particular points brought out in your letters. We agree that the report on the hydro-thermal program for the Pacific Northwest may have led you to the conclusion that nuclear generation was the major thermal power source considered. The "models" presented in the Appendix of the report do list a series of twenty nuclear plants. On the other hand, as stated elsewhere in the report, fossil fuel power resources or other thermal resources were considered to be alternatives to nuclear development. For instance, the map on page 23 of the report shows two transmission interconnections "to the East" which are designated as possible future interties which would transmit fossil fuel power into the Pacific Northwest. The first such fossil fuel (coal fired) powerplant is now being planned as a 1000-mw plant located in Southwestern Wyoming.

We are reaching the final stage in programming the first six thermal plants that follow the development of Centralia, Washington, units 1 and 2 which are now under construction. This group of seven plants will have a total capacity of about 7,500 mw. 2,400 mw

of this total will be coal-fired steam-electric powerplants. These latter plants are the Centra plant of 1,400 mw and a 1,000 mw coal-fired plant programed for development near a coal mine in Southwestern Wyoming. The other five thermal plants will probably be nuclear steamplants located in Oregon and Washington, west of the Cascades. The first of these plants is now under construction by the Portland General Electric Company at a site along the Columbia River north of Portland, Oregon. We believe it is highly desirable to develop a diversity of types of electric power supply so that economic trends that affect individual types of power sources do not excessively increase power costs.

We agree that the development of extra-high or ultra-high voltage transmission facilities, together with large coal-fired plants in Eastern Montana and Wyoming, can be expected to become competitive with nuclear power facilities located more closely to the Pacific Coast load areas.

We have had discussions with representatives of both the Peabody Coal Company concerning development of its Eastern Montana coal resources and the Reynolds Metals Company regarding its coal holdings in Northern Wyoming. From these discussions it appears that mine-mouth coal-fired plants in these areas could furnish competitively priced power to load areas in the Pacific Northwest by the 1980's. The Pacific Northwest hydro-thermal program is based on the concept that the continuing need for thermal electric power shall be obtained from the resource that provides low-cost electricity to the Pacific Northwest consumer.

The hydro-thermal program did not disregard the findings of Transmission Study 190. In fact, as pointed out previously, the program included the possibility of transmission connections to the east and importation of coal-fired thermal power. High-voltage interconnections from the Pacific Northwest to the east and southeast would allow more extensive development of coal resources in areas east of the Rockies, since the burden of transmission cost could be shared to provide the several types of power transmission benefits including transmission of power from the plant to the load areas east or west. It should be pointed out that maximum benefit of combined use of transmission facilities will be achieved when large-scale coal-fired powerplants, some 3000 mw or more, are located about midway in an east-west tie.

The six to seven-cent/million BTU cost of Montana coal mentioned in your letter would, in all probability, make power generated by this fuel competitive with almost any other available power source even though as much as one mill/kwh may be associated with extra transmission costs. We believe that your suggestion for an extension of Transmission Study 190 to include the economics of power source development, together with the cost and benefits of interconnecting extra-high voltage transmission facilities, is entirely appropriate. We have been considering this type of study extension which could be a part of our overall energy resources development program.

Your observation that the Pacific Northwest-Southwest Intertie was used this winter to transmit 800,000 kw of capacity north from California to the Pacific Northwest serves to illustrate the fact that well planned interconnections will usually be utilized to achieve benefits that exceed the amounts forecast in the feasibility studies.

MHD technology has not yet been developed to the point of commercial application but preliminary experimentation indicates that if the numerous engineering problems can be overcome that electric generation may be accomplished with reduced air pollution and water requirements along with increased efficiency. In this connection there is increasing interest in the U.S. in evaluating the need for larger scale experimentation and

in coordinating U.S. efforts with those of other countries. At present, however, commercial application seems to be some years away.

The fiscal constraints under which the F.Y. 1970 budget was prepared were not conducive to the undertaking of a new MHD pilot plant of the magnitude mentioned in your letter. Basically, the 1970 budget only continues on-going pilot plant projects.

A study is presently being made by the Office of Science and Technology of the state of technology of MHD, its possible implications to the U.S. electric energy economy, and what the public policy should be toward this new development. We wish to have the benefit of the OST view to determine if funds should be requested for Federal expenditures in research. If the decision is reached to go ahead in this area, a \$50,000,000 MHD research program would appear reasonable to advance this technology.

Implementation of the hydro-thermal power program for the Pacific Northwest now involves consideration of the possibility of fast breeder nuclear prototype plants. Various types of such plants are now being sponsored by several manufacturing and utility groups throughout the country. It may now be appropriate to similarly accelerate the cooperative development of prototype plants involving MHD electric generation. We believe that public, private and Federal agencies should coordinate in the sponsorship of programs that have future economic promise.

We appreciate your interest in and expert interpretation of such programs and studies as the hydro-thermal program for the Pacific Northwest and Transmission Study 190. We believe that continued interchange of ideas regarding such programs will accelerate future economic developments with due consideration of environmental factors.

Sincerely yours,

JAMES R. SMITH,

Assistant Secretary of the Interior.

**GOV. ALBERT P. BREWER, OF ALABAMA, COMPLETES FIRST YEAR IN OFFICE**

Mr. SPARKMAN. Mr. President, a few days ago Alabama's Gov. Albert P. Brewer completed his first year in the State's highest office. Albert Brewer was Lieutenant Governor of the State of Alabama and succeeded to the office of Governor upon the death of Gov. Lurleen Wallace.

There has been great interest in his accomplishments during the first year in office. Editorial comment has been favorable. I believe that the people of the State feel that he has rendered distinguished service and has shown great leadership qualities.

The Sand Mountain Reporter, Albertville, Ala., of May 13, 1969, published an editorial entitled "Brewer's First Year"; also, the Birmingham News of May 12, 1969, published an editorial entitled "Brewer's Year."

I ask unanimous consent that the two editorials be printed in the RECORD.

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

[From the Albertville (Ala.) Sand Mountain Reporter, May 13, 1969]

**BREWER'S FIRST YEAR**

Gov. Albert P. Brewer ended his first year in the state's highest office last week, and according to his own evaluation, the school program which just passed the special session of the legislature was by far the most important achievement.

Despite the wide divergence over particular parts of his program, the Alabama state legislature has a healthy measure of respect for the governor and is sympathetic toward his program of governmental reform.

Brewer somehow resists classification as a reformer. Perhaps that is because reformers are generally thought of as wild-eyed, outspoken and radical types who make all sorts of pronouncements and dire predictions about what will or will not happen if their viewpoints are not immediately impressed upon the public will.

And Brewer fills none of these requirements. Yet he is effecting governmental reform in a real and meaningful way.

For one thing, economy is not just a catchword to be used at election time. While the establishment of a car pool is the most dramatic single part of his economy move, it is by no means the only economy.

People who do business with the state have discovered that to win a state contract, or to receive purchase orders for what they're selling, they've got to come up with the lowest possible price and the best possible service.

In the matter of state insurance, for instance, agents long used to paying tribute to some minor state satrap for the privilege of doing business with the state, are finding it no longer necessary. Insurance is being bought at far lower premiums and state officials under bond are being bonded at much lower cost to the state.

The cost of road building equipment, like all other heavy machinery, has climbed steadily over the past four years. Yet in a recent purchase the State Highway Department paid far less for the same machines than when similar units were bought four years ago.

State officials who have spent with a fairly free hand in years past are finding their requisitions for supplies and equipment given a very critical scrutiny.

In short, Gov. Brewer is applying to state government the same economies that private business must practice if it is to show a profit.

But more than that—His most effective work has been in a field of governmental cooperation, of using the great resources of the federal government to help Alabama all it possibly can. To this end he organized the Alabama Programs Development Office, pulling together a group of loosely organized and ineffectual agencies into a single unit designed, geared and financed to see that the state and its cities and counties get the maximum allowable federal assistance.

And in the field of industrial growth, he has set in motion plans to reorganize the Department of Planning and Industrial Development. Planning will become a function of the Programs Development Office and the search for industry will be greatly enhanced by establishment of a "data bank" through which industries in search of a home can have, in an instant, all the information they need about a particular site.

His recent trip to New York, during which he appeared before many of the nation's leading businessmen, was a real "plus" for Alabama. Business magnates were quick to note his ability and his earnest desire to pull Alabama up from the bottom of so many economic indices.

The Governor is demonstrating his belief that the cure to Alabama's economic ills is to come in two ways—the education of its people and providing them with jobs—jobs that will sustain a far greater standard of living than at present.

He has passed an education program through the legislature that is revolutionary in its approach to the recurrent financial problems. And he is working hard on the problem of providing jobs.

An assessment of his first year in office must be to give a "A-plus" for his effort. Only time will tell if those efforts pay off in the way he hopes they will.

[From the Birmingham (Ala.) News,  
May 12, 1969]

**BREWER'S YEAR**

The papers have been filled with assessments of President Nixon's first hundred days in the White House, a traditional time for measurement of performance.

Closer to home, the state's chief executive also has passed a significant milestone in office, and one affording a somewhat more comprehensive look at personal style, policy direction and general effectiveness than is possible in the little more than three months Mr. Nixon has served.

It was one year ago last week that Albert Brewer became governor of Alabama succeeding the late Gov. Lurleen Wallace.

His performance during that year rates high marks.

Gov. Brewer, operating essentially in a low-key way made essential by the manner in which he came to office and the delicate political situation he found himself in, has succeeded in establishing himself as his own man, governor in his own right.

Not the least important aspect of his service to date is the impression he has made nationally, where Alabama's image has been considerably enhanced by the demeanor of its governor.

Brewer has "come across" as an intelligent, level-headed, honest, poised young executive—and, important to him in view of his expressed interest in seeking a full term in office next year, this good impression has been absorbed not only outside the state but by Alabamians who previously knew of him only casually as a legislator and lieutenant governor.

The sternest political test he has faced to date came in the just-concluded special session of the Legislature. He did an enormous amount of homework on the educational situation in Alabama, and when he presented a program it was carefully thought out and thoroughly prepared. And, despite stiff opposition on some points, he won most of what he sought.

Another test looms now in the presently recessed regular session. There are many thorny issues to be defeated, and the governor inevitably will be drawn into controversy on some of them. The outcome could in a very real sense bolster or damage his chances for election to a full term in 1970.

Those chances are subject also to many other political imponderables, including the identity of possible challengers for the office and the course of events in areas beyond a governor's control.

But so far, so good—for Alabama as much as for Albert Brewer.

**NIXON DRAFT REFORM MEASURE APPLAUDED**

Mr. TOWER. Mr. President, 1 week ago today, President Nixon recommended new legislation to revise the military draft in order to increase its fairness and to limit to a single year the period of prime vulnerability for any young man.

The President's recommendation closely paralleled my bill, S. 760. I am therefore on record as strongly favoring a change in our Selective Service System similar to the one recommended by the Chief Executive. I am, of course, not alone in my support for this needed reform measure. I ask unanimous consent to have printed in the RECORD two editorials: one from the May 19 issue of the Washington Star, and the other from the May 15 issue of the Houston Chronicle. The editorials are indicative of the widespread national support for the President's proposal. I look forward to supporting the finalized proposed legis-

lation when it comes before us on the Senate floor.

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

[From the Washington (D.C.) Evening Star,  
May 19, 1969]

**A MUCH-IMPROVED SYSTEM**

The President's proposed reform of the draft should satisfy most fair-minded critics of that much-criticized institution. True, he didn't come out for an all-volunteer army, but such a step is hardly possible until the Vietnam war abates considerably. If it is once conceded that we are stuck with selective service, at least for the immediate future, then Nixon's changes should largely eliminate the two glaring flaws in the present system.

The first is its unfairness. As things now stand, some young men can beat the draft entirely through deferments of one sort or another while others are caught. Under the Nixon approach every American male would stand about the same chance of being drafted. Each Selective Service year a national lottery would be held. All those who had previously turned 19 would be subject to call through an ingenious method of randomly selected birthdates. For example, if John Smith Jr. were born February 7th and that were the 340th of the 365 birthdates picked, then John would probably not be called. The system even extends to a randomized alphabet system for picking and choosing among those with the same birthdate.

Some would contend that student deferments add an element of unfairness to the random-selection procedure. We don't agree. A student, like everyone else, gets his sequence number for callup at 19 or 20. He then may be deferred until he completes his undergraduate education or a year of graduate training. But afterwards, his name goes back into the pool of potential draftees. And as he retains the same sequence number, he has precisely the same vulnerability to the draft as before.

The other flaw in the present system is the uncertainty it lends to what are, after all, the crucial years for making decisions about education, career, marriage and raising a family. These sorts of decisions are hard enough under the best of circumstances, let alone with the draft staring one in the face.

Under the revised ground rules, young men would still be eligible for the draft from the ages of 19 through 26. But there are two key differences. One is that draft boards would henceforth start drafting the 19-year-olds and work their way up rather than the other way around. Thus the draftees, on the average, would be much younger, have fewer outside responsibilities, and incidentally be in better physical shape. Second, everyone would have one—and only one—year of "maximum vulnerability" to the draft whether at 19 for those who don't go to college or afterwards for those who do.

It is to be expected that these proposed reforms of the draft will provoke considerable debate. But when all is said and done, they do represent a fair and orderly approach to the problem. In our view, they merit congressional approval this session.

[From the Houston (Tex.) Chronicle,  
May 15, 1969]

**MAKING THE DRAFT FAIRER**

President Nixon's proposals for changing the draft system—subjecting 19-year-olds to first call and deciding by lottery who among the eligibles goes—makes a lot of sense.

Granted, no draft system is perfect so long as it has to call up young men who don't want to serve. Mr. Nixon prefers a volunteer army, as we do, and he still thinks that a volunteer army is feasible once the Vietnam war is over.

But so long as a draft is necessary, then it should be as fair and as painless to the men involved as the nation is capable of making it.

Mr. Nixon doesn't propose to change the deferment system which is far from perfect, inasmuch as it favors young men from upper and middle class homes who can afford to go to college.

But he does propose that, from those who are in the eligible pool, the choice be made by lottery with every man in the pool on an equal footing.

We approve of this plan of calling 19-year-olds first, then keeping them on the vulnerable list for only one year. If they haven't been called during that year, they then would move on into the noneligible pool and proceed with their private lives without fear of any future disruption by the military.

This is a better way, we think, than having the possibility of military service hang heavily over a young man until he is 26. When the call comes late, it may completely disturb the progress he has made in education or business or sorely disrupt his personal life since by that time most men are married and have children.

Much of the resentment against the draft stems from the fact that—unlike in World War II—the armed forces don't need all the men who are eligible or available. During the past 10 years, the number of men inducted has declined from 70 percent to 50 percent of those eligible. What Mr. Nixon proposes is an improved method of choosing the one out of two who must go.

**THE IMPORTANCE OF AID TO FEDERALLY IMPACTED SCHOOLS**

Mr. MONTROYA. Mr. President, the Public Law 874 financial situation is in a very critical state of affairs, due to the low priority which the Nixon administration is assigning to the education of the youth of America.

Congress in its wisdom passed this legislation in recognition of the necessity to compensate local school districts for additional burdens imposed upon them by increased Federal activity in their area. The essence of this burden is precisely that of an added requirement to serve large numbers of children of Government employees, military families, and so forth, many of whom do not contribute to local tax rolls.

Yet the Nixon administration's largest single cut in our crucially important education programs is that of a \$332 million cutback in Public Law 874 funds for school maintenance and operations in federally impacted or major disaster areas.

In richer States, this may not present such an overwhelming blow, but in States such as my own—with many heavily impacted school districts—it represents an intolerable situation.

Mr. President, children falling under the 3(a) provision of Public Law 874 are those whose parents live and work on Federal property. These children will receive 100 percent entitlement for a total of \$145.9 million nationwide, of which New Mexico has been allocated \$6.1 million.

But it is the fate of children falling under the 3(b) provision of the act—whose parents work but do not live on Federal property—that is at stake here. The Nixon administration has decided not to allocate 1 penny of their \$436.5 million entitlement approved by Congress for fiscal year 1970. In my State of

New Mexico, this will mean a loss of \$6.4 million in desperately needed dollars, although the school districts have relied upon and received these funds since enactment of the legislation 18 years ago.

I fail to understand the rationale or purpose behind this action, since it is the Federal Government itself which has placed the heavy financial burden upon the affected school districts. Because of their slender tax bases, these school districts are already seriously overburdened in insuring that their own youth receive the education they have a right to expect. Many of the districts have gone into debt in behalf of their educational obligations. Indeed, because of the seriousness of the overall school crisis in New Mexico, brought about by a lack of funds, it has been necessary for the New Mexico State Legislature to call upon the citizens for additional tax money, and a \$25 million State tax increase has recently been enacted, whose primary purpose is to keep the New Mexico schools open.

Clearly, then, in being deprived of Public Law 874 assistance for the operation and maintenance of their schools, the school districts of New Mexico will suffer a most serious hardship due to difficulties in replacing funds through local and State tax revenues. Time and time again educators in New Mexico have called my attention to the intolerable burden they must bear unless full entitlement under Public Law 874 is forthcoming.

In the past, both the House and Senate have affirmed a policy of fully funding 3(b) entitlements under Public Law 874, and the congressional mandate should not be ignored. We must, therefore, insure that the progress of education in impacted areas of our Nation is not seriously impaired. We must ride herd on the Federal Government's very basic obligation to these school districts and its duty to keep faith with millions of children and their right to a quality education.

Additionally, I am deeply concerned about and most strenuously urge increased funding of the Public Law 815 program for school construction in federally impacted areas.

I am informed that there is currently \$72.2 million in funds available, which I would hope the administration will see fit to release immediately for the many applications pending. But the needs of New Mexico alone are about \$7 million, and nationwide funding needs are estimated to be at least \$247 million through fiscal year 1969, so the requirement for additional appropriations is all too apparent.

Many children in federally impacted areas of my State attend classes in buildings which have been declared firetraps, and are overcrowded and substandard. I am sure this situation is multiplied manifold nationwide.

Since 1950, both Public Law 874 and Public Law 815 have provided important assistance to school districts that are suddenly and severely overburdened with a school-age population as the result of increased Federal activity. While I acknowledge the need to curtail expenditures where possible, let us not pull the rug out from under the poor school districts of this Nation by forcing them to

carry more than their fair share of added complications arising through no fault of their own. Let us act in good faith by providing them full entitlement under Public Law 874 and increased appropriations under Public Law 815, and thus help their vital educational programs receive the sustenance we in Congress clearly intended them to have.

#### JAPANESE-AMERICAN TRADE RELATIONS—ADDRESS BY SECRETARY OF COMMERCE STANS

Mr. STEVENS. Mr. President, the present Secretary of Commerce, Hon. Maurice H. Stans, has served this Government well in many capacities.

It was recently my privilege to discuss with him the development of Japanese-American trade relations on the myriad problems facing the United States with regard to world trade. Secretary Stans has, following the lead of President Nixon, firmly dedicated the United States to a concept of freer trade, but in doing so he has, through his European trip and through his recent trip to Japan, indicated the necessity for reciprocity and the removal of artificial trade barriers throughout the world.

I ask unanimous consent that Secretary Stans' address made before the American Chamber of Commerce in Japan and the American-Japan Society in Tokyo on May 13 be printed in the RECORD.

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

##### AN INVITATION TO PROGRESS

(An address by Hon. Maurice H. Stans, Secretary of Commerce, before the American Chamber of Commerce in Japan and the American-Japan Society, Tokyo, May 13, 1969)

It is a pleasure to visit Japan once again, and especially to see the exciting city of Tokyo at this beautiful time of the year.

I am particularly pleased to have the opportunity to speak before two organizations that have done so much to build the friendship between our two nations. This friendship is something we in the United States value highly, and want to preserve for all time.

The American Chamber of Commerce in Japan has my congratulations on turning twenty-one years old this year. In that time the whole world has marveled at the economic miracle which you have seen first hand and to which you have contributed so much.

##### JAPANESE-AMERICAN RELATIONS

From a standing start Japan has risen to the position of the Free World's second largest economy and fifth largest trading nation. In the United States we see tremendous evidence of that success. Japanese automobiles and motorcycles are on the streets of every major city in America. In almost any household you find a Japanese transistor radio, or tape recorder, or camera.

The United States, in fact, is Japan's leading customer. And Japan is our largest market overseas. So we have a powerful commercial bond between us.

As I have already said, the American Chamber of Commerce in Japan deserves a great deal of the credit for the development of this commercial relationship. And the American-Japan Society deserves a good measure of praise for the friendship between our peoples that has been created in the same time.

But the basic credit for Japan's economic achievements, of course, rests with the Jap-

anese people themselves—with their determination, energy, and imagination. Starting with just those resources and not much else, they have quickly become one of the economic giants of history.

The United States is very proud to be a trading partner in that development. We have benefited from it, just as the Japanese have, and we want to bring about even greater tomorrows in the future for the good of all of us.

My presence here today signifies the great interest which the Nixon Administration has in the full development of the Far East, its countries and its people. From the President on down, we look forward to working with Japan and all the free nations of Asia as friends and equals in dealing with our broad scope of mutual interests.

##### THE FOUR FREEDOMS

In Asia, as it was in Europe, the immediate purpose of my travels is to reaffirm the commitment of the Nixon Administration to the principal of greater commercial freedom—greater economic interchange—among all nations and all peoples. I would like to suggest here the foundation of the policies we intend to follow to attain that goal.

We believe the future progress of the free world will most effectively be achieved through a common commitment to Four Economic Freedoms—roads across the borders of nations to mutual progress:

Freedom to Travel.

Freedom to Trade.

Freedom to Invest.

Freedom to Exchange Technology.

The rightness of these ideals has been demonstrated in the years since World War II—in the tremendous gains in living standards in the Free World.

##### REALITIES

But these are ideals, not yet achieved, and today we must deal with realities that stand in the way.

Take, for example, the matter of trade.

At one time in history, wars were fought over trade issues and trade routes. In the 20th century world, we have learned that solutions to trade problems can be found through frank and friendly discussions—and these solutions can change the course of history for the benefit of all.

I am now here in the pursuit of frank and friendly discussions!

When I began these travels a month ago in Europe I announced that I was doing so for several purposes:

To renew old American ties and to make new friends.

To discuss some of our problems and to acknowledge others.

To identify differences and to search for agreements.

And to establish direct communications with other nations in order to better manage our common interests.

In other words, we want to establish a new rapport, a new friendship, a new understanding, with our trading partners throughout the world. We want to lay a foundation of mutual trust and respect now which will make it possible for all of us, in the near future, to resolve the issues of today and to minimize frictions which might lie ahead.

For no country has a trade problem unto itself. What affects one must necessarily affect at least one other. And in today's age, the problem of any one most often is the problem of many.

Today there are such problems. The United States is interested in improving the climate for freer trade—so are many of the friends we trade with abroad—and yet each of us faces protectionist trends and the existence of many trade and investment restrictions.

##### THE OPEN TABLE

We believe it is time all of us begin to recognize the mutual gains that can be

made by eliminating these unnecessary restrictions. To this end I have proposed an "Open Table" principle under which all non-tariff barriers are brought fully into the open, are measured, probed and diagnosed, and are dealt with in the same reciprocal manner as was so effectively done with tariffs in the Kennedy Round. This proposal met with accord in almost all of my discussions in Europe. Almost all the countries expressed the hope that the United States would continue the initiative along this line.

So I think it is fair to say that we have begun to accomplish the aims which took us abroad. We have brought our difficulties out into the open. We have discussed them thoroughly. We are all better aware of our respective internal circumstances that bear on these differences. And I am confident that we have begun to walk down the right path toward a resolution of many of them.

#### INFLATION

But our problems today are not only the problems of trade. At home we face severe inflation, resulting from pressures which have been building for more than four years.

Inflation has had a very unfavorable effect on our balance of trade and our balance of payments, because the spiral of rising wages, costs and prices weakens our competitive position abroad.

We in America know that the chief antidote to inflation is government responsibility.

Our challenge is to administer the antidote so it will reduce the fever without killing the prosperity from which it stems.

#### ANTI-INFLATION MEASURES

President Nixon is walking that narrow path of responsibility and restraint. The problem has been given the highest priority of any domestic issue—and he has taken significant steps which already have begun to produce results.

He has reworked the Federal budget for 1970 into a surplus of nearly six billion dollars—after fifty billion dollars in government deficits piled up over the past five years. The age of chronic deficits has been brought to a halt.

He has asked for a limited extension of the surcharge on income taxes.

He has recommended repeal of the 7 percent investment tax credit.

He has called for a thorough overhaul of the Nation's tax system, to eliminate inequities that contribute to economic unrest.

Meanwhile, the Federal Reserve System is holding down the growth of the money supply.

Judged by several standards, these measures have begun to take hold. Interest rates show signs of leveling off. The advance in consumer spending appears to be slowing down. The shortage of credit is beginning to put the right degree of restraint on borrowing, spending and construction.

We will stop inflation in the United States!

#### TRADE SURPLUS

The United States economy does not live in splendid isolation. There is a close tie between domestic and international economic affairs, and we know we need a high level of exports to finance American imports from Japan and around the world. We need it, too, to finance American travel, direct investments in other countries, mutual security, and aid expenditures throughout the world.

Our trade surplus dropped sharply last year. But we are determined to restore it—we have set an export goal of \$50 billion by 1973—and we will not let inflation price us out of world markets.

#### DIRECT INVESTMENT IN UNITED STATES

As part of our efforts to improve our balance of payments, we want to emphasize the long-standing favorable climate for foreign direct investment in the United States. We believe the far-sighted foreign investor can secure unique opportunities by having

a plant or other operation located in our country.

The United States has always offered foreign investors several unusual advantages: political stability; an intelligent, inventive, hard-working labor force quick to learn, and to improve on, mechanized methods; full legal protection of property rights, including patents, whose protection is provided for in the Constitution itself; and equal treatment for foreign and domestic investors in the management of property, and the unlimited right to take out earnings or withdraw capital.

Today businessmen from every continent are attracted to invest in the United States by the world's largest and most lucrative market, by an abundance of natural resources, by a well-developed infrastructural base, by the great purchasing power of our people, by the inherent economies of large-scale production, and by access to advanced technology.

Businessmen are finding that in many cases manufacturing in the United States is a more effective and more economical means of serving this vast market than exporting to it.

Production in the United States eliminates many expenditures involved abroad in transportation, financing, warehousing, and tariffs. Although some costs of production may be higher, these often are offset by ready access to the latest in technology and managerial expertise.

And so we extend an invitation to our friends in Japan and around the world to Invest in America.

#### JAPANESE INVESTMENT CONTROLS

And this is where I want to stress the advantages of reciprocity. We urge the Japanese government to adopt the same open policy and withdraw its own rigid investment controls.

We hope the doors of investment opportunity which we hold open to Japan, and to businessmen from around the world, will be reciprocated in a meaningful way to us.

The United States has no restrictions on the withdrawal of capital or profits from foreign investments in our country.

We seek the freedom for Americans to do business in Japan.

It is the right time for the right action.

Japan ran a balance of payments surplus last year of more than \$1 billion.

The Japanese Gross National Product has risen to the second largest in the Free World.

While our sales to Japan increased by about ten percent last year, Japanese sales to the United States increased 35 percent!

Yet with all of this great economic strength in Japan, the foreign investor faces unprecedented frustration.

Two years ago a study by a Committee of the Organization for Economic Cooperation and Development stated, "No other advanced industrialized country confronts the foreign investor with the sort of obstacles presented by Japan."

That observation, regrettably, still seems to be valid today, according to many reports I get from American businessmen:

In manufacturing, few American investors are able to establish wholly-owned manufacturing subsidiaries or to acquire a majority interest in joint ventures.

In the past five years, less than a half dozen foreign investments in the manufacturing field have been validated by the Japanese government where the foreign equity was more than 50 percent.

There is more American investment in many non-industrialized developing countries than there is in Japan, one of the world's leading industrial nations.

We think, with absolute honesty and candor, that Japan would serve its own best interests by prompt liberalization of foreign investments, including the unrestricted right

of majority foreign ownership. We think that Japan would have nothing to fear from American capital and technology within its borders, living under Japanese laws. And we think that the people of Japan would be major beneficiaries if this were permitted. There is no place in the world where liberal investment policy toward American capital has failed to produce a stronger economy.

#### OTHER RESTRICTIONS

In the trade area, we are disappointed that Japan has not made more meaningful progress toward eliminating its remaining import controls. We would like to see Japan make a determined effort now to eliminate these quantitative restrictions that are not in accord with its commitment under the General Agreement on Tariffs and Trade. Further delay will unnecessarily aggravate trade relations between us, because these restrictions are looked upon by many Americans as a symbol of unyielding Japanese attitudes on these matters.

We are heartened by the recent increase in overseas travel allowances for Japanese citizens but look forward to the day when all limitations will be removed, so that more of the people of Japan can Discover America.

And we would like to see the exchange of technology between American and Japanese industry freed from all controls except those imposed by market forces and patent laws.

We realize these many restrictive policies had their role in the days after World War II to help Japan rebuild its economy. But now Japan has taken its place as a major industrial power. It has grown in strength to the point where it no longer needs the protections and limitations appropriate to an insecure nation.

Protectionists in the United States seize on such restrictions in other countries as justification for legislating against imports. They have succeeded in having more than 300 bills introduced in the Congress this year to impose quotas on dozens of commodities ranging from textiles to strawberries.

We know the dangers of protectionism. If one country erects a barrier, others respond in kind. The result is an escalation of barriers and a contraction of trade.

To avoid that misfortune, each country must do its part to remove its own restrictions.

There are, of course, exceptional cases in which we must understand each other's special problems and be willing to take cooperative action to solve them.

#### TEXTILES

The United States has a current problem that requires this kind of attention. Our textile industry has been hit hard by dramatic increases in imports, and the pressures for legislative quotas are immense. We fear that unilateral quotas, once started, could snowball to countless other products, and our aims for freer trade would be seriously set back.

There are two points of logic on this textile matter that I want to mention for everyone to know:

(1) The United States is the only remaining free market for textiles among the major nations of the world. All the others have imposed restrictions of one kind or another on imports. The United States just cannot absorb the entire potential output that all the producing nations can deliver. Isn't this understandable?

(2) If this problem is worked out promptly, no jobs need be lost in Japan or anywhere. We are willing to allow all producers to share in the growth of our market. All we seek to do is to stop a growing wave of imports that will deluge our markets and bring catastrophe to our industry and its workers. Isn't this reasonable?

Therefore, we seek an international understanding on textiles. In view of the circumstances, we regard such an accommodation as necessary to preserve the overall thrust of

our policy toward freer trade. An exceptional circumstance does not deny the major premise in open markets.

#### FREER TRADE

For more than three decades the United States has sought freer trade, and we have made substantial progress. World production has almost doubled and world trade has trebled since 1950 alone.

The world has become too interdependent to return to the restrictive policies of a bygone age. In the new age of international business, all nations benefit from trade expansion and from investment freedoms.

No nation can expect to enjoy for long the fruits of a one-way policy.

The Nixon Administration firmly intends to keep the United States on the road toward freer trade, freer investment, freer travel and a freer exchange of technology. Reciprocity here in the Far East—in the removal of artificial trade barriers, in the creation of a new climate for freedom to invest, and in understanding of our one unusual problem—will help us all to move strongly in that direction.

#### CONCLUSION

As you know, President Nixon has made peace the first priority of his Administration, and he is directing the most diligent search for a way to end the war in Vietnam. I am confident he will find it and thus set the stage for a new surge of world-wide prosperity.

Next to the achievement of peace, his first priority is to restore trust and confidence to our relations with America's trading partners around the world.

Since World War II, the economic progress of the Free World has been built on a spirit of cooperation. Whenever a weak link developed, we banded together to repair it in the interest of maintaining an economic order capable of growth and expansion for the benefit of all.

Under President Nixon, the United States seeks full and frank consultation—an international open table—to further increase the traffic in people, in goods, money and technology between our country and the other nations of the Free World.

This is the way, we believe, to build people-to-people friendship; to produce more well-being at less cost for more people; and to improve the prospects for stability and peace in the world.

#### THE VISTA PROGRAM IN ARKANSAS

Mr. FULBRIGHT. Mr. President, the VISTA program in Arkansas, under the administration of James L. Ranchino, has proved to be an outstanding success. In these days when we hear so much of the shortcomings of so many activities with which our Government is concerned, it is encouraging to read the account of the VISTA program in Arkansas, published in the Arkansas Gazette of May 7, 1969.

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

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

[From the Little Rock (Ark.) Arkansas Gazette, May 7, 1969]

STATE VISTA PROGRAM, CALLED BEST IN NATION, ALSO TO BE THE LARGEST

ARKADELPHIA.—Arkansas will have the largest VISTA Associate program in the nation this summer, according to James L. Ranchino, assistant professor of political science at Ouachita Baptist University here.

Ranchino, who headed the first VISTA Associate program in Arkansas last year, will serve as director again this year.

The summer program allows potential VISTA volunteers, many of whom are college

students, to work for the summer with poor people in their home states.

Later, they can sign up for the normal year of service with VISTA (Volunteers in Service to America). The project has been called a "domestic Peace Corps."

Last year's VISTA program in Arkansas had the lowest budget of all the VISTA programs and was rated the most effective in the nation. Of the \$50,000 allotted to the Arkansas program, only \$46,000 was used. This made Arkansas project the only one to end the summer with a surplus.

"When I tried to give VISTA back the rest [of the money] they were amazed," Ranchino said. "We still have money in the bank because they don't know how to take it back. We simply ran a good, inexpensive program, which produced results."

VISTA headquarters has expanded the program and allotted Ranchino \$75,000 to train and provide for the expenses of 75 student volunteers from the state's colleges and universities.

Commenting on last summer's success, Ranchino said that the effectiveness was much greater than he had hoped for.

"I didn't really think it would accomplish what it did," he said. "For one thing, in every place we went there are now regular, permanent VISTAS. It's a tribute to the kids, actually."

#### ATTRIBUTES SUCCESS TO RECRUITING JOB

He said none of the volunteers had dropped out of the program.

"This was phenomenal, and Washington just couldn't understand it. Primarily it was because of the excellent job of recruiting."

The 48 students were recruited from colleges by four field supervisors and recruiters—all of whom are Negroes.

"We sent the students out to 32 counties in the state from Benton County in the northwest to Mississippi County in the northeast and from Texarkana across to Bradley County," Ranchino said.

"Although many areas in the state have poverty problems, we can only go where we're invited. In every one of these areas we had sponsors and we assigned our students to these agency sponsors. In Texarkana, for instance, Model Cities sponsored a couple of our people, the CAP (Community Action Program) sponsored some, and up in Newton County, the School Board sponsored us," he said.

#### POINTS OUT FIGURES ON POVERTY LEVEL

Ranchino said Arkansas had 68,794 families with an income of less than \$1,000 a year. There are 233,410 families, or 47.5 percent of all the state's families, who make below \$3,000 a year. The federal government recognizes \$3,000 as the poverty level.

Forty-one per cent of Arkansas's population over 25 years of age has not finished the eighth grade, which means that there are 250,000 functional illiterates in Arkansas, he said.

"These are real needs," he said. "It's true also that in black counties such as Mississippi, poverty percentages are greater than other counties. Fifty-four per cent of the 83,000 population are poor."

"In terms of job opportunities, blacks are unemployed at the rate of two to one over whites \* \* \* For every 15 whites who live in ramshackle houses in the state, there are 42 blacks who live in them."

#### FLEXIBLE PLAN HELPED IN SUCCESS

Ranchino began his plan with a budget he drew up himself. Flexibility in the program meant the difference between success and failure, such as in the Oklahoma VISTA program.

"We weren't trapped and we innovated a lot," he said. "In Hot Springs, for example, we created something called a 'Soul Exchange' where the black kids from the poverty areas could meet every night for movies, dances and so on."

"The Arkansas program was doubly tough

because there were only VISTAS serving \* \* \* in Pulaski County, Garland County and an area around Russellville.

"Up until this time VISTA had a bad name in the state because there were Northeastern kids coming into the state telling Southerners how to live and generally there was bad public relations.

"We wanted to do two things. One, we wanted to get into areas of the state where there were no other VISTAS and open them up. Secondly, we wanted to show that these VISTAS were Southerners who were concerned."

#### CULTURAL SHOCK BIGGEST OBSTACLE

"The biggest obstacle for the volunteer is 'cultural shock,'" he said. "Most of them are so insulated that when they suddenly find that everything they have been taught \* \* \* does not exist in the society of the poor, it scares the daylight out of them. They become frustrated and want to quit.

"It takes about five or six days for this to happen. The first day you come you're very frightened but eager to get going. The second day you talk to some people and then Thursday night you find that nobody shows up for the meeting that everyone said they were interested in and would attend. You spend Friday and Saturday doing some serious soul searching.

"The first week is critical and that's where you have the most dropouts. We didn't have any and that's incredible. We attribute this to the work of the supervisor who saw the volunteer every day."

#### LACK OF INTEREST IS SECOND SHOCK

The second shock for the volunteer, according to Ranchino, is the realization that the community to which he is assigned really isn't interested in change.

"In 10 weeks you're not really going to organize and break down a system which has built up over a hundred years. One of the purposes of the VISTA Associate program is, of course, to deliver some direct services to the poor, but it is also to effect change. In the end this change must take place in the middle class society because the poor simply don't have the resources.

"Of even more importance is that it gives middle class black and white college students a picture of what their society is really all about. Hopefully, when they move back into their society they're going to be very conscious of what's going on."

#### STUDENTS' GRADES SHOWED IMPROVEMENT

Ranchino said a study of the volunteers after they went back to college showed their grades had improved. He attributed this to the student's increased awareness and interest in society.

"Here is a chance to get at the bedrock level, he said. "You don't sit around bulling and talking and taking surveys. You're there where the action is. You're sleeping in a poor person's home and eating with him. You'll never be the same again.

"We took a little girl from Warren, for instance, a real quiet naive sort, sent her to Blytheville along with another girl from Rogers, who had maybe seen five black people in all her life. They moved into an all black neighborhood—the first time in the history of Blytheville. They were called the 'VISTA Blockbusters' and they did a tremendous job."

In another instance, a shy Negro girl from Arkansas AM and N College at Pine Bluff was sent out to Texarkana after a week of orientation.

"We sent her to Texarkana and she was immediately sent out to the area outside of Ashdown," Ranchino said. "She organized 2,000 people in all forms of recreation in community activity. This little girl was unbelievable. We had thought she would be one of our worst volunteers, but instead she turned out to be one of the best. They even put on an integrated talent show down

there which the community paid to come and see."

#### RANCHINO LOOKING FOR VOLUNTEERS

Ranchino is looking for volunteers, preferable college juniors and seniors. The only qualification is that the volunteer have a skill which he can teach.

"Any skill which a volunteer has is more than people in poverty have. Last year everyone who applied was accepted," he said.

A week prior to their assignments, the students will receive orientation at Oua-chita, for which consultants will be brought in from across the country. All expenses are paid and at the conclusion of the program the volunteers get \$116.

"We're recruiting right now," he said. "If you really want to have an exciting summer where you feel you're making a contribution, and for the first time really see our society and your role in it, then you ought to get involved."

#### THE ARMY STRATEGIC COMMUNICATIONS COMMAND

Mr. GOLDWATER. Mr. President, I am pleased to invite the attention of Senators to an organization that is most significant, not merely to my State of Arizona, but to the security of the Nation, as well.

I refer to the U.S. Army Strategic Communications Command, known as Stratcom. This is a worldwide communications-electronics organization having its global headquarters at Fort Huachuca, in Arizona. It is commanded by Maj. Gen. Walter E. Lotz, Jr.

This past weekend I enjoyed another visit to this historic fort which was the headquarters of the first unit I served in as a Reserve officer.

Stratcom, celebrating its fifth anniversary, was organized in order to provide centralized management and direction of the Army's long-haul communications by integrating all Army communications networks and the Army-operated portion of the Defense Communications System.

As we all know, the future peace of the world depends upon better communications among all countries. We also know that the free world's defense against aggression depends on instant communications in order to deploy military forces. This is the work of Stratcom—to develop and maintain global and instant communications.

Last July 27, 1968, the Arizona Daily Star, published an editorial which reflects the significance of Stratcom's worldwide communications and also tells why we in Arizona are especially gratified to have this vital organization located in our State. I am certain many Senators will find this editorial of interest. I ask unanimous consent that it be printed in the RECORD.

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

[From the Tucson (Ariz.) Arizona Daily Star, July 27, 1968]

#### SOME TALK IS NOT CHEAP

"Talk," it has long been said, "is cheap!"

But when that "talk" is vital military information, to be sent swiftly and effectively to any or all of the widely dispersed U.S. armed forces all over the world, it is far from cheap. Its costs are huge, but it is one of the prices the United States pays to protect its national security, and to guarantee that

there will be no "Pearl Harbors" in the future.

Where an almost inconceivable series of coincidences delayed a warning message from Washington to Pearl Harbor in 1941, making possible the debacle of that fateful Sunday morning, today, through the magic of STRATCOM, with headquarters at Ft. Huachuca, such a message would have been transmitted in minutes, rather than hours.

The U.S. Army Strategic Communications Command, to implement and maintain that ability, is spending \$600.7-million each fiscal year to insure the security and coordinate the effective action of the nation's armed forces, where ever they may be.

Old Ft. Huachuca, built as an operating base for action against the Apaches, now becomes the heart of the greatest system of communications known to man.

Tucson, which has a two-fold interest in this amazing operation should be interested in the manner in which this world-wide expenditure is made. It looks like this:

	(million)
Operation and maintenance.....	\$221.4
Military personnel costs.....	217.3
Housing-Management .....	1.6
Stock fund.....	18.6
Military construction.....	10.4
Procurement, equipment, missiles-Army .....	131.1

Here in Arizona, where the headquarters of this far-ranging command is located, Ft. Huachuca has become the state's ninth largest community, with a noon-time population of approximately 20,000 people, dropping to 16,000 at night, when portions of the personnel seek homes outside the station. Of the civilian personnel employed at the fort, 327 live in Tucson with their families. Others reside off base in other communities.

This increasing demand for goods and services on the part of STRATCOM people at the Fort has gained the small community of Sierra Vista, just outside the gates, an increase in business payrolls of \$352,000 since March, 1967 and an increase in city tax receipts of 27 per cent.

STRATCOM had spent \$19.1 million with Arizona firms, at the closing of the fiscal year; has budgeted \$363,000 for its share of the house-keeping for 1968 and is paying civilian wages so far this year amounting to \$8.2 million in Arizona.

The total annual military payroll for the year 1968 at Huachuca will be \$24,650,000, and it will be nearly matched by the civilian payroll for the entire year of \$23,608,000.

Talk, when it becomes worldwide communications for national security, is not cheap.

#### THE PRESIDENT'S SPEECH ON VIETNAM

Mr. MURPHY. Mr. President, last Wednesday evening, President Nixon's televised message to the American people on Vietnam met with enthusiastic, bipartisan support throughout our Nation. His reasoned and flexible approach to this conflict should hasten the peace we all seek so strongly. Even more, the President has spelled out in specific terms for all of us exactly what the situation is in Vietnam so that we may know where we stand, what we plan to do, and what we can expect in the future. Mr. President, I ask unanimous consent that an editorial commenting on the President's speech, printed in the San Francisco Examiner on May 15, 1969, be printed in the RECORD. I feel that the editorial fully sums up the reactions of the country as a whole to President Nixon's peace plan.

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

#### THE PRESIDENT'S PLEA FOR PEACE

Last night the world witnessed the agony of power.

Last night the President of the strongest nation on earth humbled himself in a plea for peace.

President Nixon pushed beyond the boundaries of the past in a search for just solutions to the tortured tragedy of Vietnam.

He offered concessions of major magnitude.

He offered friendship.

He offered face-saving salvation for the enemy.

He offered hope and dignity and self-determination for the South Vietnamese.

The words were Richard Nixon's. The heartbeats behind these words were those of thoughtful citizens everywhere.

None should make the mistake of excerpting portions of the address and drawing conclusions from individual elements. Such conclusions could be false. And dangerous.

While it was a speech of many parts, the message was indivisible.

Each word and thought and promise was a part of the whole.

It was a speech delivered from strength. It was a speech without the arrogance of power. But the power was there.

Let the doves and hawks in our land read and heed his plea for their support.

For he has offered terms they can support.

Let the despots of other lands who seek to dominate the world read and heed his plea for their understanding.

For he has offered terms they cannot afford not to accept.

President Nixon carried the olive branch—not an umbrella—to Hanoi.

He carried it in a mailed fist.

President Nixon sincerely seeks peace in our time.

But not at any price.

#### PESTICIDES: NEW PROBLEM OF POLLUTION

Mr. TYDINGS. Mr. President, this week the Commerce Subcommittee on Energy, Natural Resources, and the Environment, of which I am a member, began hearings on the effects of pesticides on commercial and sport fisheries. The hearings are a response to increased public concern over the widespread use today of persistent, toxic pesticides in our society.

An immediate cause for this concern was the seizure by the Food and Drug Administration of 28,150 pounds of Lake Michigan coho salmon that contained an excessive concentration of DDT. Preliminary reports indicated DDT levels of 19 parts per million. A dosage of above five parts per million is deemed hazardous to health.

As is well known, Sweden has banned the use of DDT for 2 years. How and why she came to this decision is related in a short piece by Robert C. Cowen in the May 16 issue of the Christian Science Monitor.

Yesterday, the distinguished junior Senator from Wisconsin, who has sought for some time to bring to the attention of this country the dangers of excessive pesticide use, testified before the subcommittee. His remarks constitute one of the best brief summaries of the pesticide problems I have come across and are well worth the attention of all those concerned with environmental quality.

I therefore ask unanimous consent that his statement and Mr. Cowen's article be printed in the RECORD.

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

[From Christian Science Monitor, May 16, 1969]

**BENEFIT OR PERIL? NATIONS WIDEN BAN ON DDT USE TO CURTAIL POLLUTION HAZARDS**  
(By Robert C. Cowen)

LONDON.—DDT is becoming an outlaw on this planet.

Hungary banned it some time ago. In the United States, Michigan has banned DDT and Arizona has suspended its use for a year.

And most recently, Sweden announced its widely publicized two-year ban on the poison.

Meanwhile, both Britain and the Soviet Union are considering whether to discontinue its use.

The trend seems clearly defined. With abundant evidence that DDT and related poisons are permeating the environment on the earth, countries that can afford to do so are beginning to back off from their use.

DDT is still the cheapest, most versatile weapon for fighting crop-eating bugs and other insects. Many countries whose needs are great and whose economies are shaky would suffer by giving it up. But countries that can bear the cost are increasingly shifting to alternative chemicals that do not persist after their job is done.

**CONFERENCE HELD**

Commenting on this in a recent interview, Dr. Norman W. Moore cited Sweden's action as an important indicator of this trend. As head of the Toxic Chemicals and Wildlife Division of Britain's Nature Conservancy, Dr. Moore has become a world authority on pesticide contamination. As such an authority, he took part in a conference of experts from many countries which advised the Swedish authorities before they imposed their pesticide ban.

In past years Swedish wildlife was poisoned by certain mercury compounds. The authorities, in dealing with this, were alerted to the danger of environmental poisoning. Noting a rising concern elsewhere about DDT, aldrin, dieldrin, and other organochlorides, as this class of persistent poisons is called, Swedish experts began looking for contamination.

They found poison residues in the Baltic and its wildlife, especially in fish and sea-birds. Moreover, the residues got bigger, the farther north they looked. This might be an effect of colder climate which could slow the processes that break down pesticides, for even organochlorides slowly break down in nature.

Concerned over these findings, Sweden decided to do something about the situation. First it called the meeting March 25-27 which Dr. Moore attended.

Scientists of many shades of opinion talked on all aspects of the pesticide problem. They underwent what Dr. Moore called "cross-examination by a high powered audience including some Cabinet ministers."

Dr. Moore said he was impressed by the breadth and fairness of the discussion. Some experts favored a ban, some didn't.

Every country has to make up its own mind on this issue, Dr. Moore explained. At the meeting, it was recognized that some countries could not afford to do without DDT. This means a ban by one, or by a few countries, will not halt global pollution. Indeed even countries banning the poison may find it infiltrating from outside. It can be argued that a ban would be futile. But Dr. Moore observed, "If we all take this view, nothing will be done."

So Sweden's National Poisons and Pesticides Board listened to the experts and then acted.

**CHEMICALS BANNED**

It banned every use of aldrin and dieldrin from next Jan. 1.

It forbade, from the same date, putting DDT and lindane in preparations for home gardening and household use.

And all other uses of DDT will be banned during 1970 and 1971. Hopefully, during that test period, research will show what a total ban on DDT might accomplish.

Meanwhile, in Europe as a whole the pesticide picture is in a state of flux.

To mention a few cases, Hungary, in a decision little known in the West, has banned all organochloride insecticides. The Soviet Union never allowed aldrin and dieldrin to be used. Now it is eyeing DDT.

In France, aldrin and dieldrin are banned as spring seed dressings. The Netherlands also bans such dressings.

Britain first banned aldrin and dieldrin as spring seed dressings in 1962. In 1965 and 1966 it greatly restricted other uses of aldrin, dieldrin, and heptachlor. Now a special commission is reviewing the use of all persistent pesticides, including DDT.

"Our national policy," Dr. Moore explained, "is to ban all of these ecologically damaging pesticides. We won't stop using them all at once. But we will phase them out."

**THE EFFECTS OF PESTICIDES ON SPORT AND COMMERCIAL FISHING**

(Statement by Senator GAYLORD NELSON, before Subcommittee on Energy, Natural Resources, and Environment, U.S. Senate Commerce Committee, May 19, 1969)

Mr. Chairman, I want to express my appreciation to this subcommittee for making it possible for me to testify here this morning on the effect of pesticides on sport and commercial fishing.

Although I have introduced legislation to prohibit the interstate sale and shipment of DDT during the past three Congresses, this hearing represents the first opportunity that I have had to comment on this important issue before a Committee of Congress.

I know of no other single environmental pollutant which is endangering the quality of life on earth more than DDT and other persistent pesticides of the chlorinated hydrocarbon family.

While pesticides were initially developed to combat many of man's enemies, including undesirable insects, plant growth and rodents, these poisons cannot distinguish between our friends and our enemies. They can be as lethal to beneficial insects and creatures as they are to destructive ones.

In addition to being unable to isolate their targets, chlorinated hydrocarbons are also especially persistent and fail to substantially break down or decompose into harmless by-products at the point of application. Instead, they travel through the soil, air and water to pollute plant and animal life far removed from the target area.

For example, DDT, although sold commercially less than 25 years, has polluted the environment on a worldwide basis. In only one generation it has contaminated the atmosphere, the sea, the lakes and streams, and infiltrated the fatty tissue of most of the world's creatures.

The National Wildlife Federation reports roughly 75 percent of specimens of fish, birds, and mammals collected from various parts of the world, including the Arctic and Antarctic regions, contained DDT, or what it becomes after metabolism.

California marine scientists collected several hundred samples of fish and shellfish from the Pacific, in both salt water bays and the open sea. They reported 396 of the 400 samples analyzed contained measurable DDT residues.

Interior Department scientists collected 15 samples of air from nine different locations throughout the country and analysis showed that all contained DDT residues.

The long-range biological effects of this global contamination, which is building up every day that use of DDT continues, are

not yet known but the potential is present for a national calamity. Indeed the damage already done is colossal.

DDT remains in toxic form in soil, water, air, and living plants and animals for many years after it is applied. It drifts with the air, flows with the rivers, falls with the rain.

This pesticide is one of the most persistent—remaining toxic for 10 years or more after application—of the more than 60,000 available chemical preparations now registered by the Federal Government.

In connection with this characteristic, its tendency to concentrate in the food chain and cause sublethal chronic effects on fish and wildlife is well established.

This is called biological magnification, which results in an increasing concentration of the pesticide progressively along the food chains until it reaches a serious and often lethal level.

A well-researched example of this dangerous phenomenon was documented in Clear Lake, California. In order to control a troublesome flying insect that hatches in the lake, the water was treated with the insecticide DDD—similar to DDT, yielding a concentration of .02 parts per million. Plankton, which include microscopic water-borne plants and animals, in the lake accumulated the DDD residues at five parts per million. Fish eating the plankton concentrated the pesticide in their fat to levels from several hundred to up to 2,000 parts per million. Grebes, diving birds similar to loons, fed on the fish and died. The highest concentration of DDD found in the tissues of the grebes was 1,600 parts per million.

After many years of general apathy by the public and governments alike, efforts are finally being mobilized at all levels to deal with the threat of pesticides to the environment, fish and wildlife and man.

Sweden has just banned the use of DDT for a period of at least 2 years. According to the London Observer, this is the first time any nation has instituted such a sanction on a pesticide.

During a recent conference on pesticides in Stockholm, evidence was presented that DDT, even in very small quantities, could affect human metabolism. One of the studies cited was Russian research that indicated that workers whose jobs bring them in contact with DDT and other organochlorine pesticides were found to suffer from changes in the liver which slowed down the elimination of wastes from the body.

Here in the United States, the establishment of firm sanctions on the use of persistent pesticides would be entirely consistent with the recent recommendations of two highly regarded presidential panels.

In my judgment, the most important recommendation of the Wiesner Committee in 1963 was the one urging cutbacks in the use of such persistent pesticides as DDT. The panel recommended:

"The accretion of residues in the environment (should) be controlled by orderly reduction in the use of persistent pesticides. As a first step, the various agencies of the Federal government might restrict wide-scale use of persistent insecticides, except for necessary control of disease vectors. The Federal agencies should exert their leadership to induce the States to take similar actions. Elimination of the use of persistent toxic insecticides should be the goal." (Italic added for emphasis.)

The report of the Environmental Pollution Panel of the President's Science Advisory Committee in 1965 also dealt with this subject. It recommended:

"Research should be encouraged toward the development of pesticides with greater specificity, additional modes of action, and more rapid degradability than many of those in current use.

"Pesticide effectiveness should be increased and total environmental contamination decreased by further research leading to the

more efficient application of pesticides to the target organisms."

The State of Arizona, growing concerned about increasing residues of DDT in milk and other food products, has banned the use of DDT within its borders for a year. A Pennsylvania State Senate committee has concluded a 7-month study of pesticide use with the recommendation that DDT and other persistent pesticides be banned from use in fields and forests. In addition, the committee has proposed the creation of a Pennsylvania Board of Ecological Review to advise the public and Government officials on the interrelationships of natural vegetation and animal life with their environment.

Michigan, Illinois and Wisconsin have already issued recommendations against the use of DDT for the Dutch Elm disease, which is one of the primary targets of DDT use in the United States today.

Wisconsin is also the scene of the first major confrontation between the pesticide industry and concerned citizens and scientists. The Citizens Natural Resources Association of Wisconsin and the Izaak Walton League have filed a petition with the Wisconsin State Department of Natural Resources to ban the use of DDT in the State under any circumstances where the pesticide can enter world circulation patterns and further contaminate the biosphere.

Beginning last December, the citizens groups and the Environmental Defense Fund, a Long Island, N.Y.-based alliance of concerned lawyers and scientists, have presented extensive testimony outlining the growing pollution of the environment by persistent pesticides in the chlorinated hydrocarbon family.

Distinguished scientists, ranging from biochemists and biologists to ecologists and toxicologists, have presented volumes of testimony supporting the citizens' petition.

Dr. Robert W. Risebrough, an environmental scientist at the University of California at Berkeley, stated that the effect of pesticides on man may be very serious. He said that man accumulates 12 parts per million of DDT in his fatty tissues before the body discharges it. He said that this is enough to stimulate enzyme production, which acts as catalysts for bodily processes, such as digestion. Risebrough said that the extinction of some birds has been traced to enzyme induction by DDT, impairing their ability to reproduce.

Dr. Charles F. Wurster, Jr., an organic chemist at the State University of New York, Stony Brook, testified on the range of the pesticide residues through the world. He confirmed that DDT has been found in penguins in Antarctica and is causing the extinction of the rare Bermuda petrel, a sea bird which never has direct contact with areas where DDT is used.

Other witnesses have testified that DDT goes into the atmosphere along with evaporating water, builds up to extremely high levels in predator birds and animals, and has caused new insect problems by killing predators that once held those insects in check.

Dr. Joseph Hickey, a University of Wisconsin wildlife ecologist, said that DDT has been linked to reproduction failures of certain birds, including the eagle, the osprey and the peregrine falcon. Dr. Hickey and other researchers have traced the presence of pesticide residues to a decrease in the weight and thickness of the shells of eggs produced by these birds.

In related testimony, Lucille Stickel, the pesticide research coordinator of the Interior Department's Patuxent Wildlife Research Center, states that the presence of small quantities of DDT and its derivative DDE in the diets of mallard ducks decreased egg-shell thickness, increased egg breakage and decreased overall reproductive success.

This and other testimony has represented the strongest case that has yet been presented in any public forum for new sanc-

tions to be placed on the use of DDT, the most expendable of all the persistent pesticides.

The effect of pesticides on sport and commercial fishing became of immediate concern in the Great Lakes region earlier this year when it was learned that the Michigan Agriculture Department was withholding 146 cases of canned Lake Michigan Coho salmon due to concentrations of pesticide residues in the fish above the normally safe levels.

According to conservation officials in Wisconsin and Michigan, this was the first time that fish had been detained because they contained questionable levels of pesticide residues.

The Food and Drug Administration has the Federal responsibility for preventing foods contaminated by pesticides and other harmful substances from reaching the general public. It has a lengthy history of detaining foods that have accumulated a dangerous level of pesticide residues. But, in almost every case, the foods have been vegetables and fruits, which receive a direct application of pesticides, or milk, meat, and poultry, which are derived from animals which consumed commodities which are treated with pesticides. For the most part, this pesticide contamination has occurred because of the overuse or misuse of certain pesticides.

However, the Michigan action and the later seizure by the FDA of 28,000 pounds of Coho salmon that had been shipped in interstate commerce places an entirely different light on the whole subject of pesticides and food products.

This disclosure of high concentrations of residues in the Coho salmon proves the tremendously dangerous persistence of these pesticides. To ultimately reach the salmon, the DDT and Dieldrin probably traveled hundreds of miles through the air, water, and soil and was consumed through the normal food chain of up to a half dozen organisms.

According to the FDA, the concentration of DDT in the salmon was found to be up to 19 parts per million while the accumulation of Dieldrin was just short of 0.3 of a part per million, both levels considered hazardous by both the FDA and the World Health Organization.

At last year's Lake Michigan Water Pollution Conference, a spokesman for the U.S. Bureau of Commercial Fisheries testified that the concentration of pesticides in Lake Michigan could reach a level lethal to both man and aquatic life if the use of pesticides was continued at such a heavy rate in the Lake Michigan watershed.

W. F. Carbine, Great Lakes Regional Director for the Bureau of Commercial Fisheries, stated that "Lake Michigan has the highest concentration of pesticides of any of the Great Lakes, which now are only slightly below levels that are known to be injurious to man or aquatic life . . . A continuation at high levels or an upsurge in pesticide application anywhere in the Lake Michigan basin could increase the pesticide concentration prevailing in the open lake from the present non-lethal level to a lethal value."

Mr. Carbine expressed grave concern about the buildup of polluted sediment of the Lake Michigan bottom. Studies in Lake Erie indicate that the polluted bottom sediment tends to provide a never-ending source of pollution.

"Should this be true," he said, "man will be confronted with a self-perpetuating situation partly immune to active flushing action in Lake Erie, to say nothing of Lake Michigan which lacks flushing capability."

"Unless immediate measures are implemented to reduce enrichment of Lake Michigan, the deterioration will progress with increased rapidity and conditions will soon be comparable to Lake Erie. The biological, aesthetic and recreational value of Lake Michigan, the largest fresh water resource that lies entirely within the United States, is threatened with swift and early disaster."

The discovery of these pesticide-contaminated Coho salmon certainly substantiates that testimony. The future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides.

Last spring pesticides were also blamed for the death of nearly 1 million Coho salmon fry. This finding has raised a serious question about the future of salmon reproduction in the waters of Lake Michigan.

Seven hundred thousand Coho salmon fry had died suddenly in hatcheries run by the Michigan Conservation Department.

According to Dr. Charles T. Black, a pesticide adviser to the Michigan department, the fatal dose of DDT was passed on to the coho fry by the adult female fish.

Black said the mature female fish picked up DDT during the time they were in Lake Michigan. These females were hatched on the West coast and stocked as fingerlings in Lake Michigan in 1966.

The adult females were in Lake Michigan for only 18 months before they were netted and used to supply eggs for hatchery operations. Eggs to be harvested in the fall of 1970 will be from first generation Michigan-bred salmon which will have been exposed an entire lifespan to the Lake's DDT level and experts fear the results may be disastrous.

According to Black, the eggs become concentrated with DDT because the coho is at the top of the lake food chain.

DDT is first absorbed by plankton, a one-celled animal. Tiny fish feed on the plankton, concentrating the poison. Small fish are eaten by larger ones and, finally, the coho eats these. By this time, the DDT concentration is much stronger than in the lake water solution.

DDT concentrates in fatty tissue, including that of the eggs. When the eggs hatch, the fry live for a short time on the fat deposits in the egg. It is the DDT in this fat that kills the young fish.

There is also growing concern among scientists that the reproduction capabilities of other fish may be harmed. This is especially the case with the Lake Trout, which spend six of seven years in the water before sexual maturity as compared with only about two years for the salmon.

Lake trout were also the subject of recent extensive research by the New York Health Commission, which reported that high concentrations of DDT are being found in Lake trout in the State's central and northern lakes.

The health commission has cited DDT concentrations in the lake trout up to 3,000 parts per million in the fatty tissues of the fish. The figure representing the concentration in the whole fish would be considerably lower since the pesticide tends to concentrate in the fat.

While some states, such as New York, Wisconsin and Michigan, have developed good pesticide monitoring and information programs, I have long believed that there is a very serious void in the amount of meaningful information regarding pesticide use in the United States available today.

Following the FDA's seizure of the Lake Michigan Coho salmon, my office began a national survey of state pesticide regulation programs. The preliminary results indicate that most states have woefully inadequate pesticide monitoring programs and lack any significant information on pesticide use in their states.

With mounting scientific evidence that persistent pesticides are infiltrating our environment and the tissues of living creatures everywhere on earth, governments at all levels are reacting much too slowly to this impending world pollution crisis.

We must bring pesticide use in the United States into better perspective and completely re-evaluate existing regulation in light of the growing documentation of their harmful effects.

I have proposed the establishment of a permanent National Commission on Pesticides to study and investigate problems arising from the use of pesticides and to establish improved programs and regulations for their use.

The Commission would examine current pesticide use and present labeling requirements, monitor the buildup of pesticide residues in the environment, wildlife and humans, conduct basic research on pesticide degradability and develop less persistent, less toxic pesticides.

The panel would be appointed by the President and would include representatives of government agencies, scientific and medical professions, conservation groups, farm organizations and private industry.

The Commission would make annual recommendations to the President and Congress concerning improved restrictions on pesticide use and present and potential hazards to wildlife and human health. It will be a permanent body to evaluate pesticides on a continuous basis and advise the President, the Congress and the country on its findings.

My state pesticide survey has also compiled data that shows that at least a dozen states have found pesticide residues in fish above the five parts per million level recently set by the FDA. High concentrations of DDT have been found in fish in almost every region of our nation, from Maine to California and Montana to Louisiana.

These findings confirm the fear that commercial fishing in the United States faces a grave threat from pesticide pollution.

We cannot stand idly by while our multimillion dollar fishing industry is ruined by pesticides that continue to be recommended for use by the U.S. Department of Agriculture.

Last year, commercial fishing in Wisconsin added more than \$1.5 million to our state's economy while Michigan received \$2.5 million in fishing revenues.

I am preparing legislation authorizing the U.S. Department of the Interior to reimburse commercial fishermen who have fish barred from markets due to pesticide residues.

The program would be similar to one presently administered by the U.S. Department of Agriculture for reimbursing dairy farmers who lose milk because of pesticide contamination. Since 1964, this dairy program has provided nearly a million dollars in indemnity payments to farmers in 29 states.

As additional assistance to the fishing industry, the Small Business Administration should reactivate one of that agency's special programs to grant loans to fishing concerns whose products are not marketable due to disease or toxicity.

This special SBA program for the fishing industry was initially authorized in 1964 when a botulism threat seriously damaged the economic status of Great Lakes fishing. It is vitally important that these loans now be readily available to fishing concerns as the danger of pesticide contamination increases.

Efforts must be continued to drastically restrict the use of DDT in this country and improve present controls on other persistent pesticides. But until such restrictions are adopted, we must provide some form of insurance against financial ruin for the American fishing industry.

#### THE FORTAS MATTER—THE ATTORNEY GENERAL'S ROLE

Mr. GRIFFIN. Mr. President, for reasons which are difficult to understand, there has been some criticism in the news media and on the Senate floor concerning the role of Attorney General John N. Mitchell in the Fortas matter.

An editorial which appeared in the

May 17, issue of the Washington Star addressed itself to that criticism.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

#### THE ATTORNEY GENERAL'S ROLE

Attorney General Mitchell has been the target of criticism for the part he played in the administration's handling of the Fortas case. And by extension the same thing applies to the President. In both instances, the critics make no sense to us.

From all indications, the Department of Justice did not get into the case until after an investigator for Life magazine had dug up information damaging to Fortas. Thereafter, FBI agents and perhaps other Justice Department people were assigned to investigate. Why not? There was at least a possibility that there had been a violation of federal law, and it was the department's duty to find out whether this was so.

Most of the criticism of Mitchell relates to his visit to Chief Justice Warren and his submission of "certain information" which he said he thought might be helpful to the court. Mitchell did not confirm the fact of this visit until after the story had appeared in Newsweek, and he has never said what information he turned over to the Chief Justice.

What do the critics think Mitchell should have done? He could have done nothing, of course, and let impeachment, already being threatened, take its course in Congress. This would have been irresponsible. For an impeachment, followed by a trial in the Senate, would have been harmful to Fortas and enormously damaging to the Supreme Court. So the Attorney General took the other course. He went to the Chief Justice without publicity and submitted his information. The end result was the Fortas resignation instead of an embittered impeachment proceeding.

This was the best way out of a very bad situation. In our view, the Attorney General, and also the President, if he had anything to do with the decisions that were taken, deserve commendation rather than shallow criticism.

#### SOVIET MIGHT AND THE U.S. LUXURY DEFENSE BUDGET

Mr. PROXMIER. Mr. President, the Wall Street Journal for Monday, May 19, carried a fascinating article in the Outlook section concerning the relative military strength of the Soviet Union and the United States.

The article was especially interesting to those of us who believe that this country could spend less on the military and be stronger than we now are.

The Defense Department has erected fantastically costly weapons systems which often do not work.

We have seen change orders, overruns, and buy-in bidding contracts which have resulted in a skyrocketing of costs.

We know that our major weapon systems routinely cost 100 to 200 percent more than their original estimates.

They are delivered 2 to 3 years later than their original deadline dates.

We spend huge amounts on commissary stores, post exchanges, and frills for officers clubs.

This country could, in my judgment, be much stronger for much less money. We should drastically change the ratio of 10 soldiers behind the lines or in

support, for each soldier in a combat unit.

What we have now, Mr. President, is a "luxury" budget. And this budget, instead of keeping us ahead of the Russians has weakened us relative to our immediate adversary.

The Wall Street Journal article says that according to the statistics of the London based Institute for Strategic Studies as well as our own analysis:

Russia has been getting considerably more for its defense outlays than the U.S.

The article states that while they spend the same proportion of their gross national production on defense as we do—roughly 8 to 9 percent—they spend only three quarters of the total amount that we spend.

But, and this is the key point, namely:

Despite the massive amounts that Uncle Sam has spent on defense in recent years, the Soviet Union, which has spent far less, has about pulled even in overall military strength.

There are, of course, some logical reasons why this is so.

Our troops do require a higher standard than those of the Soviet Union. Their pay and allowances cost more. They do not live off the land. All but a few—namely, those under fire—essentially are provided Stateside food and shelter. The wages of a worker in a Soviet defense plant is not as high as those for a U.S. industrial worker. Of course, the productivity of the American worker is higher so that the Russians may not be ahead in costs per unit of output. It also costs more for us to maintain overseas bases than it does for the Russians to defend their landlocked borders.

But, as the article says, this is not the whole story.

The Russians seem to manage to design new weapons more simply and cheaply than the U.S.

Furthermore, it states:

The Soviets also are allocating defense funds more wisely.

The article points out that the Russians have only three support soldiers for each combat soldier, instead of 10 men in support, as is the case with our Army.

Mr. President, after all the logical reasons for the differences are given, it still is true that the Russians are getting far more defense by spending about the same proportionate amount of their GNP and only three-quarters of the actual expenditures as we do.

Let me make this country strong and free. Let us cut the military fat and strengthen the muscle.

I ask unanimous consent that the article published in the Wall Street Journal be printed in the RECORD.

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

[From the Wall Street Journal, May 19, 1969]  
APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

In all the heated discussions about this country's "military-industrial complex," surprisingly little attention has been focused on what is perhaps the most perplexing aspect of the whole matter. It is this: Despite the massive amounts that Uncle Sam has spent

on defense in recent years, the Soviet Union, which has spent far less, has about pulled even in overall military strength.

The Institute for Strategic Studies, the authoritative London research organization, recently gave this appraisal of Russia's military posture: "The Soviet Union must now be treated as a full equal in terms both of strategic power and of her ability to control conflict in the developing world." By the middle of this year, the report went on, the Soviet Union will probably have deployed more intercontinental ballistic missiles than the U.S. As recently as 1966, the Soviets had barely a third as many ICBMs deployed as the U.S., analysts estimate.

This catch-up has occurred even though Soviet military expenditures seem positively frugal by U.S. standards. As Mr. Soderlind noted in this column two weeks ago, Russian military spending in 1966 totaled about \$47 billion, according to a survey by the U.S. Arms Control and Disarmament Agency. This was less than three-quarters the comparable U.S. amount. The report further estimated that the Russian total came to 8% or 9% of Soviet gross national product, roughly the same percentage as in the U.S.

Such statistics on Soviet military spending, to be sure, represent highly uncertain estimates by U.S. analysts. Announced Soviet military outlays do not include many military expenses. Also, it is difficult to arrive at a realistic rate for expressing rubles in terms of dollars. The ACDA, however, has attempted to take such factors into account; this a major reason the figures are for no later than 1966. ACDA economists, however, believe the 1966 comparisons still approximately pertain, though all the totals have increased.

At any rate, such statistics leave little doubt that Russia has been getting considerably more for its defense outlays than the U.S. The overriding reason seems simply that living standards are very much higher in the U.S. than in Russia. According to one estimate, the average salary of a Russian soldier comes to about one-fifth of the average for a U.S. soldier. Similarly, a Soviet defense-plant worker whose income is, say, about \$2,000 annually is probably earning only one-fifth of what his U.S. counterpart earns.

An economist who studies such matters for the Defense Department says that a rough rule of thumb is that 10 U.S. soldiers are needed to support one U.S. soldier on the firing line. The comparable ratio for Russian soldiers, he says, is about three to one. One result, the economist added wryly, is that "the American soldier is a lot more comfortable than the Russian soldier."

On the matter of comfort, some observers point to this country's vast network of post exchanges and other services for U.S. military families. Many PXs are elaborate establishments, offering all sorts of luxury items, as well as comfortable eating and recreational facilities. Theoretically, these services are self-supporting, but actually they are subsidized by Uncle Sam to the tune of more than \$100 million yearly, a Pentagon source says.

The Russian soldier, in contrast, depends on what one U.S. analyst terms "primitive little stores," often run with the cooperation of local farmers. Frequently, he adds, Soviet troops are expected to lend farmers a hand with harvesting in return for a supply of food.

The gulf in living standards isn't the only reason Russia gets more out of its military expenditures, some analysts say. The Russians seem to manage to design new weapons more simply and cheaply than the U.S. One U.S. official cites the MIG-21, a Russian fighter plane, as a case in point. He estimates that each MIG-21 has cost Russia about \$1 million. In contrast, he estimates that each F-4, an American fighter plane, has cost several times that much. "We probably put as much money into the avionics of our plane as they put into the whole damn MIG-21," the

official says. "Our plane may perform better, but is it worth that much more?"

The Soviets also are allocating defense funds more wisely, the official claims. "Do we really need 15 attack carriers, with the new ones costing \$600 million per copy, for 'peace-keeping' operations?" he asks. "And if we don't, what good would they be in a big war? For what we put into one, we could buy a dozen destroyers." The Russians, he says, have "wisely" built no such carriers but have rapidly increased their submarine force. "Our Navy, I'm afraid, is a social institution that needs big capital ships to revolve around," he adds. "The carrier has replaced the battleship as the hub."

Vietnam, of course, represents a big U.S. military expense that Russia does not face; the war is costing the U.S. nearly \$30 billion a year, while analysts estimate it is costing Russia perhaps \$2 billion yearly. Even if U.S. spending for Vietnam were eliminated, however, America's military spending would remain far greater than Russia's, analysts guess.

Another consideration that some U.S. officials cite is the relatively high cost of maintaining overseas military establishments, a U.S. burden not faced by Russia. (On the other hand, the U.S. does not have to worry about a lengthy border with Red China.) Some observers even cite Russian use of "slave" labor as a factor in Soviet military progress. One source estimates that perhaps one million persons, mostly political prisoners, still work in Soviet labor camps, occasionally performing chores for the military. At one time under Stalin, of course, such camps held possibly 20 million persons.

In the end, there seems to be no easy solution to the problem posed by Russia's more effective military spending. Should the U.S. spend still greater sums to offset the Russian edge? Is it possible through reforms to get much more bang for the U.S. buck? Whatever the answer, it seems clear that military muscle is much harder to put on when the superpower is also superaffluent.

—ALFRED L. MALABRE, Jr.

#### GOLDEN ANNIVERSARY OF UNIVERSITY OF CALIFORNIA AT LOS ANGELES

Mr. MURPHY, Mr. President, one of our Nation's finest institutions of higher learning, the University of California at Los Angeles, celebrates its golden anniversary this week. UCLA has come a long way since it was known as the Southern Branch of the University of California and opened its doors in 1919 to 1,250 students. Its alumni in many fields have gained worldwide recognition. Its athletes and athletic teams are always among the finest in the land. Its splendid facilities are world renowned.

More than 28,000 students come to the UCLA campus each day, and more than 80,000 take its extension courses throughout Los Angeles County each evening.

Mr. President, the well-known author, Irving Stone, has written an article which vividly portrays much of UCLA's past and present and looks at its future. I ask unanimous consent that the article, published in the Los Angeles Times' West Magazine of May 18, 1969, be printed in the RECORD.

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

UCLA, 1919-69

(By Irving Stone)

(A personal memoir by a world-famous author and non-alumnus who arrived in

Los Angeles the same year the University of California did, and found his life inexorably tied to it.)

Fifty years ago the University of California and the Stone family arrived in Los Angeles, if not arm in arm, at least simultaneously; not only my parents but aunts, uncles and cousins in a caravan of four Model T Fords. All had sold their homes and modest businesses in San Francisco to "start a new life in the land of golden opportunity," as my mother put it.

At that point in history Los Angeles was a comparatively small and slow-moving town, with brilliant sunlight and clear air to breathe. Except for the Red Cars that ran to Santa Monica, all streetcars ended at Western. Wilshire Boulevard ran out of civilization at La Brea. Sunset Boulevard was a wandering cowpath to the ocean. Westwood was a series of desolate rolling dunes, an area into which only the most courageous mortal dared venture. The University of California at Los Angeles, which was born at this moment, was given the name of "Southern Branch," an unfortunate appellation that created sibling rivalry and led to a psychological hang-up only recently dissipated.

My first contact with the Southern Branch occurred on a Friday afternoon, October 3, 1919, when, as a member of the Manual Arts High School Band, I watched my first game of American football between Manual and the Southern Branch; we had played 15-man Rugby at Lowell High in San Francisco. The game ended 73-0 in favor of Manual. Toward the end of the game I turned to my fellow clarinetist on the left and said, "You were right, it is an exciting sport, but why do the rules allow only one team to score?"

In midyear of 1922, after two years at Berkeley, I registered at the Southern Branch, which now extended two full blocks on Vermont, for a summer session. By a happy coincidence the *Cub Californian* needed a columnist. I was apparently the only applicant who was willing to spend the hours trudging from classroom to classroom to pick up scraps of stories. At the end of the six-week session, the regular staff returned to set up their expanded format for the next school year, and I offered to remain at the Southern Branch for my graduating year to continue the column. They took a full batch of my columns into the next room and locked the door behind them. They emerged about an hour later, not quite looking me in the eye. The editor handed me back my columns, murmuring *sotto voce*:

"Mr. Stone, we cannot find it in our hearts to let you make so heroic a sacrifice!"

Two years later, in the spring of 1924, I was a teaching fellow at the University of Southern California, sharing a large office with three other fellows. One day our shared secretary, a remarkably pretty girl whom the Dean kept in his office, phoned to say that two young men were outside and had urgent business with us. The two tall, handsome, expensively-garbed and groomed young men were ushered in. They said that they represented the Janss Investment Corp. and had a highly exciting and advantageous proposition to make us. Janss was prepared to give each of us a 30-by-100-foot lot in what would be the business district of a future village to be called Westwood *absolutely free*. All we had to do was guarantee that within three years we would build a \$10,000 store or office building on each site.

Aside from the fact that none of us could have commanded ten thousand jelly beans, it was clear that these smooth young men were engaged in a confidence game. They tried to persuade us, by laying out architectural renderings, that there was going to be a great university built on the sand dunes. There would be a large and prosperous business district; thousands of homes would spring up to house the professors and students. (I remembered these dunes all too vividly, for I had one inadvertently stumbled

across part of them and been chased out by the lizards and jackrabbits.)

Toward the end of the presentation, all four of us fledgling economists raised our eyelids to each other. Now we knew how the charming young men got their expensive clothing and haircuts: by taking advantage of naive academics. We dismissed the two salesmen, then, since I was the youngest of the group and hence entitled to be its spokesman, I commented:

"Why don't these city slickers confine themselves to selling nonexistent oil wells?"

UCLA at Westwood, which started half a century ago, has now in its own opinion reached the august age of twenty-one and become an adult. It is a long, hard pull to convert an idea in the back of somebody's mind into a college. Thousands of individuals have to contribute their energy, educational concepts, integrity—money!—and passionate desire to create a first-rate institution of learning. On its golden anniversary UCLA has reason indeed to look back and "point with pride." Along with USC on the opposite side of town, the Music Center complex downtown, and the County Museum of Art on Wilshire, it has become one of the four cultural centers of a rapidly expanding civilization.

Its splendid library serves as the research center for all of the southwestern United States, including Arizona, Nevada and New Mexico. Its expanding medical center, headed for many years by Dr. Stafford L. Warren, and now Dr. Sherman M. Mellinkoff, has become one of the ten best in the country, along with those at Harvard, Stanford, Columbia and Chicago. Computer machines, studying the human brain, have replaced the University of Vienna's Professor Meynert and his anatomical slides; but it has also been staffed from the very beginning by permanent researchers rather than part-time clinicians.

Since Sputnik, science has been the golden-haired boy in American universities. Tens of millions of dollars have been poured into the science departments by the federal government and private industry, for the purposes of research. Of these monies UCLA has received its fair share, in part thanks to the charisma of Assistant-Chancellor Carl York, who commutes to Washington. However, UCLA had early been able to attract some of the best scientific minds, including Nobel Laureate Willard F. Libby (discoverer of the Carbon 14 process), Joseph Kaplan, U.S. chairman of the International Geophysical Year; George Kennedy, reputed by his conferees to be a great geologist; Saul Winstein, whose work in physical organic chemistry has won him several of the coveted American Chemistry Society Awards. The many like them were attracted for a variety of reasons, the climate of challenge in the building of a new campus, as well as the weather.

I saw little of the growth of UCLA during the years of its youth, for I spent my time in Europe studying and writing, and in New York, where I thought I had to live until I could find a publisher for my books. When Mrs. Stone and I returned permanently to Southern California and made our home in the San Fernando Valley, I still did not renew my acquaintance with UCLA, except for one look at the prospering Westwood Village, which confirmed me in my belief that I did not have the makings of an economist.

In the next few years I researched at the Huntington Library, where Jack London's manuscripts were housed; and at the Los Angeles Public Library at Fifth and Hope, which had, and has, a comprehensive collection of Americana. It was not until we moved into Beverly Hills (so that, in Mrs. Stone's terms, "The two children can go out the back door on their skates, or out the front door on their bicycles to get to school") that I turned my eyes west to UCLA.

Here, amid the few Romanesque buildings, I found the greatest boon to a researcher:

Interlibrary Loans, presided over by an angelic librarian, Esther Euler. When I needed a rare book that was impossible to purchase, and of which no library in Southern California had a copy, Mrs. Euler would locate one at the Library of Congress in Washington or the University of Pennsylvania or the University of Georgia. Within a week the volume would be on my desk.

An accomplishment in UCLA's short span, I discovered, was that it has become an integral part of the community, aiding as well as influencing almost every sector of Southern California life.

I am not referring to the accomplishments of the Gary Behan football teams or the Lew Alcindor basketball teams, delightful as they both were to watch; but to its early cultural leadership in the theater, adult education, revolutionary modern music and contemporary art. Emphasis was placed on scientific and medical research, social welfare studies, the direct relationship between Neil Jacoby's School of Business Administration and the industrial complex of Southern California.

As with almost every campus in America today, UCLA has suffered its share of elephantiasis. There are now over 28,000 students on campus every day, and more in the libraries, laboratories, auditoriums at night. In the evenings some 80,000 people take extension courses throughout Los Angeles County, 30,000 of them on campus. More thousands attend the nightly concerts in Schoenberg and Royce halls, the plays of The Theatre Group, the art exhibits, the lectures by world famous authorities in every known discipline. At a rough guess, some 36,000 Southern Californians use UCLA's facilities every day of the week. What has now become one of the most populous automobile campuses in America requires three-story garages to house the input.

I have never been a regular student or teacher at UCLA, and so my knowledge of the University arises from my personal relationships with the faculty and administration over a long period of years. This does not hold true for Mrs. Stone; in fact, I am a charter member of the UCLA Widowers' Club. Every time I go looking for my wife she is either at a Board Meeting at the International Student Center, or putting on a performance for the Associates of the Institute of Ethnomusicology. She got to spending so much of her time on the UCLA campus that both Franklin Murphy and Charles Young decided they had better issue her a permanent parking pass. I feel lucky they did not also issue her a room in one of the girls' dormitories. UCLA has been outstanding for the tremendous number of community volunteers who have aided and abetted its growth.

However, in a deeper context I have been studying at UCLA for many years. As an example, when we were planning to go to Italy to research and write *The Agony and the Ecstasy*, Mrs. Stone started two years in advance to study Italian on the campus. Dean of Fine Arts Charles Sponeri was then (1954) giving an extension course in conversational Italian, as well as teaching a course on Dante. Through this beginning, the Sponeri and Stone families became close friends. When I needed a translation of Michelangelo's six hundred letters, which astonishingly had never been brought over into English, I of course turned to Sponeri, who is a Tuscan by birth, and made a contract with him for the entire task, later published under the title *I, Michelangelo, Sculptor*.

At the same time we were taking a course in The Golden Renaissance under a dozen knowledgeable professors at UCLA. Both the language and the research base were of inestimable value when we went to live in Florence and Rome. Mrs. Stone and I also took a course in The Legacy of Greece and Rome. My next book, after I complete a biographical novel about Sigmund Freud, will be laid in Athens. I daresay I shan't see much

of my wife during the coming year; she will be at UCLA studying modern Greek.

From the slightly paternalistic vantage point of a Berkeley graduate, UCLA began to come of age with the advent of Franklin D. Murphy as its chancellor. There had been good chancellors before him, of course, but Murphy had the peculiar combination of qualities required to turn a good and growing university into a near-great one. Murphy is a Renaissance Man: an M.D. trained in science, widely read in the humanities, knowledgeable and enthusiastic about the arts. When he arrived in Los Angeles, proclaiming publicly that he was going to make UCLA a greater university than Berkeley, I had the temerity to suggest that this might take a bit of doing. What is known hereabouts as Murphy's Miracle is that in eight short but cyclonic years he managed to come within spitting distance of his objective.

Three stories will give you the measure of the man. The first concerns a magnificent collection of African and pre-Columbian art assembled by Sir Henry Wellcome, founder of a world-wide pharmaceutical company. When it was announced that the trustees were about to give away the invaluable collection as a gift, it was assumed that it would stay in England or go to a prestigious New York institution. UCLA, with little background in the field, was not only an improbable but an impossible choice. (They had lacked the desire and skill to absorb the great Arensberg Collection of Modern Art, which the Philadelphia Museum then gobbled up.) Franklin Murphy could not have disagreed more. Aided by Dr. Donald O'Malley, Professor of Medical History, and Ralph Altman, head of the Museum and Laboratories of Ethnic Art, Murphy began a series of phone calls and negotiations that not only brought this extraordinary and irreplaceable collection to Los Angeles, but overnight made UCLA one of the major repositories for the ethnic arts.

A UCLA scholar advised Chancellor Murphy that an enormously important collection of books and artifacts relating to Persian, Arabic and Armenian studies, located in one of the provincial cities of the Middle East, was about to be sold . . . but only for dollars deposited in a Swiss bank. UCLA had no dollars to deposit in a Swiss bank. Murphy made a single phone call to a distinguished American Armenian and persuaded him to make the major portion of that deposit.

By a coincidence, I happened to be present when Murphy's third moment of "excitement and creativity," as he describes these crises of opportunity, arrived. One morning he learned that a superb collection of Judaica and Hebraica, which had been founded by a famous book company in Frankfurt, Germany, had been moved to Vienna, and then finally settled in Israel, was about to be sold because the owner had died the day before. Other bidders had already appeared on the horizon. Murphy picked up his phone, called a friend and asked if he could join him for luncheon that day. Ted Cummings, upon learning of the rarity and value of the collection, promptly provided the money to acquire it. A cable was dispatched to Israel; and this priceless collection is now part of the UCLA Library.

How arduous is it to study at UCLA, remembering that the eight campuses of the University of California are permitted to take in only the top 12 percent of the high school graduates? Is it a rough go, or is it easy to "get by"? I have seen freshmen get by with a minimum of work, but it required such enormous expenditures of energy in fabricating excuses and conning the professors that they could have gotten straight B's with only half the concentration.

Nevertheless, UCLA strikes terror in the hearts of high school seniors such as Saul Winstein, now a world authority in the field of Physical Organic Chemistry. When Winstein was a senior at Jefferson High he had

several teachers who had graduated from UCLA. They told him how hard it would be for him to maintain a C average.

Winstein ran scared his entire first semester. When it was the time for the final examination he went to the student book shop to buy a mimeographed copy of examinations given in former years. When he got the booklet home he found that it was divided into eight parts. He spent the following week organizing his material so that he could get everything written into a Blue Book in the three hours that are allotted for a final.

Entering the classroom he was handed a set of questions which represented the equivalent of only one of the eight sections which he had studied from the earlier examinations. He quickly wrote the answers to this first section, and then sat for a solid hour waiting for the professor to come in and give him the next of the eight batch of questions. At that point he found out that the booklet he had bought had contained eight separate examinations. Winstein, remembering UCLA's reputation, had prepared himself to take the equivalent of all eight in three hours!

With 28,000 students, UCLA is admittedly crowded. But does this mean that it has become an impersonal plant, and that there is no contact between the student and the professor? Not to my knowledge. I remember the day when Willard Libby gathered together twenty freshmen whom he planned to take through four years as chemistry majors. It was not imperative that they go into chemistry as their life work, but merely that they be interested in science. During the four years I frequently saw this class at the Libby home, swimming and enjoying Sunday night buffet.

I remember Stanley Wolpert, chairman of the History Department, telephoning to cancel our plans to go for a long walk in the hills of a Saturday afternoon, because "some of my students asked to talk to me."

Each year many of the professors give a Christmas party for graduate and post-doctoral students and their wives. When a graduate student arrives, and is slightly broke, with a wife who is more than slightly pregnant, their instructors often lend them money to carry them through their first year until they can get a fellowship or scholarship.

Massiveness brings its own strengths and virtues. The extracurricular activities are frequently as valuable as the courses of study. The UCLA Group Theatre's productions were, by and large, better than anything I saw on Broadway during my years of residence there, and also unavailable elsewhere in Southern California. I remember back to the first fine productions of 1959: Dylan Thomas's *Under Milkwood*, Bertolt Brecht's *Mother Courage*; down through Eugene Ionesco's *The Bald Soprano* and *The Chairs* in 1964; and ending with the superb production of Harold Pinter's *The Birthday Party* in 1966.

There have been innumerable beautifully mounted art exhibitions. The Spanish Masters, in 1960, the Picasso Birthday Exhibition of 1961, the Lipchitz Retrospective, the works of Cezanne and Archipenko. Many of America's finest painters and sculptors have taught in the Art Department. What appeared to me to be a wasteland on the north end of the campus has been converted into a beautifully landscaped sculpture garden, with the works of Matisse, Henry Moore, Rodin, Archipenko, Jean Arp, Alexander Calder, David Smith, Noguchi, Bernard Rosenthal.

Since this is a personal memoir I should like to share some of my shining moments at UCLA. There was the night I debated Dr. Elmer Belt, who has given his magnificent collection of Vinciana to the University, on the subject: *Who Was the Universal Man, Michaelangelo or Leonardo da Vinci?* Dr.

Belt started the debate with a monumental tribute to Da Vinci's scientific accomplishments. Mrs. Stone whispered in my ear, "If he mentions that Da Vinci also painted the Mona Lisa, you're dead." (He didn't.)

In the midst of my own impassioned presentation of the case for Michaelangelo, the lights in the auditorium suddenly went out, plunging the audience into darkness. There were howls of laughter, as though my enthusiasm had somehow contrived to blow a fuse. In the darkness I told the story of an old friend, Thorne Smith, the novelist who had come west to write a motion picture script. Thorne rented a house near UCLA, with an upstairs workroom overlooking a garden. He warned his three rambunctious youngsters on the first morning that when they played in the garden they were to be very quiet so as not to disturb Daddy. He had been working less than an hour when a tremendous earthquake rattled Southern California. His three daughters rushed up from the garden crying, "Papa, Papa, we didn't do it!"

Feri Roth, founder of the Roth String Quartet, who taught at UCLA and gave concerts in Schoenberg Hall, asked if I would speak on the life of Beethoven during the intermission of one of his recitals. I protested that I knew only about Beethoven's music, but this did not dissuade Roth. At intermission I announced that since I knew nothing about Beethoven, but was completing a book about Michelangelo, I would talk about Michelangelo instead. When I had finished speaking a student asked, "Why is it that in the lives of both Beethoven and Michelangelo, they were never able to achieve love?" I replied that perhaps love was such a fulfilling experience that it got in the way of creativity. The young girl persisted, "Then you think that anyone who wishes to accomplish important results in the creative arts must go without love?" I replied, "If I have become convinced from this evening's discussion that your thesis is sound, I shall leave Mrs. Stone tomorrow morning . . . just after she serves me breakfast."

My wife had left the hall at intermission because she had heard my stories *ad nauseam*. At that moment she came back into the auditorium, whereupon the audience rose as a man, turned to her and cried:

"Never mind, Mrs. Stone, you can come and live with us."

UCLA is by and large a functioning democracy. Faculty wives put in a lifetime of service in prosaic and sometimes even menial tasks. Whether it is to head up a volunteer group, address envelopes for the Art Council, help staff the reception center of the Hospital or push a book cart through its halls, or hostess the innumerable UCLA receptions, no judgment is made on the nature of the work so long as it serves a valuable purpose.

Six months ago, as president of the Dante Alighieri Society, I introduced Louis and Annette Kaufman to an audience in the Schoenberg Opera Workshop. The Kaufmans were giving a concert-lecture on the origins of Italian music. We had promised our members a reception at which they might enjoy refreshments, and meet and chat with the Kaufmans. Halfway through the concert I went next door to the Green Room to make sure the food and drink were being put out on the tables. There I found my wife Jean, and Dean Speroni's wife, Carmela, on their hands and knees scrubbing the carpeted floor. I exclaimed, "What on earth are you girls doing?" They looked up with wide eyes and cried, "Whoever held a party in here last night failed to take care of their mess; we had to scrub the place before we could put up the coffee!"

What kind of man and woman does UCLA graduate? The alumni now number over 70,000 bachelor degrees, with another 22,000 of graduate degrees. Well, there is Dr. Ralph Bunche, a Nobel Peace Prize win-

ner in 1950; Dr. Glenn T. Seaborg, chairman of the U.S. Atomic Energy Commission and Nobel Laureate in Chemistry. There is Jackie Robinson, the first Negro to play in professional baseball, who ushered in a new era in athletics; Agnes DeMille, the famous choreographer; Jerome Hines, the Metropolitan Opera basso; Louis Banks, managing editor of *Fortune* magazine; Rafer Johnson, Olympic decathlon winner; Dr. Waldo Lyon, the scientist who charted the first voyage of USS *Nautilus* under the North Pole. There is almost no discipline in which UCLA is not represented by graduates of high talent and integrity.

Over the years there have been a series of chancellors: Ernest C. Moore, Earle B. Hedrick, Clarence A. Dykstra, Raymond B. Allen, Vern O. Knudsen and Franklin D. Murphy. As with the varying schools of architecture, each chancellor has been cast in a different mold, each has made his special contribution. The present chancellor is Charles E. Young tall, good-looking, whose youth is a great advantage in these days of campus upheaval.

A few years ago Chuck Young, then a vice-chancellor, sat in at a meeting with Franklin Murphy, discussing the seats to be installed in the new Pauley Pavilion. Murphy made the decision to put in inexpensive wooden seats, then left for New York. A few moments later Vern O. Knudsen, one of America's experts on acoustics, came in:

"What's this I hear about wooden seats? It will make the Pavilion sound like an echo chamber. Unless upholstered seats are installed to absorb the sound, I wash my hands of the affair."

Chuck Young replied quietly, "Okay Vern . . . upholstered seats it is."

When Knudsen left, Tom Davis, then president of the UCLA Alumni Association, who had been listening in on both conversations said, "I just heard Murphy decide in favor of wooden seats. You've not only reversed that decision but added \$25,000 to the cost."

"If Murphy had wanted wooden seats," replied Young, he should have stayed here." Murphy later agreed.

During its first half-century UCLA has suffered its share of growing pains and lacunae. Only recently has an architectural school been invested.

Good men have been lost to other universities. However, UCLA has done its share of abducting, bringing top talent not only from every corner of the United States but from the rest of the world. If it is true, as this author has written somewhere, that California is the new Valley of the Nile, then UCLA has grown into one of its shining monuments. Not an Egyptian pyramid, serving as a tomb for a dead Emperor, but a majestic beacon serving as a light and a voice for all of our residents.

During its second half-century its influence will be felt by increasingly wide circles in Southern California. It has riches to offer, the fruits of the mind, the nourishment of the arts and the humanities without which a society is barren indeed.

#### INCREASE IN DULLES TRAFFIC

Mr. BYRD of Virginia. Mr. President, I have received an encouraging report from the Federal Aviation Administration showing continuing gains in traffic at Dulles International Airport.

A gain of 27.3 percent in passenger traffic was recorded at Dulles for the month of March, as compared to March of last year, in spite of the fact that a 21-day strike by employees of American Airlines cut into the total volume of business.

For the first 3 months of this year, the passenger total at Dulles was nearly 470,-

000, or almost a third greater than the same period in 1968.

At the same time, there was a slight decline in the passenger traffic at overcrowded Washington National Airport. The total passenger volume at National for January through March was 2,282,740, down 2 percent from the first quarter of last year.

Dulles also showed a gain in cargo—smaller, but still significant. For the first 3 months of this year, the cargo volume was almost 16.3 million pounds. This represented a gain of 9.4 percent over the same period last year.

As in the passenger field, National showed a small decline in cargo. FAA figures indicated a drop of 2.7 percent in cargo volume at National for the first 3 months of 1969. Total volume for this period was 39.1 million pounds.

While the gain at Dulles represents a trend in the right direction, we have to bear in mind that despite the changes in percentages, National remains overcrowded and Dulles remains underutilized.

By way of illustration, I point out that, during the first 3 months of this year National's passenger volume exceeded that at Dulles by more than 1.8 million.

Overcrowding at National remains a serious problem. Even with the small decline in traffic which has appeared so far this year, National stands to handle a passenger volume well over twice the volume for which it was designed.

The only rational answer to the congestion at National is the development of the splendid facilities at Dulles, which cost the American taxpayers \$110 million and still are a long way from realization of their potential.

#### RURAL SLUM HOUSING

Mr. TYDINGS. Mr. President, events have forced Americans to recognize and confront the problems of poverty and deterioration that are transforming our central cities into concrete wastelands. Numerous programs have been proposed for rebuilding our urban slums, though the bulk of the task still lies before us.

However, too frequently, the slums that shelter the impoverished of rural America have been overlooked and forgotten. The relative silence of the rural poor must not be interpreted as a sign of contentment. Much of the slum housing in rural areas is even worse than the dilapidated and unhealthy structures that blight our cities.

Dr. Howard R. Grumpelt from the department of psychology and education of Washington College in Chestertown, Md., has circulated an excellent paper discussing the problem of rural slum housing and posing possible solutions. I commend this paper urging Government action in this area to all citizens concerned with the desperate plight of the rural poor.

Mr. President, I ask unanimous consent that Dr. Grumpelt's paper be printed in the RECORD.

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

#### AN OPEN LETTER CONCERNING RURAL SLUM HOUSING

(By Howard R. Grumpelt, Ph.D., chairman of the Housing Committee, Kent-Queen Anne-Talbot Area Council, Centreville, Md.)

Slum housing in rural areas is probably far worse than it is in our cities. Some of the most impoverished slum housing in Maryland, and perhaps in the country, exists on the Eastern Shore of Maryland. The only governmental agency that currently has the authority and flexibility to have a significant effect on rural slum housing is the Farmers Home Administration. However, because of a very limited number of staff and meager funds for home mortgages, the impact of the Farmers Home Administration is at present almost nil. Something needs to be done.

On March 11, 1969, a meeting was held in Washington to explore this issue. The following named people and groups were represented: the boards and staff of the Kent-Queen Anne-Talbot Area Council, the Dorchester Community Development Corporation and Shore-Up, Inc., the Talbot Action Group, the Dorchester League of Women Voters, Mr. Philip Campbell, Undersecretary of Agriculture, Mr. James Smith, (National) Director of the Farmers Home Administration, and Congressman Rogers C. B. Morton, Senator Joseph Tydings and Senator Charles Mathias. Congressman Morton aided in making arrangements for the meeting.

I would like to try to summarize the presentation that was made by Mrs. William R. Hopkins, representing the poor, Mr. Samuel F. M. Adkins, representing local builders, Mrs. Edward E. Colledge, representing the Dorchester League of Women Voters, and myself, Dr. Howard R. Grumpelt, representing the Kent-Queen-Anne-Talbot Area Council. I have added a few facts in support of some of the statements which were made at the meeting.

1. Local banks are charging between 7½% and 8% interest rates on home mortgages and rates are rising ¼ of a percentage point a month. Poor people cannot afford to pay these rates and applications for home loans have decreased severely. The uninformed might think that the Federal Housing Authority would be of major value; however, this agency was developed primarily to aid cities. It is not able to have more than a minor effect in rural areas because it requires adhering to regulations which most rural areas would not be able to meet for several years (e.g., building, plumbing, electrical codes, plus a housing authority).

2. The Farmers Home Administration has both the authority and flexibility to have a very significant impact on rural slum housing. They can a) grant loans with interest rates as low as 1% depending on how poor a family is, b) check credit and job stability records of applicants and c) supervise construction to insure that a home is well built. The F.H.A. has had little success in stimulating rental housing because it is unable to make outright grants of funds. However, it can very significantly stimulate house construction for family ownership. Unfortunately, on the whole of the Eastern Shore the Farmers Home Administration has processed only 365 home mortgage loans since July of 1967, resulting in an average of 24.3 home loans in each county per year. This is hardly keeping up with the rate of home deterioration. The Farmers Home Administration does not have the staff (10, including secretaries, for the whole Shore) nor the loan funds to have an impact.

3. Currently many poor people must wait between nine months and a year in order to procure a loan from the Farmers Home Administration. Poor people generally require more aid than others in developing an application. In addition, a number of builders would like to construct large numbers of

low-cost homes at once and sell after construction. This would cut costs to buyers but builders cannot tie up huge sums for long periods of time. And F.H.A., the major rural creditor for the poor at present, cannot process loans rapidly enough to allow builders to work in this manner.

4. The Eastern Shore of Maryland needs help desperately. We have a rising population, a high percentage of poor people, and housing on the Shore is miserable. Consider the following facts:

a. Between 1950 and 1965 the population of the Shore increased 15.2% (from 177,267 to 208,970—Md. Dept. Health Publication).

b. Median Income of families in 1960 was \$3,992 compared to \$6,309 for Maryland and \$5,660 for the U.S. as a whole. The Shore is 36.7% below Maryland and 29.5% below the U.S. in median family income.

c. While family income has undoubtedly risen since 1960, one indicator suggests that we are falling further behind the rest of the state. According to a 1966 Sales Management Survey, between 1959 and 1965 there was a 24.8% increase in effective buying income per household for the Shore. However, for Maryland as a whole there was a 36.4% increase.

d. The Shore had a high percentage of people employed for less than 26 weeks per year (24.2%), a high rate of unemployment (7.6% vs. 4.8% and 5.2% for Maryland and the U.S.) and our non-white unemployment was especially large (average rate of 14.2% vs. 9.5% for Maryland and 8.7% for the U.S.) as of 1960.

e. 27.3% of homes on the Shore were considered dilapidated or deteriorating in 1960, whereas for Maryland and the U.S. as a whole the comparable figures were 13.9% and 18.8%. In addition, on the Shore 30.4% of homes had no toilets, whereas only 7.1% in Maryland and 10.2% for the U.S. lacked this facility.

In other words, we have an increasing population with a high proportion of poor families who live in wretched slum housing. The need for relief seems monumental.

5. Unless otherwise indicated, the above statistics were derived from the 1960 U.S. Census Report. Unfortunately, no more recent and reliable data is available; however, we believe that problems in housing have deepened, not diminished. One report analyzing the situation on a national level supports this view. A semi-annual survey of U.S. housing just published by Advance Mortgage Corporation concluded that the housing shortage is now the worst it has been in 20 years. For instance, an inventory of completed houses for sale at the end of 1968 showed 42,000 compared with 94,000 at year-end of 1965. Problems are compounded by a 30% increase in household formation and the fact that the home buyer today will "pay 25% more in monthly payments for the same house as a year ago," due to price, interest, tax and insurance increases. If these figures are accurate, it appears that the problem is getting worse all the time. We know of families that have temporarily broken up because only a single room could be found at reasonable rent. Some family members have to live elsewhere.

6. We understand that the Congress must establish priorities concerning how funds are spent. We feel that people on the Shore and in rural areas throughout the country consider housing to be one of the highest priorities. We have attended a number of open meetings at which angry people have come forth to complain about housing. At our local level there are few issues that people are more concerned about. And yet frustration mounts as few concrete gains are seen.

7. One grossly unfair aspect of current U.S. laws is that a middle or upper income person can pay high interest rates and then deduct this interest from the amount of his income for tax purposes. On \$30,000 of bor-

rowed money at 8% interest, a \$15,000 a year man with a wife and child will save, at a very minimum, \$487, on his federal tax of \$2,483 (assuming standard deduction), effectively reducing his interest rate to 6.7%. The poor person who has a more diminutive loan and who is paying a small income tax will save little, if anything at all, by paying interest. Richer people get a helping hand, the poor do not.

8. While the above analysis suggests that the Eastern Shore of Maryland desperately needs help, help which could be provided by an increase of staff and loan funds from the F.H.A., it does not indicate the positive influences which could accrue from this help. These influences can be briefly described.

a. Most F.H.A. home mortgages are used by individuals to purchase a home of their own. For the poor this leads to increased pride and greater investment in their communities.

b. City government officials relate that migration to cities, especially by the poor, compounds problems that exist in urban environs. If more adequate housing was available in rural areas, fewer rural people would move to cities.

c. State and local governments are strongly in need of additional revenues. By increasing home ownership, revenues to these groups will be enhanced.

d. The cost to the federal government of making a tremendous impact on rural slum housing is minimal because most of the funds used by F.H.A. are in the form of federally insured notes for loans which are purchased by banks and commercial credit houses. In addition, the poor have been excellent risks. Of 590 rural housing loans currently outstanding to the Farmers Home Administration from the Shore, all but 22 are up-to-date with their repayments.

e. Finally, although some areas of the country are economically overstimulated, the Eastern Shore is not. Median incomes are low on the Shore and jobs are continually being lost as farmers turn to the use of more mechanized equipment. We have estimated that an additional \$54,000,000 could come to the Shore over the next five years if the F.H.A. could substantially increase their ability to process home loans.

9. We believe that the problems in housing which we have outlined are not peculiar to the Eastern Shore. We believe that if appropriate studies were undertaken, it would be found that most of rural America is suffering from the same difficulties. Must rural areas be neglected?

10. Finally, we turn to some possible ways of resolving our difficulties. We believe that the Farmers Home Administration is at present having little influence on rural slum housing. This agency in 1962 took on vast new responsibilities by becoming involved with home mortgages for a large proportion of the rural population. However, it is one of the few federal agencies that has not increased its local staff in over 22 years. In 1946 we had 10 people employed in local F.H.A. offices on the Eastern Shore of Maryland. Today we have 10, exactly the same number. The following alternatives could each aid in resolving our problems:

a. Increase the allotment of funds for staff and for the processing of mortgages. At least three times the current staff at local levels is required for the F.H.A. to be capable of significantly reducing slum housing (one secretary, one bookkeeper, one loan writer, two inspector-appraisers and one supervisor per office). This would seem to be the simplest and most equitable solution to the problem.

b. Allow state agencies and volunteer groups to aid F.H.A. offices. The law presently prohibits such aid for most of the important work in processing loans. (Recently in New Jersey, the State paid staff to work on home loans in F.H.A. offices but it was ruled that

this was not allowed under present law.) In addition to changing the law, a program should be developed to train volunteer groups for some of the slightly complicated aspects of F.H.A. functioning. We currently have volunteer groups who are willing to provide some help, but they would need training to be able to perform much of the work that needs to be done.

11. We believe that it has been amply demonstrated that we have a huge number of miserable, wretched slum houses on the Eastern Shore of Maryland. We further believe that this problem is not endemic to the Shore but that housing in much of rural America has not been given noteworthy attention. One relevant, meaningful solution that could go far in ameliorating the problem has been approved by the Congress, through assigning to the Farmers Home Administration new objectives. However, while Congress granted the authority 7 years ago, it has never granted the funds for the increased staff or for the mortgage interest supplements that would allow this program to do the job it was designed to do. In the most wealthy country in the world, how much longer must rural America suffer?

#### COMMENDATION OF PRESIDENT NIXON'S SPEECH ON WAR IN VIETNAM

Mr. SAXBE. Mr. President, I commend President Nixon for his speech of May 14, dealing with the war in Vietnam. I thought it was a fine speech. The President demonstrated most convincingly that he realizes the war must be brought to a peaceful but honorable conclusion as rapidly as possible. I have said for many months that American troop withdrawals should begin as soon as possible, hopefully by this summer. From his statements, it is apparent that troop withdrawals are a key part of Mr. Nixon's thinking, as well.

I support the President's eight-point program for a solution of the war. The eight points should provide a meaningful basis for progress at the Paris peace talks. They show, too, that the administration is remaining flexible in its approach to the negotiations.

We have got to go a second mile in searching for peace. President Nixon's speech showed that the United States already has embarked on that second mile. The speech demonstrates, too, that the President recognizes the urgency of this matter.

#### U.N. REPRESENTATIVE INDICATES U.S. REVIEW OF POLICY ON HUMAN RIGHTS TREATIES

Mr. PROXMIER. Mr. President, in February of this year, President Nixon appointed a capable and dedicated woman, Mrs. Rita Hauser, to the post of U.S. representative on the Human Rights Commission of the United Nations Economic and Social Council. Mrs. Hauser indicated at that time a particular interest in the ratification by the U.S. Senate of the United Nations Human Rights Convention, and Conventions on Genocide, Forced Labor, and the Status of Women. Recently, Mrs. Hauser has reiterated here keen interest in these conventions and I am sure that through her continuing persuasiveness and able dedication that Mrs. Hauser will become a leading force for the ratification of these important treaties. In a speech last week

before the American Jewish Committee in New York, Mrs. Hauser indicated that the Nixon administration has begun a major review of policy on these human rights treaties. This is indeed most hopeful news and news that I hope the Senate will take note of. I ask unanimous consent that the article, entitled "U.S. Reviews Policy on U.N. Rights Pact," published in the New York Times, be printed in the RECORD.

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

#### THE UNITED STATES REVIEWS POLICY ON U.N. RIGHTS PACT

UNITED NATIONS, N.Y., May 14.—The Nixon Administration has begun a major review of policy on a series of controversial treaties aimed at protecting human rights.

This was disclosed today by Mrs. Rita Hauser, who was appointed by the Administration to the United Nations Commission on Human Rights. She referred to the policy review in a speech bitterly assailing the United States' record of refusing to approve the treaties.

Mrs. Hauser spoke at the annual meeting of the American Jewish Committee at the Waldorf-Astoria.

The United States' failure to ratify treaties has prompted questions about the Government's sincerity, she protested, adding that the word "hypocritical" was frequently applied.

The treaties go back to the 1952 convention outlawing genocide and include the 1965 convention against racial discrimination, which also covers anti-Semitism.

#### THE CRIMINAL JUSTICE SYSTEM

Mr. TYDINGS. Mr. President, the criminal justice system in the United States has serious problems. FBI indexes show a steadily increasing rate of reported crimes. Presidential commissions voice an urgent need for fundamental changes in our approach. In many of our great urban centers, citizens are afraid to use their parks and dare not walk the streets past dusk. They eye their neighbors with suspicion, and shrink from giving aid to those beset by thugs.

It has become too fashionable to accuse the courts of responsibility for the spiraling crime rate. Court decisions delimiting the privileges guaranteed the accused by the Bill of Rights, we are told, have so shackled the police that criminals may pursue their activities without fear of hindrance. These decisions, according to their critics, have breathed new life into crime in the streets.

This is an issue which has been typified by emotional arguments rather than facts. It is most disturbing to see the courts, for their decisions, subjected to some of the broad accusations which they have suffered. If they contribute to our crime crisis, it is not through the cases they have decided so much as through the cases they have not decided. The failure in administration of the criminal justice system has given rise to intolerable backlog and delay, challenging the viability of our court system. To the extent that this may encourage criminal activity, undercutting the deterrent effect of sanctions that come remote in time from the act to which they are a social response, and limiting the ultimate

member of successful prosecutions, the courts may be faulted.

However, crime has its roots far beyond the criminal justice system. If we are to achieve a long-term solution to crime, we must deal with pervasive underlying social evils which generate it. We must focus on and relieve the evils of unemployment, family breakdown, inadequate education, substandard housing, frustration and despair.

For this reason I was most pleased to read the editorial entitled "Off Target," published in the Baltimore Evening Sun, which I believe sets some of the problems into better perspective. So that Senators may benefit from this viewpoint, 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:

#### OFF TARGET

The attack on the Supreme Court by Will E. Wilson, United States Assistant Attorney General, carries an obvious appeal to nostalgia, to what many people prefer to remember as the "good" old days. Those who suspect the crime problem is an invention of the justices, will, regrettably, give him their applause.

Mr. Wilson harks back to a supposedly happy time when the law and its interpretation were rooted in "Victorian certainties." Since then, Mr. Wilson calls the court too zealous in guarding the rights of defendants and too cavalier in disregarding evidence gathered by police, however illegally. Most policemen share this opinion, so do most prosecutors. People more concerned with individual freedom do not.

The Supreme Court under Earl Warren did not write the Bill of Rights. The protections built into it have been there a long time; they, too, had been considered "certainties"—and even before Queen Victoria was born. In fact, however, their application has never been universal and is not so today.

Equal protection under the law has been and still is denied blacks in the South. The North is better only by comparison. The constitutionality of juvenile court procedures was called into question of 1967, and there is more than a little truth in the old lament that the rich, including rich criminals, are more equal than the poor before the law. The court's intent in recent years has not been to the police hands. It has aimed to bring American judicial practices in line with constitutional principles, for the gap is nothing short of a national hypocrisy.

Critics of the high court, including Mr. Wilson, would be more convincing if they looked elsewhere for the cause of crime and turmoil in American society: to state legislatures too stingy to provide funds for rehabilitating convicted criminals, to lobbyists and politicians who work against vital social reform, to slum lords and other exploiters of the poor who, through their actions, encourage the perpetuation of urban ghettos. These are the real targets, and Mr. Wilson turns a blind eye.

#### A HUMANISTIC TECHNOLOGY

Mr. NELSON. Mr. President, one of the most pressing issues of our time is how to make technology work for, rather than against, the future of mankind. What is needed is a new perspective by which we can dispassionately judge both the benefits and the dangers from new technology, and act accordingly.

In a recent speech, Vice Adm. H. G. Rickover of the U.S. Navy has performed another great service to his country by

stating forcefully and well this issue and the need for a more rational approach. I ask unanimous consent that the text of the speech be printed in the RECORD.

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

#### A HUMANISTIC TECHNOLOGY

(By Vice Adm. H. G. Rickover, U.S. Navy, at the convocation on ecology and the human environment of the St. Albans School in Washington, D.C., May 7, 1969)

The matter that concerns us tonight is of utmost importance and great urgency—nothing less than keeping our small crowded planet habitable. If I may use a legal expression, the "last clear chance" to avert catastrophe may soon be upon us. We have been brought to this critical situation by the scientific-technological revolution, and can extricate ourselves only by a change of direction in thought and action so drastic it would rate the term counterrevolutionary.

To the historian, this is a familiar sequence of events. During revolutions—social, political, technical—long established patterns of living are swiftly and radically altered by concentration on the attainment of a single objective without regard to cost. Eventually the cost is revealed and if it is too high there is a counterrevolution. But this takes time, perhaps more than is available to us. Few laymen as yet have any conception of the true price we pay for the marvels of technology although the mass media are now full of stories of poisoned water, air and soil, of depleted resources and of overcrowding—all clearly among its adverse effects, all crying out for remedial action.

What chiefly delays public recognition of the costs of the scientific-technological revolution is, I submit, the universal popularity of its objective: material abundance and an easing of man's earthly lot through mastery of nature, the "empire of man over nature" of which Francis Bacon dreamed three and a half centuries ago. Modern technology, solidly based on accurate scientific knowledge, comes remarkably close to this goal. Even the poorest in technically advanced countries are better fed, housed, and clothed, work in safer, more comfortable surroundings, enjoy greater leisure and more varied entertainments; live longer and healthier lives than they could ever hope for in the vast backward regions of the earth; this accounts for what W. H. Ferry calls the "stupid love affair" of the general public with technology. "Breaking up the love affair," he said, "does not mean abandoning technology, but replacing infatuation with an understanding of its toxic qualities, and finding ways to direct it to humane ends."

Fortunately we have a means to such an understanding in ecology—a science contemporary with modern technology.

Derived from the Greek *oikos*, meaning household or living place ecology deals with the interrelationships of plants and animals (including man) and their environment. Ecology, until recently a modest academic discipline chiefly serving agriculture and medicine, is destined to become the key science for correctly assessing the negative aspects of technology. St. Albans is therefore to be congratulated for including it in its curriculum. If I may, I should like to make two suggestions: *First*, limit the study to plant and animal ecology which is a fully developed branch of the exact sciences, omitting for the time being what goes under the name of social ecology. We tend in this country to try to do two or more things simultaneously; in consequence we do neither of them as well as we might. *Second*, consider the possibility of beginning the study at an earlier age. During a visit to Switzerland for the purpose of familiarizing myself with their educational system, I was much impressed by the way ecology was taught in a one-room vil-

lage schoolhouse. It was part of the curriculum throughout the primary grades, being presented at first very simply—but always graphically; later on, a more complex level; and always alongside the three R's and history and government, so that the children absorb it as part of their general education.

What needs to be developed at the earliest opportunity is a habit of thinking ecologically, of being thoroughly familiar with the balance of nature which Barry Commoner, the biologist, recently defined in simple words comprehensible to the nonscientist, old or young. All living things, he said, "are dependent on the great interwoven cyclical processes, followed by the four elements that make up the major portion of living things and the environment: carbon, oxygen, hydrogen, and nitrogen. All of these cycles are driven by the action of living things." Green plants convert carbon dioxide into food, fiber and fuel, and produce the oxygen in the atmosphere. Animals, living basically on plant-produced food, regenerate the inorganic materials: carbon dioxide, nitrates, and phosphates—all of which support plant life. This vast web of biological interactions "makes up a huge, enormously complex living machine—the ecosphere—and on the integrity and proper functioning of that machine depends every human activity, including technology. . . . If we destroy it, our most advanced technology will come to naught and any economic and political system which depends on it will founder."

I wonder, too, whether ecology, properly presented at the higher secondary school levels, might not help dissipate the tendency in contemporary thinking of regarding technology as an irresistible force with a momentum of its own that puts it beyond human direction and restraint. Mere awareness of all the adverse effects of technology may not suffice to mobilize public support for countervailing measures. What is additionally needed is a change of attitude on the part of the public and of its leaders, that is, of the prevailing concepts of what technology is and what purpose it should serve. Only when viewed humanistically—in other words, as a means to human ends—can technology be made to produce maximum benefit and do minimum harm to human beings and to the values that make for civilized living. It may even enable man to become more truly human than it has ever been possible for him to be. Of technology it can rightly be said that it is not "either good or bad, but thinking makes it so."

Technology has been defined as that which covers "the field of *how* things are commonly done or made" and "*what* things are done or made." It is tools, techniques, procedures: the artifacts and processes fashioned by modern industrial man to increase his powers of mind and body. Marvelous they are, but let us not be overawed by these man-made things. Certainly they themselves do not dictate how we should use them nor, by their mere existence, do they authorize actions that were not anteriorly lawful. We alone bear responsibility for our technology. In this, as in all our actions we are bound by the principles governing human behavior in our society. Ethics, I need hardly say, are not only personal; they are social as well.

This surely must be obvious to any reasonable man. Yet it cannot be overemphasized, for a considerable body of opinion propagates what comes close to being the opposite view. The notion is widespread that, having wrought vast changes in the material conditions of life, technology perforce renders obsolete traditional concepts of ethics and morals, as well as accustomed ways of arranging political and social relationships. Earnest debates are currently taking place as to whether it is possible to act morally in the new technological society, and proposals have been made—quite seriously—that science must now replace traditional ethics! We have here a confusion of means with ends that should be cleared up.

The laws disclosed by science must of course be heeded by those who wish to exploit scientific discoveries; in his technological activities man is bound by the laws of science. But it does not follow that he is bound by the laws of science in his purely human relations as well. "Science," wrote Vannevar Bush, "has come a long way, in delineating the probable nature of the universe that surrounds us, of the physical world in which we live, of our own structure, our physical and chemical nature. It even enters into the mechanism by which the brain itself operates. Then it comes to the question of consciousness and free will—and there it stops. No longer can science prove, or even bear evidence. Those who base their personal philosophies or their religion upon science are left, beyond that point, without support."

Through technology man has been relieved of much brutal, exhausting, physical labor as well as of boring routine work; he has been provided with numerous mechanical slaves who do certain kinds of work faster, cheaper and more efficiently than people. Why should the ease and affluence made possible by technology affect precepts that have guided Western man for centuries? This may brand me as old-fashioned but I have not yet found occasion to discard a single principle that was accepted in the America of my youth. Why should anyone feel in need of a new ethical code because he is healthier or has more possessions or more leisure? Does it make sense to abandon rules one has lived by because he has acquired better tools for doing his work?

Tools are for utilizing the *external* resources at our disposal; principles are for marshaling our *inner*, our human resources. With tools we alter our physical environment; with principles we order our personal life and our relations with others. The two have nothing to do with each other.

It disturbs me to be told that technology "demands" an action the speaker favors, that "you can't stop progress." It troubles me that we are so easily pressured by purveyors of technology into permitting so-called "progress" to alter our lives, without attempting to control it—as if technology were an irrepressible force of nature to which we must meekly submit. If we reflected, we might discover that not everything hailed as progress contributes to happiness; that the new is not always better nor the old always outdated.

Perhaps we are receptive to these arguments because we tend to confuse technology with science. Not only in popular thinking but even among the well-informed the two are not always clearly distinguished. In consequence, characteristics pertaining to science are attributed to technology. The etymology of the word may contribute to this confusion. Its suffix lends to *technology* a false aura—as if it signified a body of accumulated, systematized knowledge, when in fact the term refers to the apparatus through which knowledge is put to practical use. The difference is important.

Science has to do with discovering the true facts and relationships of observable phenomena in nature, and with establishing theories that serve to organize masses of verified data concerning these facts and relationships. Because of the care scientists take to verify the facts supporting their theories, because of their readiness to alter theories when new facts prove an established theory to be imperfect, science has great authority. What the scientific community accepts as proven is not questioned by the public. No one disputes that the earth attracts the moon, or that atomic fission produces energy.

But technology cannot claim the authority of science. It has proved anything but *infallibly* beneficial. Much harm has been done

to man and nature because technologies have been used with no thought for the possible consequences of their interaction with nature. A certain ruthlessness has been encouraged by the mistaken belief that to disregard human considerations is as necessary in technology as it is in science. The analogy is false.

The methods of science require rigorous exclusion of the human factor. They were developed to serve the needs of scientists, whose sole interest is to comprehend the universe; to know the truth; to know it accurately and with certainty. The searcher for truth cannot pay attention to his own or other people's likes and dislikes, or to popular ideas of the fitness of things. This is why science is the antithesis of "humanism," despite the fact that historically modern science developed out of and parallel to the humanism of the Renaissance.

What scientists discover may shock or anger people—as did Darwin's theory of evolution. But even an unpleasant truth is worth having; besides one can choose not to believe it! It is otherwise with technology. Science, being pure *thought*, harms no one; therefore it need not be humanistic. But technology is *action*, and often potentially dangerous action. Unless it is made to adapt itself to human interests, needs, values, and principles, more harm will be done than good. Never before, in all his long life on earth, has man possessed such enormous power to injure himself, his human fellows, and his society as has been put into his hands by modern technology.

This is why it is important to maintain a humanistic attitude toward technology; to recognize clearly that, since it is a product of human effort, technology can have no *legitimate* purpose but to serve man—man in general, not merely some men; future generations, not merely those who currently wish to gain advantage for themselves; man in the totality of his humanity, encompassing all his manifold interests and needs, not merely some one particular concern of his. When viewed humanistically, technology is seen not as an end in itself but as a means to an end, the end being determined by man himself in accordance with the laws prevailing in his society.

A word may be in order concerning the disparate meaning of the word *law*, depending on whether it is used in the ordinary sense—which is also the original sense of the word—or by scientists. Law, as commonly understood, refers to the rules of human conduct prescribed and enforced by society. The scientists have appropriated the term. They use it to describe regularities exhibited by the physical phenomena—the rules by which the cosmos governs itself. In the transition, the word has taken on a new meaning.

Law that governs human society is not the result of scientific method, but of wisdom and experience, of consensus as to what is just and fair. In autocracies, law is what the ruler decrees it to be and what he is able to enforce by naked power. The purpose of human law is to resolve conflicts by the application of definitive rules. These rules are always debatable and can be changed when there is public demand for a change or when the rule-maker desires them to be changed.

From the layman's point of view, what the scientist calls law is fact, rather than law—immutable fact. Or, if you prefer, it is law operating in a sphere where man exercises no influence. He cannot alter the laws of the cosmos; he can only discover them.

It has taken a long time to attain this rational attitude toward science, and we are conscious of the consequences of intolerance in the past. Perhaps this is why we have been exclusively tolerant toward those who claim the right to use technology as they see fit, and who are not to treat every attempt by society to regulate such use in

the public interest as if it were a modern repetition of the persecution of Galileo!

Assuredly, we have the right to use the instrumentality of law and of government to protect ourselves against technological injury. Yet this simple truth is obscured by the effective way in which opponents of protective measures play upon the laymen's respect for science—in a conscious or unconscious attempt to brainwash the public so it will accept their argument without debate. When attacking legislation that would restrain the user of technology, it is common practice to argue as if at issue were acceptance of a law of science. Yet what is being discussed is not science but the advisability or legality of the technological exploitation of science. The public would not be deceived by such arguments if it clearly understood the fundamental difference between science—which is *pure knowledge*—and technology—which is *action* based on knowledge.

Whether or not a particular technology has harmful potentialities should be decided by competent and disinterested professionals; it is not a proper subject for adversary proceedings and, above all, ought never be left to those who wish to use it. Destructive technologies are often highly profitable for those promoting them. They have a vested interest in the technology; it may give them money, reputation, power. They are an interested party to the conflict between private and public interest that every potentially harmful technology poses. Moreover, they are nearly always practical men more knowledgeable about *efficiency* in using a technology than about the *legal and social implications* of such use.

I think one can fairly say that the *practical* approach to a new scientific discovery and its utilization through technology is usually *short-range* and *private*, concerned only with ways to put the discovery to use in the most economical and efficient manner, little thought being given to its ultimate consequences. The *scholarly* approach—if I may use this term—is *long-range* and *public*; it looks to the effects which a new technology may have on people in general, on the nation, on the world; on present and future generations. And this, of course, brings us back to ecology and the vital part it could play in assigning to technology its proper place in human affairs.

How we use technology profoundly affects the shape of our society. In the brief span of time—a century or so—that we have had a science-based technology, what use have we made of it? We have multiplied inordinately wasted irreplaceable fuels and minerals, and perpetrated incalculable and irreversible ecological harm. I have thought much about this, and I can find no evidence that man contributes anything to the balance of nature—anything at all. On the strength of his knowledge of nature, he sets himself above nature; he presumes to change the natural environment for *all* the living creatures on this earth. Do we, who are transients and not overly wise, really believe we have the right to upset the order of nature, an order established by a power higher than man?

These are complicated matters for ordinary citizens to evaluate and decide. How to make wiser use of technology in future is perhaps the paramount public issue facing electorates in all industrial democracies. A free society centers on man. It gives paramount consideration to human rights, interests, and needs. But once ordinary citizens come to feel that public issues are beyond their comprehension, a pattern of life may develop where technology, not man would become central to the purpose of society. If we permit this to happen, the human liberties for which mankind has fought, at so great a cost of effort and sacrifice, will be extinguished.

### JACK B. MACKAY, GREAT REPORTER AND GREAT MINNESOTAN

Mr. MONDALE. Mr. President, on Sunday, Jack B. Mackay, a close friend of mine and a remarkable American, died.

Few men have been privileged to serve their community, State, and Nation more than Jack. He began his distinguished career in journalism as an Associated Press reporter in St. Paul in 1918 and remained with AP until 1964. He became the senior reporter covering the State capitol at St. Paul, and was widely regarded as one of the ablest political reporters in the Nation.

In 1960, when I became attorney general of Minnesota, I quickly came to know Jack as one of the truly magnificent men of our State. He was able to be at the same time a good friend and a tough reporter. He not only wanted to report fairly; he wanted a better State, as well.

I shall never forget his warmth, his courage, and his decency. We shall all remember and miss him.

My condolences go to his widow, Ruth, and Harvey and Carol Ann Mackay, his son and daughter-in-law, and the rest of his family. As would be expected, Jack has left a wonderful family as an additional heritage to his friends and the State he loved so much.

I ask unanimous consent that the story published in the Minneapolis Star of May 19 be printed in the RECORD.

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

[From the Minneapolis Star, May 19, 1969]

J. MACKAY, RETIRED AP WRITER, DIES AT AGE 69

Jack B. Mackay, retired Associated Press (AP) correspondent in St. Paul, died Sunday in Mt. Sinai Hospital of a heart attack shortly after being stricken on a suburban golf course. He was 69.

Mr. Mackay, 17 S. 1st St., became ill at Oak Ridge Country Club, Hopkins.

Services will be at 1 p.m. Tuesday at Temple Israel with burial in Temple Aaron Cemetery, St. Paul. Reviewal is at the Hodroff & Sons-Aaron mortuary.

Memorials to Mt. Sinai, of which Mr. Mackay was a member of the board of governors, are preferred.

Survivors include his widow, Ruth; two children by a previous marriage, Harvey B., Minneapolis, and Mrs. Arnold (Marjorie) Resnick, Hopkins; two brothers, Edward Maklesky, also a retired AP correspondent, Omaha; Raymond B., St. Paul; and two sisters, Mrs. Jack Gertrude Cohn, St. Paul, and Mrs. Dorothy Sontag, Chicago.

Born in St. Paul, Mr. Mackay joined the AP in St. Paul as a telephone news reader in 1918. He remained with AP or a then-subsidary, Northwest News Bureau, until his retirement in 1964.

Mr. Mackay was St. Paul correspondent of AP from 1937 until his retirement.

Mr. Mackay helped cover many stories that made national headlines in the Twin Cities of the 1930s. The \$200,000 Bremer kidnaping, the \$100,000 Hamm kidnaping, escapades of the Dillinger gang, the bloody Minneapolis truck strike of 1934 were among them.

He won a Twin Cities Newspaper Guild award and a national television "Big Story" award for his long effort that finally won freedom for Leonard Hankins, convicted of a murder in connection with a Barker-Karpis gang bank robbery in Minneapolis.

Mr. Mackay was graduated from St. Paul Mechanic Arts High School and studied at the University of Minnesota in night school.

He was married June 26, 1928, to Myrtle Nathanson of St. Paul, who died in 1955. He married Mrs. Ruth Smith in 1961.

Mr. Mackay won many awards for his social work in the Twin Cities Jewish community, including the humanitarian award by Mount Zion Temple, St. Paul, in 1958.

### THE MACHIASPORT SITUATION

Mr. MUSKIE. Mr. President, on May 8, 1969, the junior Senator from Wyoming (Mr. HANSEN) had printed in the RECORD a brochure entitled "The Machiasport Situation: 20 Questions for the People of Maine."

The brochure was published by the National Resources Council of Maine, a group of concerned citizens who are interested in the protection of the natural environment of Maine. The brochure was printed and sent to many of us involved in the Machiasport foreign-trade zone and refinery battle.

The Honorable Kenneth M. Curtis, Governor of the State of Maine, has prepared a statement that answers these questions posed by the council. His answers show the time, energy, and thought that is being given to every facet of the Machiasport project.

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

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

STATEMENT OF GOV. KENNETH M. CURTIS IN RESPONSE TO THE NATURAL RESOURCES COUNCIL OF MAINE CONCERNING THE MACHIASPORT PROJECT

Let me commend the Natural Resources Council for its sponsorship of the recent brochure, the Machiasport Situation—Twenty Questions for the People of Maine. By reemphasizing environmental protection as a policy which must underlie Maine's future economic development, the Council reaffirms and strengthens the position of those of us who believe that the era of unrestrained exploitation of our dwindling natural resources is ending. As Governor, I have been particularly pleased to note a rapidly growing public awareness for intelligent and sound use of our natural resources.

Furthermore, I would commend the Council for its commitment to explore the issue rather than assuming a stance of dogmatic opposition. The questions posed in the brochure reflect a reasonable and legitimate concern in several areas: Will Maine really benefit from the Machiasport proposal? Are measures being taken to anticipate the impact on the local communities? Are proper measures to protect the quality of the Maine environment being formulated? Taking these issues in the order in which your brochure presented them, the answer is in each case an unqualified *yes*.

#### I. THE ECONOMIC BENEFITS

The New England region has suffered from continually escalating fuel oil prices. The retail price of #2 heating oil in New England during the last four years has increased by 15%, or 2.2¢ per gallon which is 62% faster than the average increase outside the region. Additionally, for the past two winters threatened supply run-outs have forced New England dealers to obtain emergency quota allocations from the U.S. Department of the Interior. The proposed Machiasport project will aid New England by halting the rising price trend and by guaranteeing the region a more dependable supply of #2 heating oil. In its request for a quota allocation last June Occidental Petroleum Corp. clearly stated a commitment to reduce posted prices a mini-

um of 10% over Boston Harbor prices. Additionally, this application committed the refinery's operator to supply the Department of Defense jet fuel at prices a minimum of 10% below present contract prices, to lead the way in price reduction in minimum 1% sulfur fuel, and to contribute 20¢ per barrel of quota allocation as a royalty to a Marine Resources Foundation for New England.

What are the specific benefits to Maine? Employment for the core refinery complex is estimated by the constructing engineers to total approximately 350 with an average annual payroll of \$2.6 million. In an effort to halt the outmigration of young people from Washington County (42.8% in age group 20-24 and 32.9% in age group 25-29) and to enhance employment opportunities for all residents, we have set a target of at least 85% employment from local sources. Training programs will be offered during the construction period to help qualify local citizens (Washington County—State of Maine). Additionally, Occidental has received inquiries from former Maine residents with the technical skills required to operate a refinery seeking consideration for employment should the project be approved.

But these immediate jobs, plus the numerous jobs available during the refinery construction phase, are only a portion of the proposal's potential impact. Basic to the economic importance of this project is the concept of a core industry, one that lends itself to spin-off development. And while an oil refinery is but one example of such a core facility, it is a particularly auspicious one because of the extremely favorable growth potential of the oil industry. Furthermore, the product mix of this particular refinery, with a daily production of 53,000 BBLs of naphtha, is tailored to stimulate petrochemical development.

The increased employment opportunities that will be generated by the satellite and related industrial facilities should dwarf in significance the economic impact of the refinery. Reliable estimates available to us project a total employment level of approximately 3,000 within a ten to fifteen year period. Conceivably, it could be higher. Beyond this one must consider the continued presence of the labor force that will be required for the construction of the secondary and tertiary facilities. And finally, we can expect increased employment demands in the service sector. Economists estimate 1.5-2.5 new jobs created for every new industrial position introduced into a community.

These potential benefits are certainly not hypothetical. They are instead the result of considerable study and research and are quite reasonable in light of past industry experience and of projected demands for petroleum products and by-products. Note that while all of this is possible, none of it is automatic. Should the initial project be approved many more man-hours of work will be required to ensure that this growth is properly accomplished.

Now to the issue of why a refinery in Machiasport. Without citing endless supporting economic data, it is sufficient to note that Washington County has been officially designated a redevelopment area by the Economic Development Administration. Development of meaningful employment opportunities there is, therefore, of prime importance. The economic benefits of this installation will be of great value to Washington County and to the balanced economic development of the State.

For several reasons, I do not support the proposition that the coastal area be zoned to prevent industrial development. For one, the protection of our natural environment is a problem for all areas of the State and should not be confined to a particular zone. Similarly, the recreational potential of our inland lakes and mountains is no less of a resource than our coast. And obviously, the entire State cannot be designated as a park. However, I do strongly support the notion of a

balanced plan for the multiple use of our coastal zone. At my encouragement, the State Planning Office has prepared a proposal for a study in this area to be submitted to the New England Regional Commission for possible funding.

Furthermore, the recreational potential and present use of our sea coast, particularly Washington County, is not by itself a satisfactory answer to the needs of that economically depressed area. The outmigration of youth and the static population of the county provides sufficient evidence that many of its residents must leave to find meaningful employment. Many Maine young people will not be satisfied with seasonal careers geared to serving tourists.

Since more stable and rewarding employment opportunities are demanded, I cannot agree that the proposed project is an encroachment on our sea coast resource. Rather it is an effort to capitalize on that resource, particularly the extreme inshore depths of Machias Bay. That resource, greatly enhanced by the introduction of the supertanker era and coupled with the fact that no overland oil pipeline serves New England, dictates that if a refinery is to be constructed in Maine it must be supplied through the coast.

This does not suggest that the refinery must necessarily be located immediately on the coast. The possibility of an inland location for the refinery is being considered, and I have asked Dr. Gardiner Means to present the economic and environmental implications of such a location before the Conservation and Planning Committee and the next meeting of the State Planning Council.

The staff of the Foreign Trade Zones Board has assured us that it would be a relatively simple matter to change the boundaries of the Zone. Such a change would require a public hearing to provide full opportunity for comment by those affected by the new location. On the basis of that hearing, the Board would decide on the merits of the application for an alteration in the Zone's definition. However, an inland location will, in itself, pose certain problems (more difficult hot water dispersal, added capital investment, etc.) that must be weighed against the aesthetic advantages of moving the refinery away from the coast.

## II. THE LOCAL COMMUNITIES

While discussing the exact location of the refinery and its related facilities, it is perhaps timely to respond to your concern for the local communities, the problems which the refinery-associated growth will create for them, and the possible means and methods which they might employ to cope with these new strains.

I should first emphasize that all property within a Foreign Trade Zone is taxable and that during the construction phase the imported portion of the labor force will live in temporary quarters on the site, rarely accompanied by their families, and therefore not straining local services and facilities.

Last September I appointed a Conservation and Planning Committee specifically for this project with responsibility for coordinating its multifarious social, economic, and environmental aspects. Appointed to that Committee were the heads of appropriate State agencies, leaders of the affected local communities, and representatives of regional agencies that might be able to lend financial and advisory assistance. The purpose of this Committee is a simple one—to fully involve the local citizens and to make available to them State and regional talent in a coordinated effort to reduce and control the risks that are inherent in all growth and change.

Naturally, the real thrust of this Committee's effort hinges on an affirmative decision by the Foreign Trade Zones Board. At such a time, numerous subcommittees will be appointed to meld local, state, and regional programs designed to ease the transition that the project will unquestionably foster.

There are numerous potential avenues for cooperation among local communities to distribute the burden and the benefits from the location of new industry. The creation of sanitary districts, school administrative districts, and State or local housing authorities is possible and clearly desirable if growth is to be orderly and controlled. Already an informal subgroup of the Conservation and Planning Committee has prepared an application submitted by PRIDE Inc. for a Federal technical assistance grant to assist in the development of a Plan for the Orderly Growth of the Local Communities of East Machias, Machias, Machiasport, and Rogue Bluffs. This plan will provide guidance and suggestions for the local communities in directing development outside the Zone and thus not directly controlled by the State.

In the preparation of this particular application, and in all other planning and development efforts related to the project, local residents were, and will be, fully involved. That was the very reason for the creation of the Conservation and Planning Committee.

Furthermore, the interests of the land owners on the proposed site are fully protected by the laws of our State, which originally defined those rights. Clearly the State has no intention of violating its own statutes, nor does it have any reason to. I can assure you that the interests of local residents have in no way been violated, nor shall they be. Options have been obtained for the major part of the land included in the Foreign Trade Zone application. In exercising its eminent domain powers to obtain such additional land as is necessary, the Port Authority cannot, of course, exceed its powers or move without regard for the constitutional requirement of due process of law. Should you have evidence of specific instances where personal rights have been violated, I suggest you make these known immediately.

## III. THE ENVIRONMENT

Initially, let me stress that the vehicle of a Foreign Trade Zone gives us a unique opportunity to directly control the industrial operations within the Zone. Therefore, I have charged the Conservation and Planning Committee with the responsibility for developing the most effective standards possible for the control and prevention of pollution. A subcommittee has been appointed under the chairmanship of Dr. Gardiner Means and composed of local, State, and regional representatives. This group has been working with Federal, State and regional agencies to draft environmental control provisions for inclusion in any lease ultimately negotiated between the State and the Zone's tenants and/or promulgated as rules and regulations governing Zone Operations. Included in those agencies consulted have been the Federal Water Pollution Control Agency, the National Air Pollution Control Administration, the New England River Basins Commission, the Department of State (re the International Maritime Consultative Organization), and within Maine, the Water and Air Environmental Improvement Commission and the Department of Sea and Shore Fisheries.

Following the initial drafting effort, the proposed provisions will be submitted to a wide review including that of a professional consultant, who will be retained by the State, and selected in cooperation with the WAEIC. Funding to support this input is being sought from Federal agencies and foundations. Later on, once the Zone is operating, there should be additional funds available through the Marine Resources Foundation for continued research and development in improved environmental control systems.

Naturally, these provisions have to be at least as stringent as existing Federal and State requirements. Fortunately, however, through the Zone mechanism they can be more stringent, filling voids when necessary,

and specifically tailored to the particular problems of the petroleum industry.

Again, through the unique structure of a Zone-type operation, the State can collect rental fees sufficient to support the employment of a professional staff for monitoring and overseeing the installation and operation of the pollution control systems.

While the initial focus of the pollution subcommittee has been on controlling the air and water effluent from the refinery and establishing procedures governing the on and off-loading facilities, it is also responsible for the development of appropriate formulas to govern losses occurring from accidental spills and potential disasters. Bonding requirements, insurance protection against demonstrated loss of livelihood, and the establishment of a claims review board will be necessary and have received a preliminary airing before the subcommittee.

Additionally, the Muskie bills presently before Congress will facilitate recovery of clean-up costs by the Federal government, and will lessen the problems of proof for private litigants.

Related to the pollution question is the ultimate location and forms of the tanker loading and off-loading facility. Preliminary surveys have been made by the Foster, Wheeler Company in order to satisfy Zone application requirements. Complete hydrographic and current surveys will be forthcoming once the project has been approved, and the final decision re the exact positioning of the marine facilities will be based upon these studies. Certainly neither the State, nor any of the proposed tenants has any intention of constructing facilities that are unsound from an engineering standpoint. Both the cost and the risk are too great to permit this to happen. Through its role as operator of the Zone, the State will have a full opportunity to review and evaluate the proposed structures, and to insist that they reflect the latest technological capabilities in soundness of design and in adequacy of environmental control systems.

A great opportunity exists for Maine, and Washington County in particular, to significantly upgrade its economy and to provide meaningful employment opportunities for all who would choose to live here. We would not move to secure this project without insisting that every possible effort be made to protect the quality of our environment. Indeed this is not a problem peculiar to Machiasport or Maine, but one which demands the serious attention of the entire nation. We must also recognize the problems and limitations imposed upon us by our existing economic base. The Machiasport proposal is an attempt to improve that base while concurrently insisting that proper environmental safeguards be incorporated into the construction and operation of the project.

In short, we are striving for a meaningful balance—one that provides increased economic opportunity without permitting the environmental decay which has unfortunately occurred in other areas. Advances in modern technology, plus the lessons learned from these past mistakes make such progress possible, provided that government exercises proper vigilance. I promise you that, as Governor, I will exercise and insist upon such vigilance.

## A TRIBUTE TO "GREEN THUMB"

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the Moody County Enterprise of Flandreau, S. Dak., regarding the success of the federally supported Green Thumb project in eastern South Dakota.

The success of this program is completing a number of worthwhile projects in the rural South Dakota communities

in Moody County is testimony to the fact that our Federal dollars are best spent when they can be utilized at the local level, employing local people to complete local projects. I join the Moody County Enterprise in saluting the outstanding work of those involved in the Green Thumb projects.

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

[From the Moody County (S. Dak.) Enterprise, May 6, 1969]

#### GREEN THUMB WORKERS HELPFUL

This newspaper has never gone on record as supporting big governmental giveaway programs. As a matter of fact, we've been highly critical of programs that provide citizens with something for nothing. These kind of programs usually aren't appreciated by the recipient and they fulfill no useful purpose.

We can't say this about the federally supported Green Thumb program. This program is right down to the grassroots level. It employs an elderly group of men who work for what they earn. And they get the job done. We can actually see some results of their efforts.

This program, which is under the guidance of a Technical Action Panel composed of local authorities, started last spring. No sooner had it started than a terrible wind storm hit our community and played havoc with public and private property. The Green Thumb crew was thrown into the task of helping clean up the public areas. They did a neat job and they were needed. They have accomplished a number of other projects. They have helped with painting and fixing some of the county and 4-H structures. They have been used by the city to clean up some eyesores. They have been employed to do planting in park areas. Most recently they were employed to paint the halls of the courthouse and to put in acoustical ceiling tile in that building. Although the taxpayer pays the bill for the wages of these men, at the same time they save the taxpayer money on improvement projects that might not get done otherwise—or what would be too expensive to complete. And the money for the employment of these men stays home, plus the fact that it gives these elderly men a route of employment.

Last week they were hired to do the planting of trees and seeding of the lawn at the new Flandreau High School. If these men had not been available for this project—the school board would have had to hire a landscaping crew from outside the area at thrice the cost.

Green Thumb men are employed in the Colman area too, where they have carried out some valuable programs.

#### COST DATA ON MAJOR WEAPONS PROGRAMS

Mr. PROXMIRE, Mr. President, I have just written Assistant Secretary of Defense Barry J. Shillito asking for detailed cost data on 21 different major weapons programs in an effort to determine the size of cost overruns on these programs.

I have repeatedly requested information from the Pentagon about overruns on a number of weapons programs. Specifically, I have asked for cost-overrun information on the SRAM, the Minuteman, and the total F-111 program.

The Pentagon's response has been totally inadequate. I am told that on some major programs, cost-overrun information "is not readily available."

On the SRAM, an air-to-ground mis-

sile, I asked the Air Force whether or not it was true that the cost for research and development increased from an original estimate of \$143 million to the current estimate of \$359 million. The Air Force response was that because of contract negotiations with the Boeing Co., "disclosure of any Air Force estimates is premature and could prejudice the Government's position in its efforts to obtain the best price in negotiations with the contractor."

That answer is ridiculous. The Air Force appears to be saying that although it knows how much the cost overruns are, and although Boeing knows the Air Force knows, it would in some way prejudice the Government to disclose this information.

Does the Air Force mean to say that it is concealing the cost overruns on SRAM from the contractor? Surely the contractor knows as much about its own overruns as the Air Force.

If the Air Force knows and the contractor knows, how would it prejudice the Government's case if Congress and the public knew. Unless the Air Force has something to hide.

Perhaps the Air Force is really afraid that disclosure of the SRAM cost overrun will so shock the public that a congressional inquiry would result.

Once again, I call on the Pentagon to disclose fully the facts about cost overruns on all major weapons systems. The Defense Department, in fact, recently promised full and accurate information on all procurement matters to the Congress and the public. In my letter to Assistant Secretary Shillito, I have urged prompt implementation of that promise.

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

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

HON. BARRY J. SHILLITO,  
Assistant Secretary of Defense for Installations and Logistics (I & L), Department of Defense, Washington, D.C.

DEAR MR. SHILLITO: As you know, the Joint Economic Committee has authority to make reports and recommendations on various aspects of the national economy. In several of its reports in recent years, reference has been made to the economic impact of military procurement.

Because of our continuing interest in this important area, I am writing to request information relating to a number of large weapons programs. The recent statement by Secretary Laird promising full and accurate information on all procurement matters to the Congress and the public is most gratifying. In the past, information about the costs of military programs has too often been concealed from the public, and I am hopeful that you will succeed in implementing a new policy of full disclosure of all non-classified information.

I am requesting that the cost and other data for the programs listed below be furnished to the Subcommittee on Economy in Government no later than May 29, 1969.

For each of the programs listed, by version, I would like to know:

(A) The original estimate, and date of estimate for:

- (1) Total research and development costs;
- (2) Total production costs;
- (3) Total production units.

(B) The latest data, and date of data for:

- (1) Total research and development expenditures and commitments to date;
- (2) Estimate of funds requirements for

research and development from present to program completion;

(3) Total production expenditures and commitments to date;

(4) Estimate of funds requirements for production from present to program completion;

(5) Total present program production units;

(6) For any programs terminated, total expenditures prior to termination;

(7) Estimated cost of annual maintenance and operations.

(C) The names of the prime contractors.

(D) The description of each program.

(E) For each of the data supplied, I would like to have the data source shown.

A list of the programs follows:

1. Polaris (by version—such as AX, AIX, AIP, A2X, A2P, A3, etc.)
2. Poseidon (by version)
3. Atlas (by version)
4. Titan (by version)
5. Thor (by version)
6. Minuteman I
7. Minuteman II
8. Minuteman III
9. Corporal
10. Redstone
11. Sergeant
12. Jupiter
13. Lance
14. Mark II
15. Mark XVII
16. F-14
17. F-15
18. Main Battle Tank
19. Attack Carriers (CVA)
20. Cheyenne Helicopter
21. SRAM

Your cooperation is deeply appreciated.

Sincerely,  
WILLIAM PROXMIRE,  
U.S. Senator, Chairman, Subcommittee  
on Economy in Government.

#### MONDALE ANNOUNCES SUBCOMMITTEE ON SOCIAL PROGRAM PLANNING AND EVALUATION

Mr. MONDALE, Mr. President, I am extremely pleased to report the formation of a special Senate Subcommittee on Social Program Planning and Evaluation. The subcommittee was recently established by the distinguished chairman of the Committee on Labor and Public Welfare (Mr. YARBOROUGH). I wish to express my personal appreciation to Senator YARBOROUGH. He has demonstrated strong leadership and foresight in creating a special subcommittee to probe the adequacy of governmental efforts to plan and evaluate national social policies and programs.

I am also extremely grateful to each of the six Senators who will join me in the subcommittee's membership. They include the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Wisconsin (Mr. NELSON), the Senator from New York (Mr. JAVITS), the Senator from Vermont (Mr. PROUTY), and the Senator from Pennsylvania (Mr. SCHWEIKER).

The new Subcommittee on Social Program Planning and Evaluation is being created to provide a forum within Government for on-going critical study of the Government's attempts to fulfill the Nation's social goals. It will also study proposals for improving the planning and evaluation of social policies and programs and make recommendations on such proposals to the Committee on Labor and Public Welfare.

Two bills have already been referred to the subcommittee. One is S. 5, the proposed Full Opportunity Act, a bill declaring full social opportunity a new national goal and creating a council of social advisers to the President, an annual social report to Congress, and a joint congressional committee on the social report. S. 508, the proposal of the Senator from Oklahoma (Mr. HARRIS) to create a National Social Science Foundation, has also been referred to the new subcommittee.

I have long voiced concern over the very few firm facts we possess with respect to the success or failure of our social programs. We lack information upon which we may base reasonable and probably successful social policies and programs designed to cope with such problems as substandard housing, illiteracy, illness, and lack of social opportunity.

For example, we have only the most preliminary information about what our children are actually learning despite massive Federal spending for education in recent years. Similarly, while we have some reliable information about the strengths and weaknesses of the Job Corps program based on an unbiased sample of Job Corps' graduates and their employment records subsequent to training—a recent study by Louis Harris & Associates is a good example—we have no similar information on the other manpower programs that are offered as alternatives. Notwithstanding such information gaps, the Congress and the country are being called on to make immediate judgments about the future of Federal aid to education and the proper balance between the Job Corps and other manpower programs.

I have repeatedly said in the Senate that we cannot safely continue to legislate by hunch and intuition. Stumbling into the future is no longer acceptable. Survival from riot to riot is no longer a satisfactory measure of social progress. We are spending billions of Federal dollars each year, and many more at the State and local level, to eradicate a variety of social ills and we simply do not know which programs succeed best for the least cost or which show promise or which are counterproductive.

The new Special Subcommittee on Social Program Planning and Evaluation, which I am honored to chair, will strive to help the Senate, the Congress, and the Nation in its struggle to achieve full social opportunity for every American by minimizing the guesswork in social policymaking and program evaluation.

The subcommittee's first hearings on S. 5, the Full Opportunity Act, and the recent document entitled "Toward a Social Report," prepared by the HEW social indicators panel and issued by the Secretary, are tentatively scheduled for July. Hearings on the proposed National Social Science Foundation legislation will be scheduled at a later date.

#### BRUTAL FASCISTS TYRANNIZE GREECE

Mr. YOUNG of Ohio. Mr. President, since a small group of Fascist army officers seized power in Greece on April 21, 1967, the people of Greece have been living under a dictatorship reminiscent

of Nazi Germany. The ruling military junta has destroyed free institutions, abolished representative government, prevented free elections, established control over press and radio, put an end to all guarantees of individual liberty, throttled freedom of speech, imposed a handpicked administration on the Greek Orthodox Church, and conducted a reign of terror against political dissenters.

Even more revolting to the conscience of free men everywhere were recent disclosures of the torturing of political prisoners. Reports of the use of torture by the regime have been filtering out of Greece for 2 years. The reports were so grotesque they seemed unbelievable. However, in the May 27, 1969, issue of *Look*, Christopher S. Wren, a senior editor, reported firsthand and eyewitness details of extreme torture of political prisoners in Greece. Mr. Wren writes that in Athens he "studied nearly 200 cases in personal interviews and smuggled reports." While in Athens he spoke with businessmen, priests, army officers, lawyers, housewives, and students who verified these reports.

Wren begins his article as follows:

A succession of former political prisoners described every ordeal in detail and let me see, and touch, the scars. Now I am convinced. Torture has taken place in Greece on victims who number into the thousands. Under a frightened, unpopular military regime, torture goes on today. . . . The majority are still in prison. Those released have been forced to sign statements that they were not tortured.

Mr. President, the tortures suffered by thousands of political prisoners in Greece, both men and women, are almost beyond belief. While reading Mr. Wren's account I at times found it difficult to comprehend how men and women could undergo such brutality and survive. The torture described is every bit as savage and brutal as that applied by Hitler's Gestapo beasts. With the defeat of nazism we thought we had witnessed the end of such barbarity. It is clear from Mr. Wren's article that nazism is alive in Greece. The Fascist colonels have given free rein to the sadists and torture specialists to practice their specialties in the dungeons of Greek jails. The horrors of Buchenwald, Dachau, Auschwitz, and the Gestapo basements of Nazi Germany, and the brutality afflicted in the torture chambers of the Lubianka prison in Moscow during the Stalin regime, are being relived in the basement of Asphalia prison, the headquarters of the Greek security police.

The fact is that brutal colonels and other officers who now terrorize Greece were trained by American military missions, and the weapons they used in their coup d'etat were supplied by the United States.

Unfortunately, our State Department immediately recognized the military junta in Athens. Had a ragtag group of leftwingers, instead of Mussolini-like Fascists, taken over, it would be interesting to note whether our striped-pants boys at the State Department would have closed our Embassy and President Johnson and Secretary Rusk immediately sent in our planes and paratroopers to "protect American citizens."

Our almost total involvement in the

civil war in Vietnam has obscured the tragic events in Greece. However, the destruction of democratic government in that land by Fascist military officers more than 2 years ago can no longer be ignored. With every passing day the Greek dictatorship tightens its grasp on every aspect of Greek life. Purges take place mercilessly in the military, the church, and throughout Greek society.

Furthermore, since the brutal Fascists took power the United States has given almost \$100 million in military and economic assistance to help maintain them in power. More than \$37 million in additional military assistance is slated to be given in fiscal year 1969. How can the administration condone a policy of continuing to recognize, let alone assist, a brutal Fascist tyranny that in many respects is as heinous as that of Nazi Germany?

I ask how can Secretary of State Rogers, Assistant Secretary of State for Near Eastern Affairs Joseph J. Sisco, Director Daniel Brewster of the Greek Desk at the State Department, Roswell D. McCullough, chargé d'affaires of our Embassy in Athens, and other administration officials responsible for our policies toward Greece continue to turn their backs on the fact that the military junta is a brutal, inhuman gang of thugs and sadists?

The terror in Greece has become so oppressive that the Governments of Sweden, Norway, Denmark, and The Netherlands have filed charges against Greece in the 18-nation Council of Europe for violation of the human rights convention which forbids degrading treatment of prisoners. The Greek Government was formally put on notice that the Council will decide before the end of this year whether to expel Greece from its membership. This action was taken by a 13 to 2 vote of the Council of Ministers.

With the publication of Mr. Wren's article, officials of the State Department were prodded toward taking steps to end political repression and torture, and to restore civil liberties to the Greek people. With its usual timidity, the State Department, through Information Officer Carl E. Bartch, issued a weak, half-hearted statement which reads in part:

We have repeatedly made clear our view—again recently to high-level Greek Government officials—that we hope for return to representative government and the full restoration of all civil liberties. We believe that this would be in the best interest of the Atlantic community of which Greece is an integral part.

Of course, nothing concrete was done by the State Department to implement this statement. It is clear that these are just meaningless words. Once again officials of the State Department have met the issue head on with driveling gobbledegook designed to lull Americans until public outrage over conditions in Greece subsides.

Mr. President, an insight into the thinking of officials of the State Department can be derived from Secretary of State Rogers' reply to a question put to him by the distinguished junior Senator from Rhode Island (Mr. PELL), when on March 27 the Secretary testified before the Senate Foreign Relations Committee

on resumption of military aid to Greece. Senator PELL said:

But this is a regime built on the basis of torture and the denial of civil liberties. Can you not take a hard line in future aid negotiations, and ask for assurance that torture not be a normal way of governing?

Secretary Rogers replied:

Yes, Senator, we share your concern, not only for the torture phase but the other civil liberties. We are at present doing what we can through diplomatic circles to effect that, and we also will be conscious of the factors that you mention in subsequent negotiations.

More words—diplomatic niceties—while the torture of men and women continues in Athens. The truth is that the United States is not doing what it can to restore democracy to Greece. We continue to recognize the military junta. We continue to give military and economic assistance to help maintain the fascist regime in power. Administration officials remain silent regarding torture, oppression, and despotism in Athens, the cradle of democracy.

Despite the claims of State Department officials that the United States is without power to affect significantly the state of affairs in Greece today, it is obvious that there is much we could do.

The United States should sever diplomatic relations with the Greek dictatorship and thereby indicate our disapproval of the regime in such a way that the Greek people could not be mistaken about it.

We should suspend completely the delivery of all military and economic assistance to Greece.

Our Government has available a wide range of economic powers that it could exercise to apply pressure on the Greek Government to end the torturing of political prisoners and to restore civil liberties to the Greek people.

The United States should join forces with its friends in the Council of Europe to isolate the military junta politically and economically as various Western European governments are prepared to do.

Finally, we have the ultimate sanction of moving to expel Greece from NATO.

None of these steps has been taken, and the suffering in the torture chambers of the Asphalia continues. The freedom-loving people of Greece are looking for a sign from the United States—a genuine sign that will assist them in regaining their freedom. Mr. President, the 8-million liberty-loving Greek people regard our aid to their oppressors as the most powerful factor in keeping them in power.

Christopher Wren in his article in *Look* vividly described the feeling of the Greek people toward our relationship with their oppressors. He wrote as follows:

The people of Greece believe the tortures would end if the United States just spoke out. One woman challenged: "I can't understand why Americans want democracy in their country, but smile upon people who destroy democracy in my country. Democracy is not just for the Americans." The irony is that American aid has become identified with the tortures. American M1 rifles have been used in the falanga beatings. Some of the interrogators' desks at Boubourlinas St. bear the clasped-hands emblem of

the U.S. AID program. Unconscious victims have been lugged from the terrace there down to the basement ("A slaughterhouse of broken bodies" one prisoner called it) in grey American hospital blankets with "U.S." in prominent black letters. The torturers, who smoke American cigarettes while they work, like to give the impression they are only doing a job for the Americans. Most of the victims I talked to believed that Lambrou (the director of the Greek security police) and Mallos (an Asphalia torture specialist), among others, were trained in the United States, though there is no evidence of this. No wonder Pericles Korovessis, now a homeless, penniless exile, asks: "Is Lambrou your spokesman? What has happened to the American dream?" . . . Look for anti-Americanism to spread through a people who were once loyal friends.

It is clear that the political parties of the right, left, and center join in rejecting and despising the junta. Even within the armed forces its support is so limited that it still feels compelled to continue the purges of almost all the senior and experienced officers. The ablest citizens of Greece have, with few exceptions, left the service of the state as a result of purges or because they have been unwilling to serve under a government of usurpers and tyrants. The economic recession in Greece continues. The rate of economic growth, even according to the regime's doctored figures, is only half that of the years before the coup. The country's reserves of foreign exchange have disappeared. Its foreign debts have skyrocketed.

Twenty years ago, President Harry S. Truman made the decision to commit our military might and our economic resources to save Greece from the serfdom threat of a Communist takeover. He asked the Congress to aid Greece to preserve a "way of life based upon the will of the majority and distinguished by free institutions, representative government, free elections, guarantees of individual liberty, freedom of speech and religion, and freedom from political oppression." His historic action which came to be known as the Truman doctrine resulted in the defeat of the Communist-led insurrection and the establishment of a democratic government in Greece. Since that time, the United States has spent almost \$4 billion of American taxpayers' money for economic and military assistance to Greece, supposedly to help enable that nation to remain a bastion of freedom and democracy.

Today the Greek people are being crushed by a regime as tyrannical as any in the world. Our State Department does nothing more than pay lipservice toward restoring freedom to Greece. We continually express our concern but take no real steps toward ousting the junta.

We would do well to consider the wise words of John Gunther in his book, "Inside Europe Today":

It is always dangerous for a democracy, like the United States, to become too closely involved with a dictator or semi-dictator, no matter how convenient this may seem to be. It is the people who count in the long run, and no regime is worth supporting if it keeps citizens down . . . if only for the simple reason that they will kick it out in time.

Mr. President, the honor of our country is at stake. Indeed, our very security

demands that we cease to follow a course of action which makes us in the eyes of the Greek people and of free people everywhere the accomplices of tyranny.

The revitalization of democracy in Greece is as much in our own interest as it is to the people of Greece. Officials of our State Department should stop mouthing words and issuing press releases and start taking action toward erasing this stigma on our honor and toward restoring democracy to Greece, the land which gave democracy its birth.

#### SMALL BUSINESS ADMINISTRATION IN MAINE

Mr. MUSKIE, Mr. President, the complaint is often heard that the Federal Government is so big, so bureaucratic, and so far removed from the people that it is largely insensitive to their needs.

It is always a pleasure to hear otherwise from constituents.

Recently Victor and Mary Nielsen, owners and operators of Tamarak Motel, Brewer, Maine, wrote a letter to the Augusta, Maine, office of the Small Business Administration. Their business was made possible because of a \$10,000 loan made by the Small Business Administration 10 years ago. It has now been repaid.

Because it expresses so well the valuable work that the Small Business Administration is doing, I ask unanimous consent that Mr. and Mrs. Nielsen's letter be printed in the *RECORD*:

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

APRIL 28, 1969.

DEAR SMALL BUSINESS ADMINISTRATION: Enclosed is a check for the final payment toward our loan which we acquired 10 years ago.

Both my wife and I want to extend our deepest thanks to you for making it possible for us to get our little motel started. If it were not for you people, we may not have opened our business because at the time we were looking for a loan 10 years ago it was next to impossible to get money.

We have nothing but praise for your department who have treated us like human beings.

Thank you again from—

VICTOR and MARY NIELSEN.

#### PRESIDENT NIXON SHOWS THE WAY

Mr. MUNDT, Mr. President, the President's address last week, in which he outlined the steps which could bring to an end the war in Vietnam, provides the opportunity for achieving the peace which has eluded that troubled part of the world for more than a quarter of a century.

In my opinion, the President's proposals puts the United States in the position of "walking that extra mile for peace."

Whether that opportunity will become reality rests in the hands of the North Vietnam Communist leadership.

In addition to presenting a method by which the outside forces—North Vietnam and the United States, in the main—can be withdrawn and thus reduce the scale of the conflict to a ques-

tion of settling the differences between the contending forces within South Vietnam, the people of that war-stricken country, the President has opened the way for the United Nations to make a vital contribution as the international body which could supervise withdrawals, ceasefires, and elections.

The question, of course, is whether North Vietnam is going to accept the hard fact of life that its aggression will not be rewarded by a decision to turn over to Hanoi the destiny of the South Vietnamese.

The President has made clear that this country has no intention of imposing any particular form of government upon the South Vietnamese.

By the same token, there is no intention to permit such imposition from elsewhere.

The primary objective of this country, as clearly outlined by President Nixon, is a free choice for South Vietnam.

In essence, he is asking Hanoi to join in permitting the South Vietnamese people to make such a choice, free of any threat from any outside force.

The question now, Mr. President, is whether Hanoi, and its chief backer, the Soviet Union, are willing to join President Nixon in that march toward peace.

The President of the United States, Mr. Nixon, has shown the way.

#### RECOMMENDATIONS OF ORGANIZATION FOR ECONOMIC COOPERATIVE DEVELOPMENT

Mr. PROXMIER. Mr. President, last week, members of the Joint Economic Committee met informally with Dr. Walter Heller, formerly Chairman of the Council of Economic Advisers.

A brilliant economist, Dr. Heller has always been most constructive and helpful to the Joint Economic Committee. No matter how busy, he has always been ready to share his information and insights with me and my colleagues on that committee.

We asked Dr. Heller to meet with us to explain the recommendations of the Organization for Economic Cooperative Development, set forth in a recent study on "Fiscal Policy for a Balanced Economy—Experience Problems and Prospects." Dr. Heller acted as chairman of a distinguished group of international economists representing the major European nations who devoted a considerable period of time studying this fundamental issue, an issue I might add that runs to the very heart of full employment policy. If our fiscal policies are not wise, then surely we shall have neither full employment nor stability for very long.

As Vice Chairman and former Chairman of the Joint Economic Committee, I was most pleased to see that the distinguished group of international economists that Dr. Heller headed gave praise to the U.S. Congress and to the Joint Economic Committee. In their report, it is pointed out that there is need for the national legislatures, when discussing economic questions, to look at issues and policies in their entirety. This need for an overall view was termed particularly important in countries where executive proposals could be substantially modified

in legislative debate. As their report puts it:

They (the Legislatures) have to take stock of the total impact of fiscal proposals and consider it in the context of the general economic situation.

The international report goes on to point up the advantages in the availability of committees like the Joint Economic Committee to the Legislatures in helping to foster a comprehensive view of issues.

The committee states, in part:

As we have already indicated, the range of relevant policies is wide, and may include public investment programmes and, on occasion, the pricing policies of public industries. In addition to formal discussions by legislatures as a whole, there may also be advantages in having smaller specialised committees, on the lines of the Joint Economic Committee in the United States, to foster the development of fully informed views. And efficiency might be increased if an expert staff were at the disposal of legislatures.

#### BASES LOADED

Mr. YOUNG of Ohio. Mr. President, why is it that our Armed Forces have so many overseas bases? Unfortunately, at this time 1,513,000 American servicemen—Army, Navy, Air Force, and Marines—are serving in foreign lands at 2,170 military and naval bases. Many of these overseas bases are of no importance whatever to our national defense. A majority are obsolete from a military standpoint. They are national liabilities from a military and diplomatic standpoint. Also, tremendously costly to American taxpayers. Ending forthwith our military presence overseas in a majority of these bases and then withdrawing 200,000 men this year from Vietnam should be done. Foreigners term many of our bases as "golden ghettos." We should show commonsense and prudence. These overseas bases are an affront to the people of those countries where they are located. Let us close them, then use some of that money to tackle real ghettos in the United States.

#### LET US STOP HANDOUTS TO THE RICH

Mr. NELSON. Mr. President, a timely article about the tax breaks and the subsidies which the Federal Government bestows upon the well to do of the Nation, in contrast to our careful scrutiny of every bit of assistance which is proposed for the poor, appears in the June issue of True magazine. The article is authorized by the distinguished Senator from South Dakota (Mr. MCGOVERN).

The appearance of the article is another bit of evidence of a growing revolt in this country against our double standards: one for the rich and another for the poor and the middle class.

More and more attention is being given by all our media to tax loopholes and subsidies enjoyed by those who have no real need, and our simultaneous resistance to providing food for the hungry, or raising social security benefits a little for the indigent aged, or helping improve educational opportunities in low-income areas.

I ask unanimous consent that Senator MCGOVERN's article be printed in the RECORD.

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

#### LET'S STOP HANDOUTS TO THE RICH (By Senator GEORGE MCGOVERN)

Early this year, many Americans affluent enough to have their names on a select mailing list received an expensively printed brochure from a respected New York financial counseling corporation. It was entitled *Tax Breaks That Lead to Executive Wealth* and listed on its cover 21 tax loopholes designed to help those in the upper-income brackets avoid paying the full amount of their taxes.

Among the more intriguing titles offered by the counseling firm were: "The family setup that pays college tuition with tax dollars," "Save taxes now with gifts effective at death," "Tax free life insurance for executives," and "One way to split income with your children for tax savings." Details were available at a price that many subscribers would find tax deductible.

All of the methods suggested by the firm are quite legal, and they represent just a few of the many tax devices that have been set up to benefit the rich. Not surprisingly, these benefits multiply as the tax bracket of the recipients goes up and the number of citizens eligible to revel in them decreases.

But tax loopholes are only one measure of the government's concern for people who are more than able to take care of themselves. The tax advantages are supplemented handsomely by direct payments both to these same privileged people and to the businesses they control. The total cost to the nation is a staggering sum. A compilation of all the subsidies and all the tax concessions would equal or exceed the total collected by the federal government in income taxes. It is, without question, a case of government dole for the well-to-do.

A national clamor has been raised over programs to help the hungry, and indignation rages every time a child in a rotting tenement is found to be getting more than his meager allotted share. The real scandal in this country, however, lies in the handouts to the rich, which amount to many times the \$3 or \$4 billion it would cost to see that hungry Americans get enough nourishing food to escape permanent mental and physical handicap in childhood, have the health and vigor to work and make a contribution to society in their adult years, and to be free from want and malnutrition when they grow old.

If the American people were aware of the full impact of giveaways to the rich, and if they were to receive the same publicity that is given to the puny dole afforded fatherless children, the public outcry would compel speedy and drastic reform. Unlike programs for the poor, which are subjected (quite rightly) to never-ending scrutiny, the tax breaks and payoffs to the affluent are seldom discussed.

Critics of aid to the poor insist that federally funded programs weaken the moral fiber of the needy. Although few are willing to say that subsidies have weakened the moral fiber of the rich, one must wonder about the fiber of a nation whose priorities show such contempt for human values.

Once established, these handouts tend to perpetuate themselves and to expand, helping the rich get richer.

Take aid to farmers as an example. In the 1930's, when the Depression gripped the nation, there was genuine fear that poverty would destroy the family farms, which had been a strength of the nation since its founding. More and more small farmers were going bankrupt and trekking to the cities, where they tried to find jobs in industry.

Limitations on payments to an individual farm operator have been rejected in Congress repeatedly, although the large Treasury checks are now making it possible for large operators with huge power implements to buy and close out the family farmers originally intended to be helped. Advocates of putting a ceiling on these payments believe \$200 million to \$400 million could be saved by limitations which would not seriously effect any needed production control.

Government programs were started to limit production, avoid great oversupplies and maintain reasonable market prices. Over the years they have helped many small farmers survive in agriculture, but they have helped large factories-in-the-field even more. One out of 50 farmers is able to gross \$100,000 a year or more, but such farmers get one-fifth of the acreage diversion and price support payments. One big corporate farm in California drew more than \$4,000,000 in 1967. The top 25 farm giants that year drew \$22,766,943 from Uncle Sam.

It is virtually impossible to measure the real cost of such programs. It is known that the nation paid \$3.5 billion in direct farm subsidies in 1967. But no one can be sure how many small farmers were pushed off their land because of it, and what the eventual price to the taxpayers will be in terms of added welfare costs in the cities, and programs to train these former farmers for jobs in industry. Moreover, there can be no price tag on the human suffering and the destruction of hopes and spirit.

The similar amount of tax revenue is being drained away by wealthy urbanites who go into farming. They build up cattle herds, citrus groves, farm buildings or any other capital items they can on a current expense basis, deductible from high-bracket nonfarm income as expense. Later, they liquidate these improved and accumulated farm holdings and pay taxes on a capital gains basis at a maximum 25 percent rate. There is a potential \$450 net tax savings for every \$1,000 of ordinary nonfarm income taxable at 70 percent, which can be converted to a capital gain at the 25 percent tax rate.

The *Wall Street Journal* reports a growing number of urban investors who can appropriately sing a new parody of an old song:

"I'm a rich cowhand of the Wall Street brand  
And I save on tax, to beat the band.  
Oh, I take big deductions the law allows  
And I never even have to see my cows  
Yippie-1-o-ki-ay"

In 1966 there were 680,000 taxpayers who deducted \$1.036 billion of farm "losses" from their nonfarm income for tax purposes.

In the state of California where the Department of Agriculture estimated total net farm income at \$896 million in 1965, income tax returns filed by her residents reflected instead a total net loss of \$6 million from farming including \$42 million supposed loss by the "farmers" residing in metropolitan Los Angeles, the movie capital.

The oil capitals and financial centers all have their tax-loss farmers, too, including a large majority of all people with million-dollar incomes, whose apparent ineptitude at farming grows in proportion to their income.

Now consider what happens to the billions that the taxpayers pay out for research. Before World War II, firms doing research for the government normally turned the results of their investigations back to the government for federal use. Then it was decided—amid considerable business pressure—that allowing the companies to patent the products of their research would add to their incentive. This has now become the general rule on military research contracts.

As a result, the public often winds up paying twice for the same invention. In one classic case, it was discovered that Republic Aviation Corporation had paid \$82,500 to Lockheed in royalties for use of a wing tank on planes Republic was building for the

Air Force, although the Air Force had paid Lockheed to develop the tanks.

The defense budget, with its billions of dollars for new materials every year, has become a gold mine for industrialists. They have found that selling to the government is just the reverse of an oriental bazaar. There it is not uncommon for a seller to set a price, then come down to what the buyer will pay. But defense contractors frequently set a price and then go up to what the Defense Department is willing to pay.

One of the most controversial elements of the trouble-plagued F-111 airplane is its engine. The engine contractor, Pratt & Whitney, originally offered to build the engines for \$270,000 each. A series of increases brought the figure to \$700,000. A Pentagon survey showed that about \$200,000 of this cost went for wasted effort, and negotiated the price down to a "bargain" \$500,000. The only thing unusual about the contract with Pratt & Whitney was the government's cutback on the final price.

In nine of every 10 major weapons systems ordered by the Pentagon, manufacturers manage to double the cost by the time the system is completed. The price quoted in the contract is merely a starting point.

Sen. Stuart Symington, a former Secretary of the Air Force, was able to look at the cost figures projected for the Anti-Ballistic Missile system with a practiced eye. He noted that the ABM cost, first estimated at \$3.5 billion, rose to \$5 billion, and then to \$9.5 billion. With no exaggeration intended, he warned that it could reach \$400 billion before it was completed—more than the total national debt.

The government also has wisely invested millions in research to curb dreaded diseases, only to find that the cure is often inexplicably high. More than \$700,000 in federal funds went into research, headed by Dr. Robert Guthrie, to track down PKU—a chemical substance found in some newborns that can cause mental retardation. He devised a simple chemical test to detect the substance, and announced that kits with enough material to test 500 infants could be produced for \$6. To make the test available everywhere, Doctor Guthrie licensed the Ames Division of Miles Laboratories to mass-produce them. Astounded physicians in hospitals across the nation found that the price had gone up. The kits for 500 tests were suddenly selling for \$262. With imagination that matched the pricing, Miles' officials explained that the high price was needed to offset the cost of "their" research.

Experts report no major industry that does not receive some kind of government hand-out. Yet there is a great distaste for calling them subsidies. They are disguised in a thousand different ways, each calculated to make a subsidy look like anything but a subsidy. Indeed, the only federal statutes using the word "subsidy" are those dealing with ship construction and ship operations.

For instance, the government's generosity in giving away the air is not called a subsidy. Yet Federal Communications Commission licenses for radio and TV stations have made a number of millionaires. Lord Thomson of Fleet, the British press czar, has called the FCC television licenses "as good as a license to print money."

Those actually called subsidies—the payments to shipowners which began in 1789 while George Washington was President—are now so numerous that it is almost impossible to sort them all out. The taxpayers not only help pay for constructing and operating ships, but also for repairing and replacing them. All military cargoes, half of other government cargoes and all exports purchased with government loans—with a few special exceptions—must be carried in U.S. flag ships. The government also improves harbors, maintains navigational aids, protects the coastal trade and provides many other substantial benefits for the American maritime industry.

Without using the term subsidy, a generous Uncle Sam likewise builds airports for the airlines, makes grants and cash contributions for railroad construction, finances highways that will benefit the truckers, pays for carrying the mail, and publishes the maps and charts so essential to the transportation industry. The government offers a Heinz variety of guaranteed loans to help businesses, and many government purchasing programs are tailored to benefit special interests of one sort or another.

Tariffs form an important, but hidden, pay-off to American manufacturers. This is a form of taxation on the consumers, who must pay higher prices for imported goods. Among the industries that profit the most are automobile, steel and textiles. The tariff on cars, for instance, keeps Volkswagens from being an even greater threat to Detroit's products. The glass, electronics, optics and china industries also are helped mightily by the protective tariff.

The drug manufacturers, who recently agreed to pay \$120 million in an out-of-court settlement of anti-trust suits brought against them for overcharging state and city governments, more than make up their loss with handouts from the federal government. The cost of testing new drugs can be enormous, but the drug-makers have found a way to have the taxpayers carry most of it. One physician, who specializes in testing drugs, has received enormous contracts from the National Institutes of Health. Using the equipment and know-how paid for by the government, he has been able to work for the drug industry at a fraction of what his services would normally cost.

Bankers, dedicated individualists all, take a special interest in the taxpayers' money. Hundreds of millions of dollars, on deposit by the government in federally chartered banks, are used for loans by the bankers. Taxpayers, of course, must pay interest to borrow the money they have already paid into the government. Government-guaranteed loans have also boosted the banking business at no risk to the banks. The Federal Reserve System provides a number of other free services to banks such as clearing checks and handling currency.

Even the medical profession gets its piece of the action. Although many doctors are quick to oppose benefits for their patients—the American Medical Association was a leading opponent of Social Security in the '30's as well as Medicare in the '60's—they welcome federal help for themselves. More than half the cost of going to medical school is paid by the government, and once the doctor has his degree in hand, the benefits multiply. Many hospitals the doctors use are built with federal funds; even many of the stethoscopes and little black bags they carry are tax-deductible gifts from the subsidized drug companies.

And certainly few persons have been more pampered by the government than the oil millionaires. This industry enjoys a seemingly endless number of ways to avoid supporting the country that has made oilmen among the world's richest. Back in 1926, their lobbyists pushed a bill through Congress to allow them to deduct part of their taxes on the oil they pumped out of the ground and sold for profit. In theory, they are being compensated for the loss of the oil that nature took millions of years to make.

Over the years, the oil depletion allowance has taken on a mystical, pseudo-scientific quality. For many, the allowance, 27½ percent, seems to represent some exact compensation for the damage being done to nature's storage vaults. Actually, it is nothing more than a compromise reached by Congress 43 years ago. The Senate had voted a 30 percent allowance, and the House had agreed to 25 percent. The two Houses split the difference.

The depletion allowance is only one of a great many tax dodges set up for the oilmen. As former Sen. Paul Douglas once pointed out, "A charwoman earning \$55 a week paid

more in income taxes than an oil company whose income was \$26 million." Two of America's biggest oilmen pay less than \$5,000 a year in income tax. H. L. Hunt, the Texas oil magnate, spends considerably more each year to fight welfare programs than he pays in taxes.

These oil millionaires are by no means unique. While there are 2.2 million families officially listed as below the poverty line who must pay taxes, there are many with exceptionally high incomes who pay no taxes at all. Our tax system, which is badly in need of total reform, supposedly places the heaviest burdens on those best able to pay. Yet the computers of the Internal Revenue Service have disclosed a surprisingly high number of citizens with incomes in excess of \$1 million a year who pay at the same effective rate as men earning only \$20,000. Perhaps these people who have gone through the graduated tax system so remarkably could be called taxpayers *cum laude*.

Possibly a reason that most Americans are willing to blink at the abuses of the tax system by the rich may be that they themselves have found a small loophole that helps them cut down on their own tax bill, such as being able to deduct all the interest and all the property taxes they pay from their income before computing their tax.

The slightly more affluent have more tax breaks. They can lease their automobiles as "business expenses," and write off the entire cost, a far easier method than the depreciation deductions for owned autos. Successful businessmen have found that the cost of vacation houses and expensive cabin cruisers can be charged to business expenses, and thus become deductible. They, too, have been put in a position where it is difficult for them to complain about the really costly tax breaks.

One particularly insidious—though legal—business practice gnaws away at the public through the special tax rate set up for small businesses. A considerable number of multi-million-dollar corporations have set up each of their subsections as individual corporations. In this way, each corporation pays the lower small-business tax. Some of these business giants have split themselves into hundreds of smaller corporations, and gain an annual tax saving that runs into the millions.

Similarly, many wealthy persons and corporations have exploited the tax-free status given to charitable foundations. Under this mask, they are able to deduct funds "contributed" to the foundations from their taxes, and still use the money for business and personal purposes.

It is part of the creed of a capitalist society that business must succeed or fail on its merits; that businesses take risks and profit or lose on them. With increasing frequency, however, businessmen are eliminating the risk factor from their operations with government subsidies. Much of this is a result of military contracts, which guarantee corporations a profit on their product, even when they do not perform up to contractual standards. Some of these corporations have sustained enormous losses when they ventured into the private, competitive marketplace, and have quickly retreated back to the safety of defense contracting.

Now, industry is looking for federal handouts to underwrite its adventures in the private sector. The most notorious example, perhaps, is the supersonic transport. The federal government is already subsidizing the development of this plane at a cost of \$500 million. The total federal contribution that will have to be made before the SST is unloosing its sonic thunderbolts upon earthbound humans is estimated as high as \$4.5 billion. The government has always been exceedingly generous to the airlines and the aircraft manufacturers, but the SST seems to be something less than the wisest possible investment of our dollars.

The handouts, doles, bribes and giveaways go into almost every segment of American life. Almost everyone gets something, but it is the rich who get the most. The net effect tightens the noose of hunger and hopelessness around the necks of Americans at the bottom of the economic ladder. It is easy to see why so many of them feel so bitter and desperate that they take their grievances into the streets.

Many of my colleagues in Congress, who are aware that the nation must cut back on its spending, believe that the giveaway programs are the logical place to start the cutting. I agree with them. It is time for everyone to start carrying a fair share of the load. The cutting should begin where it would do the most good—with the programs that cost the taxpayers the most money. They include the subsidies, tax loopholes, gifts and payoffs that give more money to the rich at the expense of other Americans.

#### NEW HOSPITAL WING

Mr. RIBICOFF. Mr. President, the town of Bristol, Conn., dedicated a new eight-story wing of the Bristol Hospital May 9.

It was a historic occasion. The achievement of this modern medical facility was gained by the efforts of Bristol citizens from all walks of life over a period of many years.

The people of Bristol are proud of their new hospital building—and they have every right to be.

The structure houses the very latest in medical techniques and equipment.

Yet it was an old-fashioned notion—that concerned citizens can move mountains if that is what is needed—which enabled Bristol to build the new hospital wing.

A fundraising campaign raised more than \$2 million toward the cost of construction, but, equally important, is the fact that all segments of the community got behind the goal of better hospital facilities.

Here we find an example of community spirit and civic responsibility at their best.

As Carlyle F. Barnes, hospital president, said at the dedication ceremonies:

The important thing this illustrates is not so much a matter of dollars and cents as it is the tremendous and continuous commitment which a community must make if it wishes to keep pace with the explosive rate of change of the medical sciences.

I know many of you well—well enough to know that you have made a commitment rather than a "contribution." And that is the thing we really can be proud of. That is the thing that makes this a community in the truest sense of the word.

The remarks by Mr. Barnes are eloquent and truthful.

Financial resources will buy bricks and mortar. But all worthwhile civic goals are achieved when the citizens of a town work together to improve their community.

The people of Bristol are to be commended. They built themselves a new hospital building. And they worked together in the pursuit of the common good. In so doing, they have accomplished much. I salute them for it.

The Bristol Press, which played a key role in efforts to construct the hospital wing, printed a special edition May 8 commemorating the new facility. I ask

unanimous consent that an editorial of that day from the Press and other articles published in the Press be printed in the RECORD.

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

[From the Bristol (Conn.) Press, May 8, 1969]

#### BRISTOL HOSPITAL: A MONUMENT TO PEOPLE

On the eve of the dedication of Bristol Hospital's magnificent new eight-story wing, it is only natural and proper that we send our editorial thoughts back down the path of yesteryear to recollections of the many people responsible for the creation of the hospital's splendid image as the living embodiment of the best features of this community.

Of course, mortar, bricks and steel and engineers, architects and contractors were important factors in the great growth of the vast Bristol Hospital complex as we know it today. However, we like to remember that it was people, selfless people representing all segments of our local society, who furnished the inspiration, the leadership and the drive to shepherd the institution from its birth up through the half century of growing years to its eminent status of today. These remarkable men gave their time, their dedication and themselves and they gave without expectation of material reward or personal glory.

Tomorrow's dedication in a sense will not only be the formal opening of a new building but it will also be a salute to those leaders—past and present—who truly "made" Bristol Hospital.

There were many, many such individuals but as with any large, continuing movement a few stand out. For instance, Reverend Doctor L. H. Dorchester as the first president, then pastor of Prospect Methodist Church, was a motivating force in the formal launching of a hospital organization in 1920 after the community a couple of years before had learned of the need for such. That was when the Parish House of First Congregational Church had to be used as an emergency hospital at the time of the devastating Flu Epidemic as World War I ended.

Then came the three decades from 1921 to 1951 when Fuller Forbes Barnes served as the hospital president. This most unusual man more than any other was responsible for the transition of the hospital from location in a house at South and George Streets to the present huge facility at Newell and Brewster Roads. Not only was he generous in numerous financial gifts to the hospital but, and possibly more important, he was generous in the unstinting leadership he provided in fostering growth of the institution and lending encouragement to the small army of people needed to promote and nurture that growth.

Today that same leadership is being afforded by his son Carlyle F. Barnes, the incumbent president, as is attested by the new wing to be dedicated tomorrow. Carlyle Barnes' immediate predecessor, C. Terry Treadway, Jr. also made his mark in the hospital's history for it was during his tenure that the preliminary planning for the new building was undertaken.

Down through the nearly five decades of Bristol Hospital's burgeoning expansion, hundreds of people have aided in the drive to give the city the best possible in medical care. When the first major fund drive was held way back in 1923, it was a community effort. Typical was the event when the then Bristol Press Publisher Arthur S. Barnes recruited a battalion of civic leaders to act as newsboys for a day in order to raise campaign contributions. These men, whose uniform was a Press paper bag, covered the town on a house-to-house basis and brought back a tidy sum to give the hospital drive a valuable shot in the arm.

In 1940-41 Senator Anthony J. Rich spearheaded a highly successful drive to make possible further expansion at the hospital. Four years ago, Senator Wallace Barnes was chairman of a \$1,000,000 effort to pave the way for construction of today's new wing and in recent months Terry B. Fletcher presided over a satisfactory \$2,000,000 campaign for the new wing program.

There were many, many others who labored in less spectacular fashion for hospital objectives. As a representative of men who conducted themselves along these self-effacing lines, we remember the late William E. Tracy. This man was a key worker with the Hospital Building Committee and over a period of many years drove himself to keep hospital construction moving even to the point of neglecting his health and his business career. Obviously, he had lots of company or we would not have the hospital that is ours today.

Because of all these devoted people, Bristol has a hospital which ranks as one of the finest in our area. We are proud of it. We are grateful to all whose financial contributions over the past 50 years helped so very much. And we salute with humble respect those of today and yesterday who lighted the way.

[From the Bristol Press, May 8, 1969]

**BARNES—FATHER AND SON—AT HELM OF BRISTOL HOSPITAL SOME 35 YEARS**

Thirty years of unselfish endeavor on the part of one of Bristol's most renowned and respected men, the late Fuller F. Barnes, piloted Bristol Hospital's progress from a 21-bed facility to one of 156 beds during a tenure of president from 1921 until 1951. And now at the hospital's helm is his son, Carlyle F. Barnes, as the hospital's bed capacity becomes 275—regimes wherein first, the father, then his son, experienced periods that marked the medical center's major expansions.

Bristol Hospital's growth and the success enjoyed therewith can, in large measure, be attributed to the interest, labor and meaningful financial support provided by the Barnes family ever since the institution's beginning in the early twenties.

Fuller F. Barnes became second president of the hospital in July of 1921. Before the end of that year, a house which still stands at South and George Streets became Bristol Hospital's first location, the property having been made available by the Barnes family. Meanwhile, land was obtained for the hospital's permanent site as Mr. Barnes headed up a great amount of preliminary work of acquiring required space for the permanent site, acreage for which was obtained as gifts.

It was a busy first year for Fuller Barnes, aside from his responsibilities as an official of the world's major spring manufacturing company here. However, as later years revealed, that was only the beginning of a long and notable career of service to the hospital he wanted to be sure would adequately meet the needs of a growing population.

**NEW HOSPITAL IN 1925**

Under his capable direction as president, a successful fund-raising campaign was conducted in 1923. Close to a half-million dollars (a tidy sum for those times) was realized. Two years later the structure was completed, equipped and admitting patients.

Since the original of present buildings, off Newell and Brewster Roads, was opened in 1925, two of the three additions to the initial plant, as well as the nurses' home, came about during Fuller Barnes' years as the hospital's top officer. It was through his ingenuity, generosity and great guidance the hospital's service kept pace with the medical needs of a community's surging population from 1921 to 1951. As has often been said, Bristol points with pride to one of Connect-

icut's best hospitals because of the 30 years of unselfish endeavor of Fuller Barnes.

**ANOTHER BARNES**

Equipped with the same sense of civic pride and interest that was so profoundly manifested by his father, Carlyle F. Barnes is today deeply involved in hospital affairs, just as his Dad was years gone by. The hospital's usage has greatly expanded since the three decades of the elder Barnes fulfilled the presidency, a period which saw a total of 136,147 outpatients and inpatients combined.

Since becoming the hospital's fourth president in December of 1955, Carlyle Barnes' role has been an exceedingly active one. Throughout the past few years expansion of facilities mounting utilization of the hospital's various services, including all of the normal problems concerned therewith, have commanded endless hours of his time. For Carlyle Barnes, however, all has meant the building of a better Bristol, a better way of life.

The opening of Bristol Hospital's new addition is the sum result of thousands of dedicated civic-minded persons. Among them is the Barnes family, members of whom have made meeting hospital needs, and propelling hospital progress, a pleasant and satisfying service for a grateful community.

[From the Bristol Press, May 8, 1969]

**PRESS PROMOTED HOSPITAL EFFORT IN 1923 DRIVE**

Way back when the Bristol Press only cost 2 cents a special hospital edition appeared on May 12, 1923 to help promote the Bristol Hospital fund campaign then in progress. Two days later, a feature article was published and the headline read, "Fifty Official Newsboys Have Great Success In Selling Special Hospital Edition Of Press." This special sidebar campaign effort was arranged and directed by the late Arthur S. Barnes, the publisher of The Press.

This was the means of keeping in accord with the entire Hospital Fund Campaign then and the majority of funds collected were raised through this effort. The total proceeds (at the time of publication of the story—there were still some returns to come) of the selling of the special hospital edition resulted in a figure of \$1,289.18. Prior to that time only \$445 reached had been pledged to the drive citywide.

It was reported from the story in 1923 that "the unique and wholly novel corps of Official Newsboys—composed of 50 of the leading business, financial and manufacturing men and representative ladies of the city—was the biggest kind of success."

Participating as "Official Newsboys" were George F. Thomas, Arthur Fletcher, Stephen M. Wells, William S. Ingraham, John H. Sessions III, Albert L. Sessions, Frederick B. Scudder, Fuller F. Barnes, Alexander Harper, Frank S. Merrill, Edward Ingraham, Ray K. Linsley, Roger S. Newell, Elmer E. Stockton, Ray Linsley Jr., (who was then only a tot), Chas. T. Treadway, William J. Lloyd, Brown Joyce, Burton O. Barnard, Kay Finnemore, Chas L. Wooding, Joseph F. Dutton, Dr. Arthur S. Brackett, Harry N. Law, Arthur S. Barnes, Rev. William B. Frank, Eugene Giammatteo, John H. Hayes, Frank B. Tibbits, Roscoe L. Sessions, Dwight J. Minor, Robert J. Stack, Harry C. Barnes, Roy W. Bailey, Chas N. Gordon, Townsend G. Treadway, George S. Beach, William H. Graham, Chas C. Ball, Henry E. Cottle and Dominick Sinisgalli.

Many interested incidents are reported from the demonstration of community interest in 1923. The highest price reported for a copy of the paper was \$20 and the lowest two cents, the price being whatever one wished to pay.

In one home a widow with six children was waiting for the paper and she gave a generous amount. At another residence a paper was left at the house of people who were away and on their return, a member of

the family hastened to send his money to the Press office. Those who were inadvertently overlooked did not like it and said so.

Everybody understood that all the proceeds without reduction of one cent for any expense went to the Hospital Fund and this enabled some who had not before contributed to do so and others who had given to increase their gifts.

Of this list the following Bristol residents are still living: Arthur Fletcher, John H. Sessions III, Edward Ingraham, Roscoe Sessions, Robert J. Stack, and Townsend G. Treadway. Ray Linsley, Jr., a professor at Stanford University, resides in Palo Alto, California, and the whereabouts of Kay Finnemore could not be ascertained by The Press.

**PRESIDENT NIXON'S CONSUMER ADVISER SUPPORTS FAIR CREDIT REPORTING ACT**

Mr. PROXMIER. Mr. President, on May 19 Mrs. Virginia H. Knauer, the Special Assistant to the President for Consumer Affairs testified in support of S. 823, the Fair Credit Reporting Act. This act would provide consumers with protection against arbitrary, erroneous or malicious credit reports. As her first appearance on Capitol Hill, Mrs. Knauer delivered a forthright and vigorous statement in support of consumer legislation.

In testifying in support of the bill, Mrs. Knauer offered several suggested changes which, in my opinion, would strengthen the bill and would provide the consumer with even more safeguards. In response to committee questions, Mrs. Knauer indicated that she was speaking not only for her office, but for the Nixon administration.

Mr. President, I think it is highly significant that on the first major piece of consumer legislation, the Nixon administration has come out solidly for the consumer. To be perfectly frank, some of us had feared that the present administration might reverse the previous proconsumer policies of the Johnson administration and adopt a harder attitude toward consumer legislation.

I am glad to report to the Senate that apparently this is not the case and that the present administration will continue the proconsumer policies of the past administration.

Mr. President, I ask unanimous consent to have printed in the RECORD the excellent statement given by Mrs. Knauer before my Subcommittee on Financial Institutions of the Banking and Currency Committee on the Fair Credit Reporting Act.

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

TESTIMONY BY VIRGINIA H. KNAUER, SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS, ACCOMPANIED BY BETTY BAY, ACTING DIRECTOR FOR LEGISLATIVE AFFAIRS AND ELIZABETH HANFORD, ASSOCIATE DIRECTOR FOR LEGISLATIVE AFFAIRS BEFORE THE SUBCOMMITTEE ON FINANCIAL INSTITUTIONS, SENATE BANKING AND CURRENCY COMMITTEE HEARINGS ON THE FAIR CREDIT REPORTING ACT—S. 823—WASHINGTON, D.C., MAY 19, 1969

Mr. Chairman and Members of the Committee: I am pleased that my first official appearance on the Hill is before the Subcommittee on Financial Institutions, a Committee which has a long record of interest and action in consumer affairs.

I am happy to have the opportunity to comment on S. 823, The Fair Credit Reporting Act. The general purposes of this bill are to assure the consumer protection against invasion of his privacy and to meet the needs of commerce for credit and other information in a manner which is fair and equitable to the individual.

Reports regarding individuals whose credit worthiness, character and general reputation have been damaged by inaccurate credit reports offer increasing cause for concern. Problems include confidentiality; inaccurate, biased, or malicious reporting; incomplete, irrelevant or obsolete information; and machine error which can be expected to occur as reporting systems are computerized.

The conditions which have prompted consideration of this bill result from the changing pattern of American life. Since World War II, consumer credit has become virtually the lifeblood of the national economy. Twenty-five years ago, consumer credit outstanding was 5.7 billion dollars. Today it is 110 billion. The use of credit has enabled the average American consumer to enjoy some of the comforts of life as well as the necessities—a home of his own, an education for his children, a vacation, an extra car and provision for an emergency. For the poor, credit is crucial.

The credit reporting agency is a vital link in the operation of our rapidly growing consumer credit industry. Obviously, the creditor must have the potential customer's credit history so that he can properly assess any risk which might be involved in extending credit. The consumer also benefits when he can obtain credit promptly without undue red tape.

In response to the credit explosion, a vast private information network has evolved. For example, it is reported that members of the Associated Credit Bureaus, Inc. issued more than 97 million credit reports in 1967 and that over 110 million individuals are listed in their files. When dealing with such vast numbers, the dangers of unwarranted invasion of individual privacy or erroneous reports are obvious. The potential power which the credit reporting agency has over an individual's life is formidable.

The person seeking credit often feels that his whole life history is either at the mercy of merciless computers or in the hands of people who hear only one side. Unfortunately, the credit reporting agency has become associated in the consumer's mind with ultra secrecy, electronic eavesdropping, almost a privately run spy network.

Too many consumers feel that information fed to credit reporting agencies is not always full information, and sometimes not even correct information. And the consumer thinks he has no way of correcting errors.

What I would like to see is the reporting of credit without unfair discredit.

I do not view the principles contained in S. 823 as an attempt to unreasonably curtail growth of the credit reporting industry or to burden it with arbitrary rules. What we are weighing here is a procedure which will be fair to both the industry and the individual consumer. In light of the present importance of credit to the individual and the projected trend for the future, I believe a reasoned review of present practices to assure adequate safeguards for the individual is healthy. In the long run, it should build consumer confidence in the whole credit industry.

With the millions of credit reports issued annually, even a small margin of error can involve hundreds of thousands of individuals. Despite increased industry efforts to ensure confidentiality, there is evidence that such is not always the case. The problem has been compounded by the difficulty which individuals have confronted in correcting credit reports.

The recent self-policing efforts of the Associated Credit Bureaus are commendable. I am concerned, however, that the industry guidelines do not go far enough, and I feel that enforcement under a voluntary code is extremely difficult. I am further concerned about the fact that credit reporting agencies which do not belong to the industry association are not subject to its standards.

I support S. 823 in principle, but would recommend consideration of several additional points.

I assume that the use of the word "individual" throughout the bill means the "individual consumer. If this is the intent, it should be clarified by adding Section 163(e) defining the term to mean an individual and not a business establishment.

Section 164(b) provides an important protection for the individual by ensuring that upon request, he must be given a reasonable opportunity to correct information obtained by the agency which may bear adversely upon his credit rating. I believe the consumer's protection will be materially strengthened, if upon request, the contents of his report are made known to him. This helps to alleviate an atmosphere of secrecy and enables the individual to state his position on any adverse material.

It seems reasonable that Section 164(b) should also provide that the consumer may submit an explanatory statement for inclusion in his credit record if he believes the agency's record contains inaccurate or incomplete information. Such a provision should apply to the entire contents of his file, not just information of public record as in Section 164(e).

When corrections are made in a credit report, I feel, in fairness to the consumer, that consideration should be given to sending a corrected copy to each person who previously received the erroneous report.

I am concerned that the language in Section 164(d) providing for the destruction of information after it has become obsolete or after the expiration of a reasonable period of time will be subject to varying interpretation of the word "reasonable," which could weaken its intended protection for the consumer. I suggest the consideration of specific limitations providing that a credit reporting agency shall not report information concerning transactions which occurred more than seven years prior to the date on which a credit report is given except for bankruptcies of all types which should be dropped from the individual's file 14 years after the date of adjudication of his most recent bankruptcy.

Section 166(2) specifies that punitive damages shall be no less than \$100 nor greater than \$1,000. I do not feel that the award of punitive damages should be qualified in such a manner. Where a person's reputation can be ruined or his character permanently maligned, punitive damages serve an extremely valuable purpose. I propose that the qualifying phrase "which shall be not less than \$100 nor greater than \$1,000" be omitted. The amount of punitive damages should be left entirely to the discretion of the court which hears the facts and circumstances of the particular case.

In closing, I would reiterate that what we seek is a procedure which would be fair and equitable to both the individual consumer and the credit reporting industry.

Thank you.

#### PESTICIDE PERIL—IX

Mr. NELSON, Mr. President, last week I placed in the RECORD a report by the Conservation Foundation which in part outlined the Federal and State Government regulations and enforcement of those regulations of pesticide controls.

The report stated that "the Federal Government's regulation of pesticides is done on a piecemeal, or individual product-use basis," and that although most States have their own tolerance levels for commodities sold intrastate, "there is no telling how much abuse or misuse of pesticides takes place."

An article written by Morton Mintz and published in Sunday's Washington Post, reported on testimony before the House Intergovernmental Relations Subcommittee which established that thallium, a rat and ant poison which presumably was taken off the market by the Agricultural Research Service 2½ years ago, is still being sold and has poisoned many children as well as its intended victims.

The hearings were called by Chairman L. H. FOUNTAIN to investigate further the "serious deficiencies" disclosed by the General Accounting Office about the enforcement by ARS of the insecticide, fungicide, and rodenticide law.

The hearings revealed some other startling and very disturbing disclosures. Although the law has permitted recalls of unsafe products since 1947, no procedures for recalls were approved until last week. When the ARS actually seized an unsafe product from a retail store, it has never attempted to find out where else the product was being sold. The first criminal prosecution in 13 years was filed this year by the ARS against a company in violation of the use of a hospital disinfectant. Thirteen years after the Food and Drug Administration and the Public Health Service requested ARS to ban lindane vaporizers, a device used in restaurants which emits insecticides 24 hours a day, ARS finally this year performed tests which showed that "practically all foods packaged and unpackaged, contained illegal residues of lindane."

I ask unanimous consent that the article written by Mr. Mintz be printed in the RECORD.

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

[From the Washington Post, May 18, 1969]  
RAT POISON FATAL TO TOTS IS STILL SOLD  
(By Morton Mintz)

House investigators have established that thallium—which has poisoned children as well as its intended victims, rats and ants—was still being sold 2½ years after the Agricultural Research Service presumably had taken it off the market.

In addition, Harry W. Hays, director of pesticides regulation in the ARS, admitted that there is no way to label thallium products so that they can be effective against rats and ants but safe in a home with children. The reason is that the poison must be placed on floors and in other places reached by children as well as insects and rodents.

Disclosures such as these distressed the House Intergovernmental Relations subcommittee, which held a hearing last week to follow up "serious deficiencies" first disclosed by the General Accounting Office about enforcement by the ARS of the insecticide, fungicide and rodenticide law.

"Frightening" and "incredible," said subcommittee chairman L. H. Fountain (D-N.C.), Rep. Clarence J. Brown Jr. (R-Ohio) wondered, "Maybe we ought to try something else to govern us besides government."

The gist of the thallium story was that in 1960 the ARS acted to limit the use of thallium products—but 400 children were poisoned in 1962 and 1963. In 1965, the agency canceled the registration of thallium products, preventing further manufacture. But there was a scanty effort to retrieve supplies in marketing channels.

In January, 1968, ARS inspectors checked 22 stores in Washington and suburban Maryland and found thallium products in six. There was no testimony about whether such products are on store shelves today.

Other disclosures in the hearing, which produced evidence of significant recent reforms:

The law has permitted recalls of unsafe products since 1947—but procedures for recalls were not approved until last Monday. The first recall was in September, 1967.

When the ARS made a seizure of an unsafe product from a retail store, it never once checked manufacturers' records to find out where else the product was being sold.

Early this year, ARS instituted its first criminal prosecution in 13 years against a violator, Hysan Products Co. of Chicago, in connection with a hospital disinfectant.

In 1953, the Food and Drug Administration and the Public Health Service, reversing previous positions on the basis of new studies, urged the ARS to ban lindane vaporizers. Used mainly in restaurants, these devices emit an insecticide 24 hours a day. Not until last February did the ARS do a test under simulated restaurant conditions. The results showed that after five days, "practically all foods, packaged and unpackaged, contained illegal residues of lindane."

#### GROWERS PRESENT FARMWORKERS WITH A HOBSON'S CHOICE: A COMPANY UNION OR A POWERLESS UNION

Mr. MONDALE. Mr. President, Webster's dictionary defines a Hobson's choice as being "an apparent free choice with no real alternative."

It is just such a choice that many growers wish to present their farmworkers—a choice between a company union and a powerless union.

The realities of this "Hobson's choice" were made unmistakably clear at the recent hearings by Senator HARRISON A. WILLIAMS' Labor Subcommittee on S. 8, the legislation which would extend the National Labor Relations Act to the agriculture industry.

On the opening day, representatives of the United Farm Workers Organizing Committee, AFL-CIO-UFWOC—joined by representatives of other farm labor organizing efforts across the country, presented testimony that clearly indicated the need for legislation that will shift the balance of labor-management power in rural areas. Farmworkers, they pointed out, must have an opportunity to develop the strong institutions that have so long served as a bulwark of industrial democracy in other sectors of our economy. The National Farmers Union, the National Farmers Organization, and the National Grange have favored coverage of the agriculture industry under the NLRA.

The American Farm Bureau Federation president presented testimony in opposition to the enactment of S. 8, although nominally affirming the right to organize and bargain collectively. The Farm Bureau proposed alternative legislation.

Two aspects of the testimony reveal that many growers, while appearing to advocate a free choice to farmworkers, had in effect presented a Hobson's choice.

First, Mr. President, the Labor Subcommittee was presented documents, signed and sworn, that tell of the grower-formed, grower-dominated Agriculture Workers Freedom to Work Association—AWFWA. The documents exposing and confirming this most horrendous activity were official reports filed by officers of AWFWA pursuant to the section 203(b) of the Labor Management Reporting and Disclosure Act of 1959. Because of their importance and significance to all of my colleagues, I would like to have them inserted in the CONGRESSIONAL RECORD, along with some newspaper articles, at the conclusion of my remarks.

This so-called union organization was secretly provided expense money, office space, telephones, cars, and gasoline by growers in California. Money was funneled through an organization called Mexican-American Democrats for Republican Action, and it was used to finance nationwide speaking tours during which the organization efforts of Cesar Chavez and UFWOC were viciously attacked.

The important point is that growers were not offering farmworkers an opportunity to choose through democratic election procedures a genuine representative of farmworker interests, but instead they insisted on a company union that growers themselves organized and financed.

The second disturbing aspect of the testimony was that the determination of the growers to establish a grower dominated union for the farmworker has now been transferred to insuring that any union chosen by the workers is left powerless, and must exist on the terms and conditions of the growers.

Growers' testimony seemed to confirm their interest in guaranteeing a powerless union, for the subcommittee heard various grower representatives oppose coverage of the agriculture industry under the NLRA, although lipservice was paid to elections and collective bargaining.

Careful study of their specific legislative proposals sheds light on their true feelings. First, many growers would deny farmworkers the same economic weapons that are guaranteed to every other American worker by severely limiting the employees right to strike, and restraining not only the farmworkers but the entire labor movement from engaging in a primary product boycott.

Second, many growers insist on legislation that would deny both the employer and the union an opportunity to bargain over union security agreements.

Third, many growers would have their labor management relations mediated and supervised by partisan agents of the growers. The Farm Bureau, for example, has proposed that farmer and farmworker relationships should be governed by a separate statute, and not within the purview of the NLRB, an agency with an expertise in labor relations for all industries, including highly perishable agriculture packing sheds, processing op-

erations, and the like. Instead, they would place administration of labor-management relations in the Agriculture Department, which has a more abiding interest in agriculture production than labor relations, and the Federal district courts, which are already overcrowded.

Fourth, growers are demanding limited statutory coverage of farmworkers, some suggesting that only those workers on farms that hired the equivalent of eight or more full-time, year-round employees could participate in elections of a representative, and bargain collectively with their employers.

At one point, Mr. President, I hoped that growers would simply recognize the worth and dignity of the farmworker, and urge passage of S. 8. That bill would guarantee, at least in part, some of the protections and procedures to the agriculture industry, through orderly recognition procedures and good-faith collective bargaining, encouraged by the NLRA.

Unfortunately, however, the effort and energy of growers, as evidenced by the various proposals to avoid coverage of agricultural employees under the National Labor Relations Act, particularly when read in the light of the formation of a company union, and proposals for a powerless union, dims the prospect for humane advancement in the industry.

It is regrettable that growers who must rely on their workers to reap the harvest, can give in return only a Hobson's choice. The burden is squarely on the shoulders of the growers to demand a free choice in the greatest of democratic traditions for their employees and, if the growers insist on company unions, or powerless unions, then Congress must act to bring democracy to the farm.

Mr. President, I ask unanimous consent that the documents concerning the growers' formation of a company union be printed in the RECORD.

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

AGRICULTURE WORKERS FREEDOM  
TO WORK ASSOCIATION,  
Delano, Calif., February 22, 1969.

SECRETARY OF LABOR,  
Office of Labor Management and Welfare  
Pension Reports, U.S. Department of Labor,  
San Francisco, Calif.

DEAR SIR: The undersigned officers of AWFWA herewith submit an Agreement and Activities Report (Form LM-20) and a Receipt and Disbursements Report (Form LM-21) as required by Section 203(b) of the Labor Management Reporting and Disclosure Act of 1959.

The reports may be incomplete but they reflect all the information currently available to us. We are instituting action to recover financial records of AWFWA, if they still exist, and the reports will be amended to reflect any further information as it becomes available.

AWFWA was an outgrowth of an untitled group led by the growers which hired Jose Mendoza and Gilbert Rubio to persuade the workers that there was two sides to the union story, don't be afraid of Chavez, be united and we will protect and support you. The employees and members of the group were to try to get information on plans of UFWOC. This group and others became AWFWA which was incorporated by Jose

Mendoza, Gilbert Rubio and Shirley Fetalvero in July 1968. The three incorporators became the directors of AFWFA. The first public actions of the new organizations were counter-picketing of the United Farm Workers Organizing Committee, AFL-CIO, pickets at the homes of Giumarra foremen, crew bosses at Mc Farland and Earlimart, California in May of 1968, also at public picnic attended by 1,500 people was held at Delano Park on June 16, 1968.

Until recently AFWFA never had a meeting of the Board of Directors or an election of officers. Jose Mendoza called himself General-Secretary and sometimes Gilbert Rubio was identified as chairman. Mendoza acted as the chief-executive of AFWFA. Mendoza was advised by Mr. Basoco of the Department of Labor that a consultant was required if AFWFA had an agreement with employers connected with the grape labor dispute and boycott. Mendoza denied any agreement existed or that AFWFA was being supported by the growers.

So far as we know all of AFWFA's records were maintained by first Fernando Marquez, then by Jose Mendoza and then turned over to Donald Garaniga. We are making efforts to recover these records.

In late 1968, Jose Mendoza left Bakersfield on several trips, on his return he contacted Shirley Fetalvero and Gilbert Rubio wanting them to agree to dissolve AFWFA so it would be legally out of existence. We, with advice from Cornelio Marcias, refused to sign to dissolve the corporation. Mendoza advised he was no longer associated with AFWFA and Cornelio Marcias could be a Director in his place. He threatened to send the Department of Labor after us. In October or November 1968, Shirley Fetalvero and Gilbert Rubio informally met as a Board of Directors and elected Cornelio Marcias as Director of AFWFA.

We have been interviewed by Robert H. Holland of the San Francisco office of the office of Labor Management and Welfare Pension Reports, US Department of Labor. Mr. Holland advised us that AFWFA was covered by the filing requirements of Section 203(b) of the Labor Management Reporting & Disclosure Act of 1959 and had been delinquent in filing an Agreement and Activities Report (LM-20) since July 3, 1968 or earlier. He also advised us that a Receipts and Disbursements Report covering the fiscal year ending December 31, 1968, was due by March 31, 1969.

On February 22, 1969 Shirley Fetalvero and Gilbert Rubio held an emergency meeting of the Board of Directors of AFWFA. Cornelio Marcias could not be contacted. Gilbert Rubio was elected president and Shirley Fetalvero was elected secretary-treasurer for the purpose of 1.) submitting the required reports to the Secretary of Labor, 2.) obtaining records of AFWFA to complete this filing and other filings which may be required and 3.) to make plans as appropriate to dissolve AFWFA or to decide on future activities.

In line with the preceding the attached reports are forwarded. This letter should be considered an integral part of the filing.

GILBERT RUBIO,  
President.  
SHIRLEY FETALVERO,  
Secretary-Treasurer.

#### A.—PERSON FILING

1. Name and mailing address (include ZIP code): AFWFA, aka; Agricultural Workers Freedom to Work Association, % (see attached sheet).

2. Any other address where records necessary to verify this report are kept: Donald Gazzaniga, PRI, 6408 Sally Avenue, Bakersfield, Calif.

3. Date fiscal year ends: Dec. 31, 1968.

4. Type of person:

(a)  INDIVIDUAL.

(b)  PARTNERSHIP.

(c)  CORPORATION.

(d)  OTHER (Specify): \_\_\_\_\_

#### B.—NATURE OF AGREEMENT OR ARRANGEMENT

5. Full name and address of employer with whom made (include ZIP code): (See attached sheet).

6. Date entered into: On or about May, 1968.

7. Names of persons through whom made: Same as above.

8. Check the appropriate box to indicate whether an object of the activities undertaken, is directly or indirectly:

a.  To persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing.

b.  To supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding.

9. Terms and conditions (Explain in detail; see Part B-9 of instructions): (See attached sheet).

#### C.—SPECIFIC ACTIVITIES TO BE PERFORMED

10. For each activity, separately list in detail the information required (see Part C-10 of instructions):

a. Nature of activity: (see attached sheet).

b. Period during which performed: (see attached sheet).

c. Extent performed: (See attached sheet).

d. Names and addresses of persons through whom performed: (See attached sheet).

11. Identify (a) Subject employees, groups of employees, and (b) labor organizations. (See attached sheet).

D.—VERIFICATION AND SIGNATURE. The person in item 1 above and each of his undersigned authorized officers declares, under penalty of law, that all information in this report, including all attachments incorporated therein or referred in this report, has been examined by him and is, to the best of his knowledge and belief, true, correct, and complete.

Signed: Gilbert Rubio, President, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Signed: Shirley Fetalvero, Treasurer, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

No. 8 (a) Jose Mendoza; a. unknown; b. unknown; c. unknown.

Gilbert Rubio; a. unknown; b. unknown; c. unknown.

Aurelio Rios; a. unknown; b. unknown; c. unknown.

No. 9-14: Unknown.

No. 15: These are disbursements currently available to us. Additional information will be furnished when available.

M.A.D.R.A. withdrawals, June 28, 1968—\$700.35 for Cashiers check to PRI endorsed Donald A. Gazzaniga for return to AFWFA. June 28, 1968, Wonderly Electronics \$84.08 for tape recorder.

June 28, 1968, Roundtree Camera \$103.00 for camera and supplies \$58.70, check No. 103.

Check No. 104, July 2, 1968, County of Kern—\$100.00—Reservation for Hart Park.

Check No. 108, Radio Station KWAC \$640, July 16, 1968 Radio advertising AFWFA.

Check No. 105, \$477.07 Davenport's July 2, 1968 Copying machine.

Check No. 106, July 10, 1968, Smith Radio Service \$50.00 Public Address Service.

Check No. 107, July 10, 1968, Jose Mendoza \$300.00 cash endorsed by Jose Mendoza.

Check No. 109, July 9, 1968, A. B. Dick Co., \$168.99 for mimeograph and supplies.

Check No. 110, July 19, 1968, Delano Ambulance—Service Ambulance for Gilbert Rubio for \$37.00.

Check No. 111, July 19, 1968, \$20, Mrs. Rubio, repair for Gilbert Rubio's car.

Check No. 112, July 19, 1968, Golden West Telephone Company, \$79.86 for payment of Jose Mendoza's telephone bill.

Check No. 113, \$300.50 to Bank of America.

#### A.W.F.W.A. CHECKS

Check No. 117, September 9, 1968, Gilbert Rubio, expenses, \$21.00.

Check No. 119, September 17, 1968, Pacific Telephone Co., \$119.00.

Check No. 116, September 10, 1968, Kern County Patrol, \$30.00, Bodyguard for Mendoza.

Check No. 120, October 14, 1968, Merchants Printers, \$78.59.

Check No. 121, October 14, 1968, Golden West Telephone Co., \$337.71.

Disbursements were made by PRI for AFWFA for salary and expenses of Mendoza, Rubio and Rios.

Telephone bills of Shirley Fetalvero and Gilbert Rubio of over \$500 were paid in cash by Wanda Hillary and Jose Mendoza.

1. Shirley Fetalvero, 117 W. 15th Avenue, Delano, Calif.

5. John Giumarra, Jr., John Giumarra, Sr., Joseph Giumarra operating in whole or in part as Giumarra Vineyards Corp., Giumarra Farms, Inc. and Giumarra Bros. Fruit Co., Edison Highway, Bakersfield, Calif.

Jack Pandol, Rt. 2, Box 388, Delano, Calif. Pandol & Sons, Rt. 2, Box 388, Delano, Calif.

Robert Sabovich, Melvin Sabovich, Sabovich Bros., P.O. Box 577, Lamont, Calif.

Eugene Nalbandian, Eugene Nalbandian Inc., P.O. Box 665, Lamont, Calif.

John J. Kovacevich, P.O. Bin 488, Arvin, Calif.

William Mosesian, Lamont, Calif.

9. During early 1968, the United Farm Workers Organizing Committee, AFL-CIO, UFWOC, was engaged in a labor dispute with several table grape growers in around Kern and Tulare Counties in California, including the Giumarra Vineyards Corporation, Highway #58, Edison, California, and Pandol & Sons, Rt. 2, Box 388, Delano, California. In May, 1968, a meeting was held at Sambo's Restaurant on Union Street in Bakersfield attended by John Giumarra, Sr., John Giumarra, Jr., Treasurer and General Counsel respectively of Giumarra Vineyards Corporation, Teresa Arrambide, a labor foreman for Giumarra, Paul Marrufo, head foreman for Sabovich Bros., grape growers, Vine & DiGiorgio Roads, Lamont, California, Louis Barazza, a former associate of Cesar Chavez, Robert Flores, personnel manager of Di Giorgio Fruit Corporation, Jess Marquez, who runs a camp for DiGiorgio, Fernando Marquez, brother of Jess, an accountant with an office in Lamont, Jack Pandol of Pandol & Sons, Gilbert Rubio, Jose Mendoza, and others.

This meeting was to outline activities of AFWFA. We were to tell workers not to be afraid of Chavez to be united and we as an organization would support and protect workers; we were to oppose UFWOC efforts to organize and boycott. This meeting and other meetings decided AFWFA would also try to enlist workers and obtain information on UFWOC's plans and activities. The meeting decided to get funds from the growers and hire Mendoza and Rubio at \$120.00 a week to start opposing Chavez. AFWFA started counter-picketing UFWOC pickets at the homes of Giumarra's foremen in McFarland and Earlimart. The Giumarras furnished office space for Mendoza and Rubio in the conference room at the Edison Highway headquarters with typewriter and other office supplies.

Arrangements were made to pay Mendoza and Rubio and then Aurelio Rios through Fernando Marquez first through MADRA then through an AFWFA bank account. Several meetings involving many persons were held but only John Guimarra, Jr., Rob-

ert Sabovich, and Jack Pandol gave orders to Mendoza and AFWFA.

10. (A) AFWFA WAS TO:

(a) Counter-picket and try to drown out UFWOC pickets wherever they picketed any grape grower or they picketed any grape grower or their employees, using sound trucks, jeers, etc.

(b) Hold picnics for mass of agricultural workers giving free food, beer, and music and raffles to get them to listen to speeches against Chavez and UFWOC.

(c) Enlist the aid of all growers and their foremen in enrolling workers into AFWFA without cost with the idea that we would represent them.

(d) Try to settle grievances or disputes between farm workers and the grape growers.

(e) Picket advertisers of Catholic Register which supported Chavez and UFWOC until John Guimarra, Jr. told us to stop.

(f) Appear on radio, TV and the news with propaganda against Chavez and UFWOC.

(g) Opposed Teamsters-UFWOC boycott of Coors beer by counterpicketing.

(h) Try to get information on all UFWOC planned activities to take action to halt or disrupt them (Sanger picnic, labor day parade).

(i) To keep track of all people associated with and helping UFWOC using friends, papers, and taking pictures of people in and around UFWOC headquarters.

(j) To put out mimeographed notices, flyers, message and reports on flyers to be widely distributed to the workers and the public in Spanish and English. Obtain bumper stickers attacking the boycott and UFWOC.

(k) Counter picket stores selling New York products after New York City boycotted the table grapes, including picketing of Sachs 5th Avenue in Los Angeles.

(l) Picket news media and TV stations in Los Angeles who were giving biased coverage for Chavez and UFWOC.

(m) To use all of the above methods to get headlines, newspaper and TV coverage with statement of farm workers are not on strike and boycott is just another trick to force the Union on the workers.

10. (B) These activities were performed between May and October 1968.

10. (C) All activities were performed to the extent possible.

10. (D) All activities were carried out under the name of AFWFA or MADRA (Mexican-American Democrats for Republican Action) by the following people:

(1) Jose Mendoza, 2421 I Street, Bakersfield.

(2) Gilbert Rubio, 217 Cliff Street, McFarland.

(3) Shirley Fetalvero, 177 W. 15th Avenue, Delano.

(4) Mary Matt, 371 Oleander Drive, Bakersfield.

(5) Wanda Hillary, Baker Street, Bakersfield.

(6) Donald Gazzaniga, Sally Drive, Bakersfield.

(7) Robert Flores, DiGiorgio Fruit Corporation, Lamont.

(8) Jess Marquez, DiGiorgio Fruit Corporation, Lamont.

(9) Fernando Marquez, 4212 Alexander, Bakersfield.

(10) Cornelio Macias, Newark Rod., Sanger.

(11) Teresa Arramblde, Moffet St., Wasco.

(12) Louis Baraza.

(13) Aurelio Rios, Dover Street, Delano.

(14) Paul Maruffo.

(15) Helen Murillo, 7616 Delight Avenue, Lamont.

(16) Anna Mariano, 822 Kensington, Delano.

(17) John Gutmarra, Jr., Edison Headquarters, Edison, Ca.

(18) Robert Sabovich, P.O. Box 577, Lamont.

(19) Melvin Sabovich, P.O. Box 577, Lamont.

(20) Eugene Nalbandian, P.O. Box 665, Lamont.

(21) William Mosesian, Lamont, California.

(22) John Kovacevich, P.O. Bin 488, Arvin.

(23) Sabovich Bros, P.O. Box 577, Lamont.

(24) Jack Pandol, Rt. 2, Box 388, Delano. Many people were interested to picket and to come to picnics, etc.

11. Employees of all table grape growers in Kern, Tulare, and Fresno Counties of California, including field workers, both members and non-members of UFWOC, AFL-CIO and unorganized employees in the sheds. We were supposed to be active in the Coachella Valley but we never went.

A.—PERSON FILING

1. Name and address (include ZIP code): AFWFA, aka, Agriculture Workers Freedom To Work Association, c/o Shirley Fetalvero, 117 W. 15th Ave., Delano, Calif.

2. Any other address where records necessary to verify this report are kept: Donald Gazzaniga, Public Research Institute, 6408 Sally Ave., Bakersfield, Calif.

3. File No.

4. Period covered by this report. From: \_\_\_\_\_ To: \_\_\_\_\_

B. Statement of receipts: Report all receipts from employers in connection with labor relations advice or services regardless of the purposes of the advice or services.

5. Name and address of employer (include ZIP code): This information is given to the best of our knowledge at this time. As more information becomes available we will submit it. See attached sheet for numbers 5, 6 and 7.

6. Termination date.

7. Amount.

C. Statement of disbursements. Report all

disbursements made by the reporting organization in connection with labor relations advice or services rendered to the employers listed in Part B.

8. Disbursements to officers and employees: See attached sheet.

9. Office and administrative expenses.

10. Publicity.

11. Fees for professional services, No. 9 through 14.

12. Loans made, see attached sheet.

13. Other disbursements.

14. Total disbursements (sum of items 8-13).

D. Schedule for statement of disbursements. Use this Schedule to report only disbursements made for the purposes described in part D of the instructions.

15. Employer: See attached sheet.

16. To whom paid.

17. Amount.

18. Purpose.

IF MORE SPACE IS NEEDED ATTACH ADDITIONAL SHEETS

E. Verification and signature. The person in item 1 above and each of his undersigned authorized officers declares, under penalty of law, that all information in this report, including all attachments incorporated therein or referred to in this report, has been examined by him and is, to the best of his knowledge and belief, true, correct, and complete.

Signed: GILBERT RUBIO, President, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Signed: Shirley Fetalvero, Treasurer, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Numbers 5, 6, and 7: The checks below were deposited in the M.A.D.R.A. Account No. 0208686 at the Community National Bank at 6th and Chester Avenue in Bakersfield.

Date of check	Name and address of account	Signed by—	Amount
June 18, 1968	Kern Valley Farms, Inc., Post Office Box 505, Lamont, Calif. Office: Wheeler Ridge Rd., Mettler, Calif., phone 858-2874. United California Bank, Bakersfield.	James Trino, Jr.	\$200
June 19, 1968	Dalton Richardson, Richardson Farms, Route 2, Box 520, Valpredo Rd., Mettler, Calif., phone 858-2520. Bank of America, Arvin, Calif.	Dalton Richardson	200
Do.....	Muzinich Farms, 207 Panorama Dr., Bakersfield, Calif., farm on Le Gray Rd., phone 858-2555, residence phone 323-2252. United California Bank, Bakersfield.	Anthony L. Muzinich	200
Do.....	Gagosian Farms, 2455 Produce St., Greenfield, phone 323-9493, also on DiGiorgio Rd., phone 845-1561. Bakersfield National Bank, Greenfield, Calif.	Leo Gagosian	200
Do.....	Griffin Spray Co., 3104 St. Mary's St., phones 871-8000 and 366-3308. Community National Bank, Bakersfield, Calif.	Thomas E. Griffin	200
June 20, 1969	Eugene Nalbandian, Inc., Post Office Box 665, Lamont, Calif., phone 845-0729, shed on DiGiorgio Rd. Bank of America, Bakersfield, Calif.	Eugene Nalbandian	200
June 22, 1969	C. Scarrone, Marie Scarrone, Route 1, Box 640, phone 858-2510, Arvin, Calif. Bank of America, Arvin branch.	C. Scarrone	200
June 28, 1968	Bianco Fruit Corp., Post Office Box 1801, Delano, Calif., phone 725-3215. Bank of America, Delano, Calif.	Bianco Fruit Corp. (machine stamp initials not discernible on microfilm copy)	200
June 30, 1968	Haddad & Berling, G St., Wasco, Calif. Made out to MADRA Research.	Harley Berling	200

Check No. 1335, July 8, 1968, from General Distributors Fresno, Ca., East Fresno Branch of the Bank of America to the amount of \$250.00 paid to Berge Kirkorian c/o P.O. Box 202, Arvin, Calif. Endorsed and deposited to M.A.D.R.A. account.

Check No. 325, July 21, 1968, from Calpine Containers, 1875 Olympic Blvd., Walnut

Creek, California to the amount of \$250.00 to John Kovacevich, endorsed and deposited to M.A.D.R.A. account.

The checks listed below were deposited in AFWFA Account No. 0647802166, Bank of America at "H" & Broad, Bakersfield, Calif. Account was opened July 25, 1968.

Bank No.	Amount	Issued by—	Date	Payable to—
90-142, check No. 2276	\$300	Mazzie Farms, Derby Rd., Arvin, Calif.	July 11, 1968	AWFWA
90-142, check No. 52641	100	San Joaquin Tractor Co., 1201 Union Ave., Bakersfield, Calif.	June 28, 1968	AWFWA
90-139	100	Kern County Equipment Co.	July 3, 1968	AWFWA
90-90, check No. 793	100	Central California Ice Co., 3401 Chester St., Bakersfield, Calif.	July 1, 1968	AWFWA
90-142, check No. 015703	200	California Box & Lumber Co., DiGiorgio Rd., Lamont, Calif.	July 6, 1968	AWFWA

Bank No.	Amount	Issued by—	Date	Payable to—
11-55, check No. 140860.....	\$200	Blake Moffit & Towne, 2225 16th St., Bakersfield, Calif.	June 20, 1968	AWFWA.
	150	O. D. Handel & Son Farms, 413 Central Ave., Shafter, Calif.	Aug. 5, 1968	AWFWA.
Deposit, check No. 236.....	400	D. A. Gazzaniga, expense account, 6408 Sally Ave., Bakersfield, Calif.	Sept. 11, 1968	Jose Mendoza.
Check No. 174.....	500	California for Right to Work, 300 27th St., Suite C, Oakland, Calif.	Oct. 9, 1968	Do.

<sup>1</sup> Sept. 10, 1968.

Note: Account closed out Oct. 25, 1968.

1. Zellerbach Paper Company contributed a check for \$200.00 to Farm Workers' Rally which was not deposited in the above bank accounts.

2. Jack Pandol lent AFWFA his 1968 Chevy pick-up for two months for AFWFA use.

3. Bob Sabovich gave AFWFA a 1958 Chevy station wagon for AFWFA use.

4. DiGiorgio furnished mimeograph machines and supplies to print AFWFA flyers on DiGiorgio property.

5. The Giumarra Vineyards Corporation, Edison Highway No. 84, Bakersfield, California, through John Giumarra, Sr., and John Giumarra, Jr., paid the following:

(1) A salary in an unknown amount for Jose Mendoza.

(2) Two \$50 "loans" to Gilbert Rubio and one \$50 "loan" to Aurelio Rios totaling \$150.

The Giumarras also allowed use of conference room at Giumarra headquarters with telephone, typewriter, and office supplies.

6. They also allowed free access to the yard gas pump to obtain gas for vehicles for AFWFA business. They provided repair of automobiles in the corporate garage.

7. Fernando Marquez furnished expense money in cash and checks to Mendoza, Rubio, and Rios.

8. Don Gazzaniga paid salary to Mendoza, Rubio, and Rios through the Public Research Institute (PRI) with the cover that they were researchers for PRI. Information and pictures obtained by AFWFA were used for PRI.

[From the Los Angeles Times, Mar. 4, 1969]

#### RIVAL TO CHAVEZ: GROWERS HIT AS ORGANIZERS OF NEW UNION

(By Harry Bernstein)

A group of California growers, aided by members of the John Birch Society, helped create an organization of workers set up as a rival to Cesar Chavez AFL-CIO United Farm Workers Organizing Committee, it was charged Monday.

California state law prohibits employer sponsorship of unions or associations which are ostensibly formed to represent workers.

Monday's accusation followed disclosure of a bitter fight among leaders of the Agriculture Workers Freedom to Work Assn. (AWFWA).

Two officers of AFWFA reported to the Labor Department in Washington that the organization was founded by growers, not workers, as a counteraction to AFL-CIO efforts to unionize farm workers, and to boycott grape growers who have refused to hold union representation elections.

Jerry Cohen, attorney for Chavez' AFL-CIO union, said court action will be filed this week in Bakersfield against the John Birch Society, the Right to Work Committee and a group of growers on grounds that they all conspired to illegally help form the rival AFWFA.

#### AIDE DENOUNCED BOYCOTT

Jose Mendoza, general secretary of the AFWFA, recently made a nationwide tour to denounce Chavez and the grape boycott. He charged repeatedly that Chavez had no support among farm workers.

Mendoza, 37, was honored at a banquet of the National Right to Work Committee in

Washington, D.C., and was presented with an award by Sen. Everett Dirksen (R-Ill.) on behalf of the committee for his efforts to help farm workers.

Mendoza, of Bakersfield, officially was getting financial help from the National Right to Work Committee for his nationwide tour.

A week ago, however, Gilbert Rubio, listed as president of the AFWFA, and Shirley Fetalvero, secretary-treasurer of the organization, filed a report with the Labor Department's Office of Labor Management Reports to comply with the federal Landrum-Griffin Act of 1959.

#### LISTS ORGANIZATION DATE

That document contended AFWFA was first conceived in May, 1968, at a meeting in a Bakersfield restaurant attended by Mendoza, Rubio and a group of about 10 key grape growers.

Rubio and Miss Fetalvero said in a sworn statement to the Labor Department that those attending the session included John Giumarra Sr., and John Giumarra Jr., treasurer and general counsel respectively of Giumarra Vineyards, the prime target of the AFL-CIO strike-boycott.

Others at the meeting included Jack Pandol, another grower, and representatives of the Di Giorgio Corp., which is one of the few companies under contract to the Chavez farm workers' union.

The meeting was called to "outline activities of AFWFA," Rubio and Miss Fetalvero said, adding:

"We were to tell workers not to be afraid of Chavez, to be united, and we would support and protect workers and oppose (AFL-CIO) efforts to organize and boycott."

He and Mendoza were offered \$120 a week to start opposing Chavez, Rubio said, but that money, along with other sums, was paid to AFWFA through another organization to be called MADRA, the Mexican-American Democrats for Republican Action.

Records of the operation were kept by a "one-man public relations operation," said the union attorney, referring to Donald Gazzaniga, head of Public Research Institute, which is itself a part of a firm known as California Editors Publishing Co.

Gazzaniga recently published a booklet, "California's Number One Industry Under Attack," defending grape growers' opposition to unionization of their workers.

#### PAID SALARIES

It was distributed by the National Right to Work Committee.

Gazzaniga paid the salaries to Mendoza and Rubio under the cover that they were researchers for (his publication)," Rubio said.

The document filed with the Labor Department then listed dozens of checks ranging in up to \$500 which were allegedly used by AFWFA after they came through the Mexican-American Democrats for Republican Action.

John Giumarra Jr., reached by phone in Rochester, N.Y. where he was making a speech, said "the allegations that we gave money to Mendoza are not true and we will fight it in court."

He said Rubio had once supported the union, then joined AFWFA to fight the union,

"and now seems to have switched again. None of their legal actions have been upheld in court, and this will not either."

[From the San Francisco Chronicle, Mar. 4, 1969]

#### FEDERAL REPORT: BIG GROWERS' SECRET ANTI-UNION ORGANIZATION

(By Dick Melster)

Government reports disclosed here yesterday that some of the State's largest growers secretly operated what they disguised as a workers' organization to try to undermine California's farm union organizers.

The organization—still in existence, but virtually inoperable since the Government demanded the reports that disclosed its true nature—is called the Agricultural Workers Freedom to Work Association (AWFWA).

Since last July, the association's general secretary, Jose Mendoza, has spoken at legislative hearings and elsewhere saying he represented a large group of farm workers who are opposed to unionization.

Mendoza, who recently left the association to carry on similar activities with the "Right to Work Committee," repeatedly denied the association had anything to do with growers.

But Gilbert Rubio, the president of the association, and Shirley Fetalvero, the secretary-treasurer, described it far differently in the Government reports.

The reports, required of labor and management groups under the Landrum-Griffin Act, finally were submitted at least eight months late—to the Office of Labor Management and Welfare Pension Reports here on February 22.

#### HIRED

They said the association "was an outgrowth of an untitled group led by the growers which hired Jose Mendoza and Gilbert Rubio" and made them the chief officers of the association.

It got started, they said, at a meeting in Bakersfield last May, attended by Rubio, Mendoza and the owners and managers of several of the area's larger vineyards.

Among those present, said the reports, were growers John Giumarra Jr., John Giumarra Sr. and Jack Pandol; Robert Flores, personnel manager of the DiGiorgio Fruit Corporation, and a foreman, Paul Marrufo, for the Sabovich Bros. vineyard.

#### AGAINST

The reports said the meeting was called to outline the association's activities against the United Farm Workers Organizing Committee (UFWOC) and its efforts, under Cesar Chavez, to organize vineyard workers.

"Several meetings involving many persons were held," said the reports, "but only John Giumarra Jr., Robert Sabovich and Jack Pandol gave orders to Mendoza and AFWFA."

Among other things, the orders told the association to carry out in the name of farm workers, such acts as:

"Halt counter-picket and try to drown out UFWOC pickets . . . get information on all UFWOC planned activities to take action to halt or disrupt them."

"To keep track of all people associated with the helping UFWOC, using friends, papers and taking pictures of people in and around UFWOC headquarters."

"Picket advertisers of Catholic Register, which supported Chavez and UFWOC until John Giumarra Jr. told us to stop."

"Hold picnics for mass of agricultural workers giving free food, beer and music and raffles to get them to listen to speeches against Chavez and UFWOC."

The reports said the aim was "to get headlines" and TV coverage for statements that the organizing committee's strike against the growers, and its related grape boycott, were designed to force unions on the workers.

[From the Fresno Bee, Mar. 3, 1969]  
**ANTI-UFWOC GROUP IS CALLED RIGHT-WING  
 UNIT**

LOS ANGELES.—The formation and subsequent activities of the Agricultural Workers Freedom To Work Association (AWFWA) today were linked to southern San Joaquin Valley growers and the "right wing."

The tie-up is reported in a letter from officers of AWFWA to the U.S. Department of Labor and verbally by a member of the association who declined to be identified.

United Farm Workers Organizing Committee attorney Jerry Cohen scheduled a press conference here today to release the AWFWA letter. Cohen claims AWFWA was established deliberately as a "company union" to further what he calls the growers' anti-labor aims.

Cohen said that later this week he will amend a UFWOC suit against the AWFWA which accuses the latter of being a company union. He said the amendment will contain a long list of names of growers who contributed financially to the AWFWA.

While the AWFWA report to the Labor Department, filed in compliance with Labor Department regulations, is the key to Cohen's presentation, his allegations are supported by an independent check with a member of the AWFWA. This AWFWA member said the organization was founded "on the labor issue, but within a month we found we were part of the red guard and the main issue was the right to work."

This member said the AWFWA was started to give farm workers a voice in the battle between the UFWOC and the growers. The member then said: "But we found that we were fair game for anybody. We thought AWFWA was our organization, then we found we were a front."

Cohen, in an interview before the press conference said he plans to show that some Giumarra Rahch officials helped form the AWFWA and provided office space, telephones and gasoline for cars.

Cohen said that an organization called Mexican-American Democrats for Republican Action was used to funnel money to AWFWA.

The money the lawyer asserted was used to finance AWFWA rallies, picket lines and to pay for AWFWA Director Jose Mendoza's speaking trips. Later, the continued Californians For Right To Work, an organization which has as one of its five directors Jack Pandol, a Delano grower, began to finance Mendoza's speaking tours.

It is Cohen's contention the AWFWA was formed by growers and that Mendoza was hired at \$120 a week to direct the operations.

Mendoza has since withdrawn from AWFWA and now is traveling widely and talking, as a grape worker, in the right-to-work cause.

Cohen said right-wingers, including the John Birch Society, have been involved in anti-UFWOC and anti-Chavez work. He said that in Cleveland a dial-a-number telephone provides a recorded voice that claims Sirhan Sirhan was a member of the UFWOC.

The unidentified member of AWFWA also said right-winger influence has moved in and dominated the AWFWA's actions. By California Law, according to Cohen prohibits a company union that is formed by and financed by a company in opposition to union activity.

#### PESTICIDE CONCERN

Mr. NELSON. Mr. President, I ask unanimous consent that a letter I wrote recently to Secretary of Health, Education, and Welfare Robert Finch regarding pesticides, evidence, and investigations on pesticides and his response be printed in the RECORD.

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

APRIL 22, 1969.

HON. ROBERT H. FINCH,  
 Secretary, Department of Health, Education,  
 and Welfare, Washington, D.C.

DEAR MR. SECRETARY: I commend and support your action yesterday to appoint a Secretary's Commission on Pesticides and their Relationship to Environmental Health and your decision to establish an interim guideline for Food and Drug Administration action on fish with high concentrations of pesticide residues.

Although legislation which would take a similar commission approach with regard to pesticides is now pending before Congress, your administrative action using your authority to create a Secretary's commission is certainly appropriate, especially in view of the urgent need to set tolerance levels for pesticides in fish which will assure protection of human health and provide guidelines for industries and recreational programs which depend in large part on a healthy Great Lakes fishery.

Your commission also represents an important step forward in urgently needed efforts to expand our knowledge and understanding of the increasing pesticide concentrations in our national and worldwide environment and the dangers this presents to fish and wildlife and to humans.

The findings of the commission should be significant not only for possible actions that could be taken by the U.S. Department of Agriculture to improve regulation of pesticide use, but also for future actions which could be taken by the Food and Drug Administration with regard to health protection, and also by the U.S. Department of Interior to deal with the effects of persistent, toxic pesticides as a pollutant.

Let me also commend you on the broad-ranging representation of the commission membership. The resources of not only our health scientists, but of our ecologists, our fish and wildlife biologists, and others must be brought to bear on this problem.

I should point out that I sincerely hope that the commission will be able to proceed in an entirely objective manner in arriving at recommendations for action. Its chairman, Dr. Emil Mrak, testified in 1963 before a Senate subcommittee holding hearings on coordination of federal pesticide regulatory activities that he supported the position that "no evidence is presently available that there is danger of anyone being poisoned by pesticide residues in food." He added, "Now, if there is information in this field to support the use of short-lived chemicals in place of persistent ones, we do not have it."

Further, Dr. Mrak took issue with a President's Scientific Advisory Committee report of that year which stated that "... although they (pesticides) remain in small quantities, their variety, toxicity, and persistence are affecting biological systems in nature and may eventually affect human health." Dr. Mrak said, "This statement is contrary to the present body of scientific knowledge available to our people."

In view of these conclusive statements by Dr. Mrak in 1963 on pesticides and their effects, I believe it would be reassuring to hear from Dr. Mrak that he does in fact approach this very critical task now without having any prejudgment which could influence the outcome of the commission's recommendations.

Let me also suggest that if significant new information on the pesticide problem develops in or out of government during the six months interim before the commission makes its recommendations, such information be brought to the public attention as quickly as possible, and acted on.

As an instance, the National Cancer Institute contracted in 1963 with the Bionetics Research Laboratories of Falls Church, Va., and Bethesda, Md., for a study of the important question of whether there are cancer-causing effects in some widely used pesticides, herbicides, and related chemical compounds.

Apparently, this study has been on the verge of release for some time, as evidenced by the fact that a summary of its early data was prepared for presentation at the annual meeting of the Society of Toxicology in Williamsburg, Va., last month, then withdrawn.

A finding of cancer-causing effects in any compound which is present in our food products would be cause for grave concern and immediate action to limit as far as is reasonably possible the presence of such a compound in our food. I understand that such action has been taken with regard to one herbicide, aminotriazole, because it was found to cause cancer.

In view of the pressing questions now before us on the effects of persistent, toxic pesticides and other chemicals in everyday use, I believe the highest priority must be given to completing and publishing not only the Bionetics study, but to completion of any other studies which may now be under way in federal public health agencies to determine other possible pesticide effects.

Finally, in view of the recent FDA seizure of frozen Coho Salmon from Lake Michigan because of high pesticide residue concentrations in the fish, I believe the immediate establishment of an interim pesticide tolerance level for fish is necessary, and I support your action establishing such guidelines. Clearly, there is enough evidence to cause serious concern for the implications of high pesticide concentrations for human health, and for further FDA action if necessary.

Legal tolerance levels have long been established by the FDA for a wide range of food products, including meat, poultry, vegetables, milk, and fruit. In addition, the World Health Organization, after intensive health studies, has established an acceptable daily allowance for human intake of DDT. I understand that by itself, a one quarter pound serving of Coho Salmon with DDT residues throughout the edible portion of the fish of 19 parts per million concentration would exceed that acceptable daily intake by more than three times, in the average-sized man.

The recent DDT ban in Michigan, and the two year ban in Sweden, only add further to the rapidly building evidence that there is need to take swift action to adequately regulate and limit the use of persistent, toxic pesticides.

I appreciate and commend your concern in this important matter.

Sincerely yours,

GAYLORD NELSON,  
 U.S. Senator.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,  
 Washington, D.C., May 13, 1969.

HON. GAYLORD NELSON,  
 U.S. Senate,  
 Washington, D.C.

DEAR SENATOR NELSON: Thank you very much for your letter of April 22 supporting my plans for a Commission on Pesticides and their Relationship to Environmental Health and the establishment of interim guidelines on the limits of pesticides allowable in fish.

In the course of discussions leading to establishment of the Commission, I have explored its role and mission extensively with Dr. Mrak. Let me speak for both of us and assure you that the chairman plans to conduct the business of the Commission scientifically and objectively. At the time of the hearings six years ago, Dr. Mrak's state-

ment reflected his personal evaluation of the scientific evidence then available. One of the primary concerns of the new commission will be to bring together a number of different scientific specialists to review and weigh all evidence collected to date before reaching their conclusions. I am sure that Dr. Mrak and his colleagues have not prejudged these critical issues.

It has long been the policy of this Department, as you know, to publish fully and freely the results of the research and studies we support. Before such publication, however, we have the responsibility to assure that the conclusions reached are scientifically valid and that the analysis is complete and will not mislead the scientific community or the public. The paper you noted, on the work done by Bionetics Research Laboratories, was withdrawn from presentation last fall because analysis of the preliminary report by scientists of the National Cancer Institute and other agencies led us to believe that further review and reduction of the complex data was necessary to verify the conclusions with any degree of certainty. This review is being given high priority so that the results can be examined by experts and published in full detail as soon as possible. This Department will continue to collaborate with the Department of Agriculture and other appropriate agencies to bring pertinent information to the public attention quickly and to initiate regulatory measures promptly whenever they may be indicated.

As noted in your letter an interim pesticide tolerance level for fish was established on April 23. I am enclosing our press release on this subject. I would note that, while the DDT residue in the Coho salmon of 19 parts per million could result in DDT intake exceeding the maximum acceptable daily intake, tolerance levels are prescribed assuming continuous intake over an entire life time. There is no evidence that occasional ingestion of this amount of DDT causes any damage to humans. These were factors involved in the seizure of Coho salmon and in promulgation of the interim tolerance level of DDT in fish.

I appreciate your continuing interest and support in this vital program.

Sincerely,

ROBERT H. FINCH,  
Secretary.

PRESS RELEASE OF U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, APRIL 22, 1969

Residues of DDT (including derivatives) in fish shipped in interstate commerce will be limited to 5 parts per million (ppm) under an interim guideline announced today by the Food and Drug Administration.

The interim limit has been established primarily because of high residues of DDT and its derivatives found in coho salmon from Lake Michigan.

"This guideline is intended to protect the public from excessive levels of DDT in fish while a full scientific review is completed," Food and Drug Commissioner Herbert L. Ley, Jr., M.D., explained. "It also gives the fishing industry a specific standard. Fish carrying residues higher than 5 ppm will be subject to seizure."

The FDA has asked the National Academy of Sciences-National Research Council to nominate a panel of experts to carry out the review of DDT residues in fish. The 5 ppm interim limit may be changed as the result of that study, Dr. Ley said.

There is now no formal tolerance for DDT in fish. Residues of the pesticide were not considered significant in fish until recently because the levels were generally low.

In the case of Lake Michigan coho salmon,

however, concentrations of DDT have increased markedly since the species was first stocked in the lake in 1966. Since March 28, 1969, the FDA has initiated the seizure of more than 34,000 pounds of frozen coho salmon shipped from Michigan to Wisconsin and Minnesota. Residues of DDT and its derivatives in these fish ranged from 13 to 19 ppm.

The interim limit of 5 ppm for DDT residues will apply to all fish marketed interstate. Pesticide monitoring by FDA, however, indicates that DDT residues are below 1 ppm in 90 percent of the fish marketed in this country.

Tolerances for DDT residues in other foods vary from product to product. The tolerance is .05 ppm for milk and 7 ppm for a wide variety of fruits and vegetables and in the fat of meat. FDA has taken steps to reduce a number of these where experience has shown that lower levels are practicable.

Continuing studies carried out by FDA to measure the amounts of pesticides in the American diet have shown that current levels of DDT are well below the Acceptable Daily Intake established by the World Health Organization and the Food and Agricultural Organization.

In this continuing survey, one pound of fresh or frozen fish is included in a two-week diet. If this amount of fish carried 5 ppm DDT, the overall intake of the pesticide during the two weeks would be approximately one-quarter of the maximum level suggested by WHO/FAO.

Some consumers, however, may use larger amounts of fish in their diets, Dr. Ley said. If coho salmon with 5 ppm DDT were to be a regular part of the diet, consumption should be limited to an average of one-quarter pound a day to stay within the WHO/FAO recommendation, he explained.

Sports fishermen taking coho salmon from Lake Michigan should be aware of the high DDT residues in the fish. Those who choose to eat the fish can get rid of a significant part of the DDT if they use only fillets. DDT accumulates in the fat. Filleting, as ordinarily performed, disposes of concentrations of fat found under the spine and near the head and the tail of the coho salmon.

Coho salmon fillets analyzed by FDA have shown residues of DDT and derivatives ranging from about 1 to 5 ppm. These fillets were from fish taken from Lake Michigan at about the same time as the salmon later seized because of residues ranging from 13 to 19 ppm.

#### NIXON EDUCATION BUDGET CUTS

Mr. MOSS. Mr. President, on October 20, 1968, Richard M. Nixon, then a candidate for the Presidency of the United States, said, on a CBS radio program:

I pledge my administration to be second to none in its concern for education.

On May 5, 1969, some 7 months later, and less than 4 months after his inauguration, President Nixon sent to Congress a message cutting the 1970 Johnson administration Federal budget request for education by some \$402 million.

Mr. President, I respectfully suggest that instead of showing "concern for education"—instead of trying to "improve the quality of education," which was another Nixon campaign phrase, that the Nixon administration is now steadily undermining many of the Federal education programs which the Congress has already enacted.

The people of my State of Utah are

well aware of this about-face by the Nixon administration. And they neither understand it nor like it. There is nothing we hold more important in Utah than education. We believe very strongly that we must take it upon ourselves to give all of the children in our State an opportunity for a quality education, and we are willing to bear the expense of it. We will cut funds for almost any other endeavor in Utah—in fact we have—to fully finance our schools. We have long been well at the top of the list of States in our per capita expenditure for education.

Therefore, Utah people find it hard to believe that their new President has so quickly turned his back on his promises to our school administration and our teachers and our schoolchildren and to our citizens in general, and they are writing to me to tell me in no uncertain terms how they feel. They believe, as did George Washington, that—

In a country like this . . . if there cannot be money found to answer the common purposes of education, there is something amiss in the ruling political power . . .

The Nixon budget cuts \$233,483,000 out of elementary and secondary education programs, including programs which will carry out one of the exact pledges in the education plank of the National Republican Platform adopted at the Miami convention—the pledge supporting "the development and increased use of better teaching methods and modern instruction techniques." That pledge is not yet even a year old.

President Nixon's net decrease is \$233,483,000, but since \$32,330,000 must be added for other purposes—interest subsidies on construction loans \$1,080,000; civil rights education, \$6,250,000; and \$25 million for experimental schools, the true cut under Nixon's first budget revision for elementary and secondary education costs out at \$265,813,000 less than the very conservative Johnson budget requests for this area.

Included in the elementary and secondary education cuts is a reduction of about one-third of the funds for the impacted area programs. These are the funds which Congress has authorized and appropriated over many years to pay school districts whose school enrollment has been swollen by children whose parents are living on Federal installations or whose parents are working on Federal contracts or other Federal services. Actually the cut is more serious than even the percentage figure would indicate. The Nixon budget request for impacted areas is for only \$187,000,000—actually \$650,000,000 will be needed in the fiscal year 1970 to continue the program just as it now exists.

In Utah—based on 1968 entitlement and 1968 pupil count—we would have 3,117 "A" children, those whose parents live and work on Federal property and 46,731 "B" children whose parents live or work on Federal property. Under full funding based on the fiscal year 1968 entitlement in our First Congressional District, we would expect to receive \$595,712 for the "A" children and \$4,299,278

for our "B" children. In the Second Congressional District with 788 "A" and 13,114 "B" children, under full funding, again based on fiscal year 1968, we could expect to receive \$201,555 and \$1,677,149, respectively. It is immediately apparent that elimination of payments for the "B" category children would reduce the payment to 38 school districts in the State by \$5,976,428 leaving only \$797,266 for distribution. Actually the loss is greater because the figures I have cited were based on the 1968 situation. They are, therefore, understated by a considerable margin. This year's entitlement nationally is now estimated to be about \$650 million for Public Law 874. The figures I have cited are based on the 1968 \$462,848,135 entitlement.

Such a cut in operation and maintenance funds to the schools involved would entail consequences to the taxpayers of those localities of the first magnitude. I shall do everything I can to demand full funding for all education programs and especially in this area.

Mr. President, one area of retrenchment—\$56,483,000 under the Johnson budget estimates—is for the innovative programs fostered under title III ESEA for supplementary educational centers and services.

It is ironic that this program is the one program returned to and operated at the State level by State educational agencies and State advisory committees largely at the insistence of the House with a strong minority support.

The authorization for this innovative program stands at \$566,500,000 for fiscal

year 1970; the Office of Education estimates to the Department of Health, Education, and Welfare which were conservative, justified \$214,000,000, yet only \$116,393,000 is contained in the Nixon estimate. Yet if we are to find better ways of doing things and gain support for improvements in instruction, this is a program we should support to the maximum.

But here, in item after item, we find a shortsighted approach to a basic problem.

I ask unanimous consent that an April 1969, "Summary of the Fiscal Year 1970 Budget Proposals" be printed in the RECORD.

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

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION (BUDGET AND MANPOWER DIVISION)

SUMMARY OF FISCAL YEAR 1970 HISTORY

	Fiscal year 1969		Fiscal year 1970				
	Authorization <sup>1</sup>	Appropriation <sup>2,3</sup>	Authorization <sup>1</sup>	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendments
Elementary and secondary education.....	\$3,249,059,274	\$1,475,993,000	\$3,612,054,470	\$1,553,855,000	\$1,558,327,000	\$1,525,876,000	\$1,415,393,000
School assistance in federally affected areas.....	640,112,000	521,253,000	701,593,000	458,502,000	315,167,000	315,167,000	202,167,000
Education professions development.....	352,500,000	95,000,000	445,000,000	146,500,000	116,500,000	105,000,000	95,000,000
Teacher Corps.....	46,000,000	20,900,000	56,000,000	31,100,000	31,100,000	31,100,000	31,100,000
Higher education.....	1,689,428,706	815,444,000	1,981,700,000	1,204,372,000	1,071,188,000	897,259,000	780,839,000
Vocational education.....	482,100,000	248,216,000	766,650,000	444,570,000	350,216,000	279,216,000	279,216,000
Libraries and community services.....	275,300,000	147,144,000	425,100,000	179,675,000	168,375,000	155,625,000	107,709,000
Education for the handicapped.....	243,125,000	79,795,000	321,500,000	111,500,000	100,000,000	85,850,000	85,850,000
Research and training.....	35,000,000	87,452,000	56,000,000	161,755,000	113,200,000	90,000,000	115,000,000
Education in foreign languages and world affairs.....	56,050,000	18,165,000	120,000,000	29,500,000	24,000,000	20,000,000	20,000,000
Research and training (special foreign currency).....	( <sup>4</sup> )	1,000,000	( <sup>4</sup> )	7,500,000	4,000,000	4,000,000	1,000,000
Salaries and expenses.....	( <sup>4</sup> )	40,804,512	( <sup>4</sup> )	58,412,000	46,725,000	43,375,000	43,375,000

HISTORY OF 1970 BUDGET

	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendments
Civil rights education.....	( <sup>4</sup> )	\$10,797,000	( <sup>4</sup> )	\$16,500,000	\$13,800,000	\$13,750,000	\$20,000,000
College for Agriculture and the Mechanical Arts.....	\$2,600,000	2,600,000	\$2,600,000	2,650,000	2,600,000	2,600,000	2,600,000
Promotion of Vocational Education Act, Feb. 23, 1917.....	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455
Student loan insurance fund.....	( <sup>4</sup> )	0	( <sup>4</sup> )	10,826,000	10,826,000	10,826,000	10,826,000
Higher education facilities loan fund.....	400,000,000	104,875,000	400,000,000	154,800,000	54,509,000	4,509,000	4,509,000
Total.....	7,479,682,435	3,676,599,967	8,895,358,925	4,579,178,455	3,987,694,455	3,591,314,455	3,221,745,455

<sup>1</sup> Includes indefinite authorizations.

<sup>2</sup> 1969 appropriation adjusted for comparability with 1970 appropriation structure.

<sup>3</sup> Includes proposed supplementals.

<sup>4</sup> Indefinite.

HISTORY OF 1970 BUDGET, OFFICE OF EDUCATION

Appropriation/Activity	Fiscal year 1969		Fiscal year 1970				
	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendments
Elementary and secondary education:							
Educationally deprived children (ESEA, I).....	\$2,184,436,274	\$1,123,127,000	\$2,359,554,470	\$1,171,500,000	\$1,226,127,000	\$1,226,000,000	\$1,226,000,000
Local educational agencies (ESEA, I).....	(2,072,075,264)	(1,020,438,980)	(2,238,402,205)	(1,061,414,905)	(1,115,347,932)	(1,115,222,202)	(1,115,222,202)
Handicapped children (ESEA, I).....	(29,781,258)	(29,781,258)	(32,128,027)	(32,128,027)	(32,128,027)	(32,128,027)	(32,128,027)
Juvenile delinquents in institutions (ESEA, I).....	(12,459,014)	(12,459,014)	(13,518,269)	(13,518,269)	(13,518,269)	(13,518,269)	(13,518,269)
Dependent and neglected children in institutions (ESEA, I).....	(1,487,086)	(1,487,086)	(1,564,245)	(1,564,245)	(1,564,245)	(1,564,245)	(1,564,245)
Migratory children (ESEA, I).....	(45,556,074)	(45,556,074)	(49,214,654)	(49,214,654)	(49,214,654)	(49,214,654)	(49,214,654)
State administration (ESEA, I).....	(23,077,578)	(13,404,588)	(24,727,070)	(13,659,900)	(14,353,873)	(14,352,603)	(14,352,603)
Dropout prevention (ESEA, VIII).....	30,000,000	5,000,000	30,000,000	27,000,000	27,000,000	24,000,000	24,000,000
Bilingual education (ESEA, VII).....	30,000,000	7,500,000	40,000,000	15,000,000	10,000,000	10,000,000	10,000,000
Supplementary educational centers (ESEA, III).....	527,875,000	164,876,000	566,500,000	214,000,000	172,000,000	172,876,000	116,393,000
Library resources (ESEA, II).....	167,375,000	50,000,000	206,000,000	41,400,000	46,000,000	42,000,000	0
Guidance, counseling, and testing (NDEA, V-A).....	25,000,000	17,000,000	40,000,000	19,800,000	18,000,000	12,000,000	0
Equipment and minor remodeling (NDEA, III).....	204,373,000	78,740,000	290,000,000	16,155,000	17,950,000	0	0
Grants to States.....	(96,800,000)	(75,740,000)	(105,600,000)	(13,155,000)	0	0	0
Loans to nonprofit private schools.....	(13,200,000)	(1,000,000)	(14,400,000)	(1,000,000)	0	0	0
Equipment and minor remodeling (NDEA, III):							
State administration.....	(10,000,000)	(2,000,000)	(10,000,000)	(2,000,000)	0	0	0
Grants to local educational agencies.....	(84,373,000)	0	(160,000,000)	0	(17,950,000)	0	0
Strengthening State departments of education (ESEA, V).....	80,000,000	29,750,000	80,000,000	35,000,000	32,000,000	29,750,000	29,750,000
Grants to States.....	(76,000,000)	(28,262,500)	(76,000,000)	(33,250,000)	(30,400,000)	(28,262,500)	(28,262,500)
Grants for special projects.....	(4,000,000)	(1,487,500)	(4,000,000)	(1,750,000)	(1,600,000)	(1,487,500)	(1,487,500)
Planning and evaluation (ESEA Amendments of 1967, IV).....	( <sup>4</sup> )	0	( <sup>4</sup> )	14,000,000	9,250,000	9,250,000	9,250,000
Total.....	3,249,059,274	1,475,993,000	3,612,054,470	1,553,855,000	1,558,327,000	1,525,876,000	1,415,393,000

See footnotes at end of table.

HISTORY OF 1970 BUDGET, OFFICE OF EDUCATION—Continued

Appropriation/Activity	Fiscal year 1969			Fiscal year 1970			
	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendment
<b>School assistance in federally affected areas:</b>							
Maintenance and operation (Public Law 874).....	\$560,950,000	\$505,900,000	\$622,246,000	\$434,929,000	\$300,000,000	\$300,000,000	\$187,000,000
Payments to local educational agencies.....	(530,950,000)	(475,900,000)	(588,796,000)	(401,479,000)	(266,550,000)	(266,550,000)	(153,550,000)
Payments to other Federal agencies.....	(30,000,000)	(30,000,000)	(33,450,000)	(33,450,000)	(33,450,000)	(33,450,000)	(33,450,000)
Construction (Public Law 815).....	79,162,000	15,153,000	79,347,000	23,573,000	15,167,000	15,167,000	15,167,000
Assistance to local educational agencies.....	(66,162,000)	(1,107,000)	(68,240,000)	(12,513,000)	(3,000,000)	(3,000,000)	(3,000,000)
Assistance for school construction on Federal properties.....	(13,000,000)	(13,000,000)	(11,107,000)	(10,000,000)	(11,107,000)	(11,107,000)	(11,107,000)
Technical services.....	(?)	(1,046,000)	(?)	(1,060,000)	(1,060,000)	(1,060,000)	(1,060,000)
Evaluation.....	(?)	200,000	(?)	0	0	0	0
<b>Total.....</b>	<b>640,112,000</b>	<b>521,243,000</b>	<b>701,593,000</b>	<b>458,502,000</b>	<b>315,167,000</b>	<b>317,167,000</b>	<b>202,167,000</b>
<b>Education professions development:</b>							
Preschool, elementary, and secondary.....	350,000,000	95,000,000	440,000,000	145,000,000	115,000,000	104,500,000	95,000,000
Grants to States (EPDA pt B-2).....	(50,000,000)	(15,000,000)	(65,000,000)	(20,000,000)	(20,000,000)	(15,000,000)	(15,000,000)
Training programs (EPDA pts. C, D, and F, sec. 504).....	(300,000,000)	(80,000,000)	(375,000,000)	(125,000,000)	(95,000,000)	(89,500,000)	(80,000,000)
Encouragement of educational careers (EPDA).....	2,500,000	0	5,000,000	1,500,000	1,500,000	500,000	0
<b>Total.....</b>	<b>352,500,000</b>	<b>95,000,000</b>	<b>445,000,000</b>	<b>146,500,000</b>	<b>116,500,000</b>	<b>105,000,000</b>	<b>95,000,000</b>
<b>Teacher Corps: Operations and training (EPDA, pt. B-1).....</b>							
Higher education:	46,000,000	20,900,000	56,000,000	31,100,000	31,100,000	31,100,000	31,100,000
Program assistance:	69,541,706	63,691,000	161,120,000	70,772,000	74,772,000	48,620,000	42,120,000
Strengthening developing institutions (HEA III).....	(35,000,000)	(30,000,000)	(70,000,000)	(35,000,000)	(40,000,000)	(35,000,000)	(30,000,000)
Colleges of agriculture and mechanic arts (Bankhead-Jones Act).....	(12,120,000)	(11,950,000)	(12,120,000)	(12,272,000)	(12,272,000)	(12,120,000)	(12,120,000)
Proposed supplemental.....	(7,241,706)	(7,241,000)	0	0	0	0	0
Undergraduate instructional equipment and other resources:							
Television equipment (HEA, VI-A).....	(1,500,000)	(1,500,000)	(10,000,000)	(1,500,000)	(1,500,000)	0	0
Other equipment (HEA, VI-A).....	(13,000,000)	(13,000,000)	(60,000,000)	(13,000,000)	(13,000,000)	0	0
Institutional sharing of resources (HEA VIII).....	(340,000)	0	(4,000,000)	(4,000,000)	(3,000,000)	(750,000)	0
Improvement of graduate schools (HEA X).....	(340,000)	0	(5,000,000)	(5,000,000)	(5,000,000)	(750,000)	0
Construction:	1,068,000,000	106,753,000	1,074,750,000	292,100,000	240,816,000	171,770,000	65,850,000
Public community colleges and technical institutes (HEFA, I).....	(224,640,000)	(50,000,000)	(224,640,000)	(83,700,000)	(67,000,000)	(43,000,000)	(43,000,000)
Other undergraduate facilities (HEFA, I).....	(711,360,000)	(33,000,000)	(711,360,000)	(166,300,000)	(133,464,000)	(87,000,000)	0
Graduate facilities (HEFA, II).....	(120,000,000)	(8,000,000)	(120,000,000)	(30,000,000)	(25,577,000)	(20,000,000)	0
Interest subsidization (HEFA, III).....	(5,000,000)	0	(11,750,000)	0	(2,675,000)	(10,670,000)	(11,750,000)
Proposed supplemental.....		(3,920,000)	0	0	0	0	0
State administration and planning (HEFA, I):							
State administration.....	(7,000,000)	(3,000,000)	(7,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)
State planning.....	(?)	(4,000,000)	(?)	(4,000,000)	(4,000,000)	(3,000,000)	(3,000,000)
Administration.....	(?)	(4,833,000)	(?)	(5,100,000)	(5,100,000)	(5,100,000)	(5,100,000)
Student aid.....	528,590,000	568,100,000	695,430,000	720,500,000	662,600,000	601,400,000	600,400,000
Educational opportunity grants (HEA, IV-A).....	(170,000,000)	(124,600,000)	(100,000,000)	(179,600,000)	(175,600,000)	(175,600,000)	(175,600,000)
Direct loans (NDEA, II):							
Contributions to loan funds.....	(210,000,000)	(190,000,000)	(275,000,000)	(211,200,000)	(194,000,000)	(155,000,000)	(155,000,000)
Loans to institutions.....	(?)	(2,000,000)	(?)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
Teacher cancellations.....	(?)	(1,400,000)	(?)	(4,900,000)	(4,900,000)	(4,900,000)	(4,900,000)
Insured loans (HEA, IV-B):							
Advances for reserve funds.....	(12,500,000)	(12,500,000)	0	0	0	0	0
Interest payments.....	(?)	(62,400,000)	(?)	(81,400,000)	(62,400,000)	(62,400,000)	(62,400,000)
Computer services.....		(1,500,000)		(1,500,000)	(1,500,000)	(1,500,000)	(1,500,000)
Work-study programs (HEA, IV-C).....	(225,000,000)	(139,900,000)	(255,000,000)	(175,500,000)	(165,000,000)	(154,000,000)	(154,000,000)
Cooperative education (HEA, IV-D):							
Program support.....	(340,000)	0	(8,000,000)	(5,000,000)	(5,000,000)	(1,000,000)	0
Research and training.....	(750,000)	0	(750,000)	(500,000)	(500,000)	0	0
Special programs for disadvantaged students (HEA, sec. 408):							
Talent search.....		(4,000,000)		(8,500,000)	(5,000,000)	(5,000,000)	(5,000,000)
Upward Bound.....	(10,000,000)	(29,800,000)	(56,680,000)	(31,700,000)	(31,700,000)	(30,000,000)	(30,000,000)
Special services in college.....				(18,700,000)	(15,000,000)	(10,000,000)	(10,000,000)
Personnel development.....	22,180,000	76,900,000	48,500,000	120,000,000	92,000,000	74,469,000	71,469,000
College teacher fellowships (NDEA, IV).....	(?)	(70,000,000)	(?)	(96,600,000)	(75,000,000)	(61,469,000)	(61,469,000)
Training programs (EPDA, pt. E).....	(21,500,000)	(6,900,000)	(36,000,000)	(16,400,000)	(10,000,000)	(10,000,000)	(10,000,000)
Public service education (HEA, IX).....	(340,000)	0	(5,000,000)	(5,000,000)	(5,000,000)	(3,000,000)	0
Clinical experience for law students (HEA, XI).....	(340,000)	0	(7,500,000)	(2,000,000)	(2,000,000)	0	0
Planning and evaluation.....	1,117,000	0	1,900,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>Total.....</b>	<b>1,689,428,706</b>	<b>815,444,000</b>	<b>1,981,700,000</b>	<b>1,204,372,000</b>	<b>1,071,188,000</b>	<b>897,259,000</b>	<b>780,839,000</b>
<b>Vocational education:</b>							
Basic grants (Vocational Education Act of 1963, pt. B).....	315,000,000	234,216,000	504,000,000	321,070,000	228,716,000	230,336,000	230,336,000
Transfer to Department of Labor.....	5,000,000	0	5,000,000	2,500,000	2,500,000	2,000,000	2,000,000
State advisory councils.....	(?)	0	(?)	3,850,000	1,850,000	1,680,000	1,680,000
National advisory council.....	100,000	0	150,000	150,000	150,000	200,000	200,000
Homemaking education (Vocational Education Act of 1963, pt. F).....	(?)	14,000,000	25,000,000	15,000,000	15,000,000	15,000,000	15,000,000
Programs for students with special needs (Vocational Education Act of 1963, pt. B).....	40,000,000	0	40,000,000	15,000,000	15,000,000	0	0
Work-study (Vocational Education Act of 1963, pt. H).....	35,000,000	0	35,000,000	28,000,000	28,000,000	0	0
Cooperative education (Vocational Education Act of 1963, pt. G).....	20,000,000	0	35,000,000	17,500,000	17,500,000	14,000,000	14,000,000
Innovation (Vocational Education Act of 1963, pt. D).....	15,000,000	0	57,500,000	30,000,000	30,000,000	13,000,000	13,000,000
Curriculum development (Vocational Education Act of 1963, pt. I).....	7,000,000	0	10,000,000	5,000,000	5,000,000	2,000,000	2,000,000
Residential vocational schools (Vocational Education Act of 1963, pt. E).....	45,000,000	0	55,000,000	5,000,000	5,000,000	0	0
Planning and evaluation.....	(?)	0	(?)	1,500,000	1,500,000	1,000,000	1,000,000
<b>Total.....</b>	<b>482,100,000</b>	<b>248,216,000</b>	<b>766,650,000</b>	<b>444,570,000</b>	<b>350,216,000</b>	<b>279,216,000</b>	<b>279,216,000</b>

See footnotes at end of table.

HISTORY OF 1970 BUDGET, OFFICE OF EDUCATION—Continued

Appropriation/Activity	Fiscal year 1969			Fiscal year 1970			Nixon amendments
	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	
<b>Libraries and community services:</b>							
Library services	\$80,000,000	\$40,709,000	\$96,000,000	\$44,000,000	42,000,000	\$40,709,000	\$23,209,000
Grants for public libraries (LSCA, I)	(55,000,000)	(35,000,000)	(65,000,000)	(35,000,000)	(35,000,000)	(35,000,000)	(17,500,000)
Interlibrary cooperation (LSCA, III)	(10,000,000)	(2,281,000)	(12,500,000)	(3,500,000)	(2,500,000)	(2,281,000)	(2,281,000)
State institutional library services (LSCA, IV-A)	(10,000,000)	(2,094,000)	(12,500,000)	(3,000,000)	(3,000,000)	(2,094,000)	(2,094,000)
Library services to physically handicapped (LSCA, IV-B)	(5,000,000)	(1,334,000)	(6,000,000)	(2,500,000)	(1,500,000)	(1,334,000)	(1,334,000)
Construction of public libraries (LSCA, II)	60,000,000	9,185,000	70,000,000	15,800,000	15,800,000	9,185,000	0
College library resources (HEA, II-A)	25,000,000	25,000,000	75,000,000	25,000,000	25,000,000	25,000,000	12,500,000
Acquisition and cataloging by Library of Congress (HEA, II-C)	6,000,000	5,500,000	11,100,000	5,500,000	8,500,000	7,356,000	4,500,000
Librarian training (HEA, II-B)	11,800,000	8,250,000	28,000,000	8,250,000	8,250,000	8,250,000	4,000,000
University community services (HEA, I)	10,000,000	9,500,000	50,000,000	14,000,000	10,000,000	9,500,000	9,500,000
Adult basic education	70,000,000	45,000,000	80,000,000	53,500,000	50,200,000	50,000,000	50,000,000
Grants to States (Adult Education Act)		(36,000,000)		(42,800,000)	(40,160,000)	(40,000,000)	(40,000,000)
Special projects (Adult Education Act)		(7,000,000)		(8,200,000)	(8,040,000)	(8,000,000)	(8,000,000)
Teacher education (Adult Education Act)		(2,000,000)		(2,500,000)	(2,000,000)	(2,000,000)	(2,000,000)
Educational broadcasting facilities—Grants for facilities (title III, Communications Act of 1934)	12,500,000	4,000,000	15,000,000	13,625,000	8,625,000	5,625,000	4,000,000
<b>Total</b>	<b>275,300,000</b>	<b>147,144,000</b>	<b>425,100,000</b>	<b>179,675,000</b>	<b>168,375,000</b>	<b>155,625,000</b>	<b>107,709,000</b>
<b>Education for the handicapped:</b>							
Preschool and school programs (ESEA, VI-A)	167,375,000	29,250,000	206,000,000	34,000,000	34,000,000	29,250,000	29,250,000
Early childhood programs (Public Law 90-538)	1,000,000	945,000	10,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Teacher education and recruitment	40,500,000	30,250,000	59,000,000	41,000,000	36,000,000	30,500,000	30,500,000
Teacher education (Public Law 85-926)	(37,500,000)	(29,700,000)	(55,000,000)	(38,000,000)	(34,000,000)	(29,700,000)	(29,700,000)
Physical education and recreation (Public Law 88-164)	(2,000,000)	(300,000)	(3,000,000)	(2,000,000)	(1,000,000)	(300,000)	(300,000)
Recruitment and information (ESEA, VI-D)	(1,000,000)	(250,000)	(1,000,000)	(1,000,000)	(1,000,000)	(500,000)	(500,000)
Research and innovation	26,250,000	14,600,000	36,500,000	27,500,000	21,500,000	18,350,000	18,350,000
Research and demonstrations (Public Law 88-164, sec. 302)	(14,000,000)	(12,800,000)	(18,000,000)	(18,000,000)	(15,000,000)	(14,050,000)	(14,050,000)
Physical education and recreation (Public Law 88-164)	(1,500,000)	(300,000)	(1,500,000)	(1,500,000)	(1,000,000)	(300,000)	(300,000)
Regional resource centers (ESEA, VI-B)	(7,750,000)	(500,000)	(10,000,000)	(4,000,000)	(2,500,000)	(2,000,000)	(2,000,000)
Innovative programs (Deaf-blind centers) (ESEA, VI-C)	(3,000,000)	(1,000,000)	(7,000,000)	(4,000,000)	(3,000,000)	(2,000,000)	(2,000,000)
Media services and captioned films (Public Law 85-905)	8,000,000	4,750,000	10,000,000	6,000,000	5,500,000	4,750,000	4,750,000
<b>Total</b>	<b>243,125,000</b>	<b>79,795,000</b>	<b>321,500,000</b>	<b>111,500,000</b>	<b>100,000,000</b>	<b>85,850,000</b>	<b>85,850,000</b>
<b>Research and training:</b>							
Research and development		74,975,000		116,800,000	86,800,000	68,800,000	68,800,000
Educational laboratories (Coop. Res. Act)	(?)	(23,600,000)		(37,200,000)	(33,600,000)	(25,750,000)	(25,750,000)
Research and development centers (Coop. Res. Act)	(?)	(10,800,000)		(10,800,000)	(10,800,000)	(10,000,000)	(10,000,000)
General education (Coop. Res. Act)	(?)	(26,951,000)		(45,200,000)	(26,025,000)	(26,950,000)	(26,950,000)
Vocational education (VE Act of 1963)	35,000,000	(11,375,000)	56,000,000	(16,600,000)	(11,375,000)	(1,100,000)	(1,100,000)
Evaluations (Coop. Res. Act)	(?)	(1,250,000)		(5,000,000)	(3,000,000)	(3,000,000)	(3,000,000)
National achievement study (Coop. Res. Act)	(?)	(1,000,000)		(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
Major demonstrations (Coop. Res. Act)	(?)	1,000,000		24,300,000	10,250,000	5,250,000	5,250,000
Experimental schools	(?)	0		0	0	0	25,000,000
Dissemination (Coop. Res. Act, sec. 1206 HEA and sec. 303 VE amendments)	(?)	4,226,000		7,200,000	7,200,000	7,200,000	7,200,000
Training (Coop. Res. Act)	(?)	6,750,000		11,000,000	6,750,000	6,750,000	6,750,000
Construction (Coop. Res. Act)	(?)	0		(?)		0	0
Educational statistical surveys (Coop. Res. Act)	(?)	500,000		2,455,000	2,200,000	2,000,000	2,000,000
<b>Total</b>	<b>35,000,000</b>	<b>87,452,000</b>	<b>56,000,000</b>	<b>161,755,000</b>	<b>113,200,000</b>	<b>90,000,000</b>	<b>115,000,000</b>
<b>Education in foreign languages and world affairs:</b>							
Centers, fellowships, and research (NDEA, VI)	16,050,000	15,165,000	30,000,000	21,000,000	15,500,000	15,000,000	15,000,000
Fulbright-Hays training grants (Fulbright-Hays Act)	(?)	3,000,000	(?)	3,500,000	3,500,000	3,000,000	3,000,000
International Education Act	40,000,000		90,000,000	5,000,000	5,000,000	2,000,000	2,000,000
<b>Total</b>	<b>56,050,000</b>	<b>18,165,000</b>	<b>120,000,000</b>	<b>29,500,000</b>	<b>24,000,000</b>	<b>20,000,000</b>	<b>20,000,000</b>
<b>Research and training (special foreign currency program):</b>							
Institutional development grants for training, research, and study	(?)	800,000	(?)	7,500,000	4,000,000	4,000,000	1,000,000
Research in foreign education	(?)	200,000	(?)	0	0	0	0
<b>Total</b>	<b>(?)</b>	<b>1,000,000</b>	<b>(?)</b>	<b>7,500,000</b>	<b>4,000,000</b>	<b>4,000,000</b>	<b>1,000,000</b>
<b>Salaries and expenses: Program administration:</b>							
Civil rights education:		40,804,512	(?)	58,412,000	46,725,000	43,375,000	43,375,000
Training for school personnel and grants to school boards (Civil Rights Act, IV)	(?)	9,250,000	(?)	14,533,000	11,833,000	11,900,000	17,150,000
Technical services and administration (Civil Rights Act, IV)	(?)	1,547,000	(?)	1,967,000	1,967,000	1,850,000	2,850,000
<b>Total</b>	<b>(?)</b>	<b>10,797,000</b>	<b>(?)</b>	<b>16,500,000</b>	<b>13,800,000</b>	<b>13,750,000</b>	<b>20,000,000</b>
<b>Colleges for agriculture and the mechanic arts: Grants to States (2d Morrill Act):</b>							
Promotion of vocational education act, Feb. 23, 1917: Grants to States (Smith-Hughes Act)	2,600,000	2,600,000	2,600,000	2,650,000	2,600,000	2,600,000	2,600,000
Student loan insurance fund:	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455
Higher education and vocational student loans: Loans purchased upon default by student borrowers (HEA IV-B)	(?)	0	(?)	10,826,000	10,826,000	10,826,000	10,826,000

See footnotes at end of table.

HISTORY OF 1970 BUDGET, OFFICE OF EDUCATION—Continued

Appropriation/Activity	Fiscal year 1969		Fiscal year 1970				
	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendments
Higher education facilities loan fund:							
Operating costs (HEFA III):							
Commission on sales of participation certificates.....	(2)	0	(2)	0	0	0	0
Interest expense on participation certificates.....	(2)	\$4,875,000	(2)	\$4,800,000	\$4,509,000	\$4,509,000	\$4,509,000
Administrative expenses.....	(2)	0	(2)	0	0	0	0
Loans to higher education institutions (HEFA III).....	\$400,000,000	100,000,000	\$400,000,000	150,000,000	50,000,000	0	0
Total.....	400,000,000	104,875,000	400,000,000	154,800,000	54,509,000	4,509,000	4,509,000
Total, Office of Education.....	7,479,682,435	3,676,599,967	8,896,418,925	4,579,178,455	3,987,694,455	3,591,314,455	3,220,745,455

<sup>1</sup> Includes supervision which is funded under title V, ESEA.  
<sup>2</sup> Indefinite.  
<sup>3</sup> For new awards plus continuous cost.  
<sup>4</sup> \$25,000,000 authorized from fiscal year 1959 through duration of act.  
<sup>5</sup> Specific authorization represents amounts only for technical assistance to carry out functions of National Advisory Council.

<sup>6</sup> Authorization included under "Grants to States," pt. B, Vocational Education Act of 1963.  
<sup>7</sup> Includes library research under "Research and training."  
<sup>8</sup> "General education" combines these prior-year activities: general education research, demonstration and development, library improvement research, and educational media research.  
<sup>9</sup> \$100,000,000 authorized over 2 5-year periods through fiscal year 1970.

Mr. MOSS. Mr. President, among the many programs for education which have high effectiveness and have shed enlightenment, are those broadly grouped under its "library programs." What I have to say about them and their operation in my State is succinctly and effectively stated in a fact sheet for Utah which was made available to me by the American Library Association's able Washington spokeswoman, Miss Germaine Krettek. I ask unanimous consent that this excellent summary be printed in the RECORD at this point in my remarks.

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

INFORMATION CONCERNING EFFECT OF PROPOSED FISCAL YEAR 1970 BUDGET CUTS IN FEDERAL LIBRARY PROGRAMS—UTAH\*

ELEMENTARY AND SECONDARY EDUCATION ACT—TITLE II

According to the Utah State Board of Education, 303,000 pupils and 11,000 teachers in Utah will have fewer of the needed library books and other instructional materials next year if ESEA II funds are eliminated, or even cut as proposed in the January budget recommendation.

Sixty public elementary schools and 15 public secondary schools in the State are still without libraries, and will be forced to remain without them in the absence of substantial help under the ESEA II program.

The State Board of Education also estimates that \$100,000 would be needed to properly administer the ESEA II program at the State and local levels.

LIBRARY SERVICES AND CONSTRUCTION ACT

There is a backlog of eighteen needed new public library buildings, according to the Utah State Library Commission. These projected buildings would cost a total of \$5,000,000.

Some of the accomplishments and needs of the State under LSCA were listed recently by Mr. Russell L. Davis, State Librarian:

We have been able to establish library service in 10 counties which previously to LSA and LSCA had no library service; and in 1968, 1,000,000 volumes were circulated to 250,000 people.

We have been able to construct 5 new library buildings in new growth areas to replace old, totally inadequate, worn out Carnegie buildings.

\*Information compiled from replies to questionnaires sent out by the ALA Washington Office following announcement of the January budget recommendations for FY 1970.

We now have library service in all five state institutions, where previously there was only partial library service in two of the institutions.

As a result of LSCA we now have a rapid communications network between all libraries in the state, which has been a great boon in providing truly adequate library service.

Utah still has 7 counties without library service. The state is unable to initiate this new service by itself, and because of reduced funds we have had to stop short of the goal of total library service for all residents of Utah.

"In the context of the total Federal program for education, special programs for books and equipment are considered low priority," said Under Secretary of HEW John Venneman at a budget briefing meeting April 15. This statement is clearly reflected in the Bureau of the Budget's recommendations for reducing the 1970 U.S. Budget for education by a total of \$369,569,000. The proposed revision cuts out 66% of the Johnson budget proposed for programs for library users.

The 1970 Johnson Budget request for major library programs—ESEA Title II, HEA Title II and LSCA—amounted to \$134,500,000. The Nixon Administration recommendations, if accepted by Congress, would provide only \$46,209,000, which is \$88,291,000 less than the January budget and \$433,891,000 less than the amounts authorized for these programs in fiscal year 1970 (beginning July 1, 1969).

Looking at it another way, almost 25% of

the recommended reductions in funding for activities under the Office of Education would come out of the principal library programs. Keep in mind, too, that this does not take into consideration the money already lopped off by the January budget proposal, which cut out NDEA Title III (equipment and instructional materials) and HEA Title VI (equipment and materials for higher education), both of which benefitted library users. The 1969 appropriations for Title III was \$78,740,000, and for Title VI it was \$14,500,000. As it now stands, these programs would be terminated.

If no effort is made to override these recommended cuts, the prospects for even minimal aid for library resources for school, public and academic library users will be dismal indeed. There will be no funds at all for the school library program under Title II of the Elementary and Secondary Education Act. Half of the Title I funds for public library services and all of the Title II construction money will be withdrawn from programs partially supported by the Library Services and Construction Act. And half of the college library resources funds will be cut out of the HEA Title II-A program, leaving only enough money to make basic grants of \$5,000; training opportunities for librarians will be reduced by more than 50% under Title II-B; and the Library of Congress acquisition and cataloging activities now assisted by the Title II Part C program will be reduced by \$2,856,000.

	Revised budget recommendation	January budget recommendation	Fiscal year 1970 authorization
Elementary and Secondary Education Act:			
Title II—School library resources, textbooks, and other instructional materials.....	0	\$42,000,000	\$200,000,000
Library Services and Construction Act.....	\$23,209,000	49,894,000	166,000,000
Title I—Public library services.....	17,500,000	35,000,000	65,000,000
Title II—Public library construction.....	0	9,185,000	70,000,000
Title III—Interlibrary cooperation.....	2,281,000	2,281,000	12,500,000
Title IVA—State institution library service.....	2,094,000	2,094,000	12,500,000
Title IVB—Library service to the physically handicapped.....	1,334,000	1,334,000	6,000,000
Higher Education Act:			
Title II—College library assistance and library training and research.....	23,000,000	42,606,000	114,100,000
Part A—College library resources.....	12,500,000	25,000,000	75,000,000
Part B: Library training, including institutes.....	4,000,000	8,250,000	28,000,000
Research.....	2,000,000	2,000,000	0
Part C—LC acquisition and cataloging.....	4,500,000	7,356,000	11,100,000

LIBRARY SERVICES AND CONSTRUCTION ACT

State	Title I—Services		Title II—Construction	
	Fiscal year 1969 allotments	Fiscal year 1970 budget	Fiscal year 1969	Fiscal year 1970
Alabama.....	\$633,492	\$319,145	\$168,825	\$0
Alaska.....	136,935	115,172	86,150	0
Arizona.....	312,656	187,354	115,407	0

LIBRARY SERVICES AND CONSTRUCTION ACT—Continued

State	Title I—Services		Title II—Construction	
	Fiscal year 1969 allotments	Fiscal year 1970 budget	Fiscal year 1969	Fiscal year 1970
Arkansas.....	\$391,716	\$219,830	\$128,570	\$0
California.....	2,666,778	1,154,367	507,365	0
Colorado.....	386,437	217,661	127,691	0
Connecticut.....	514,029	270,073	148,935	0
Delaware.....	172,884	129,939	92,135	0
District of Columbia.....	224,762	151,249	100,773	0
Florida.....	908,640	432,168	214,637	0
Georgia.....	743,951	364,518	187,217	0
Hawaii.....	203,338	142,449	97,206	0
Idaho.....	208,959	144,758	98,141	0
Illinois.....	1,746,355	776,280	354,115	0
Indiana.....	861,433	412,777	206,777	0
Iowa.....	550,334	284,986	154,980	0
Kansas.....	455,789	246,149	139,238	0
Kentucky.....	596,161	303,810	162,610	0
Louisiana.....	631,904	318,493	168,861	0
Maine.....	258,291	165,022	106,355	0
Maryland.....	606,374	308,005	164,310	0
Massachusetts.....	940,815	445,385	219,994	0
Michigan.....	1,377,606	624,808	292,719	0
Minnesota.....	657,518	329,014	172,826	0
Mississippi.....	455,712	246,118	139,226	0
Missouri.....	805,469	389,789	197,459	0
Montana.....	210,196	145,266	98,347	0
Nebraska.....	330,484	194,677	118,375	0
Nevada.....	146,589	119,137	87,757	0
New Hampshire.....	199,116	140,714	96,503	0
New Jersey.....	1,090,767	506,982	244,961	0
New Mexico.....	255,312	163,798	105,859	0
New York.....	2,840,719	1,225,816	536,326	0
North Carolina.....	844,066	405,643	203,886	0
North Dakota.....	203,285	142,427	97,197	0
Ohio.....	1,685,152	751,140	343,925	0
Oklahoma.....	480,232	256,190	143,308	0
Oregon.....	388,844	218,650	128,092	0
Pennsylvania.....	1,948,566	859,344	387,784	0
Rhode Island.....	240,363	157,658	103,370	0
South Carolina.....	489,102	259,833	144,785	0
South Dakota.....	211,135	145,651	98,504	0
Tennessee.....	682,542	339,293	176,992	0
Texas.....	1,664,458	742,639	340,480	0
Utah.....	245,448	159,746	104,217	0
Vermont.....	163,671	126,155	90,601	0
Virginia.....	747,843	366,117	187,865	0
Washington.....	565,959	291,404	157,581	0
West Virginia.....	403,825	224,804	130,586	0
Wisconsin.....	745,365	365,099	187,452	0
Wyoming.....	153,903	122,142	88,975	0
American Samoa.....	28,275	26,345	20,545	0
Guam.....	35,949	29,498	21,823	0
Puerto Rico.....	483,704	257,616	143,886	0
Virgin Islands.....	30,242	27,153	20,873	0
Trust territory.....	36,550	29,744	21,923	0

these statements in good faith, the Governor made his recommendations to the Utah State Legislature, only to find after that body had adjourned, and there was no possibility of amending his recommendations, that President Nixon had recommended almost a 50-percent cut in section 103 funds and no funds whatsoever under section 104 of the Higher Education Facilities Act.

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

UTAH STATE BUILDING BOARD,  
Salt Lake City, Utah, May 6, 1969.

HON. FRANK E. MOSS,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR MOSS: The Utah State Building Board, which serves as the State Commission for programs mentioned below, is seeking your assistance and that of other members of Utah's Congressional Delegation in obtaining funding for fiscal year 1970 for Section 104 of Title I of the Higher Education Facilities Act of 1963 (P.L. 88-204) and for Title VI-A of the Higher Education Act of 1965 (P.L. 89-329).

Title VI-A of P.L. 89-329—The federal budget proposed no funds for these programs in 1970. We are not aware of any action now taken to provide for such funds in an amended budget.

In fiscal 1966, the appropriation was \$15,000,000 for Title VI-A and \$14,500,000 for the next three years. Utah's share of these four appropriations has been \$698,496.

Far greater results have been achieved than would normally be expected at the limited level of funding. The federal government is receiving full value for its investment in this program.

Section 104—Title I of P.L. 88-204—We have received \$10,322,846 since fiscal year 1965, or about an average of \$2,000,000 per year. The state budgets for construction have been geared to a continuation of these grants, or at least approximately \$1,500,000 per year.

Utah has some very urgently needed projects that will be deferred if these funds are not available or seriously reduced in size. Attached is a resume of some of these projects.

We will be happy to provide you with any additional information to assist you in obtaining funding next year, and we would welcome your suggestions about any action which the State Commission might take in this matter.

Yours truly,  
GLEN R. SWENSON,  
Director.

MEMORANDUM OF UTAH STATE BUILDING BOARD,  
MAY 5, 1969

To Director of State Building Board.  
From Programs & Liaison Officer.

Subject reduction in proposed Federal appropriations budgets for title I of Public Law 88-204, the Higher Education Facilities Act of 1963 and title VI-A of Public Law 89-329, the Higher Education Act of 1963.

We have been informed that the President's new budget contains nothing ("0" dollars) for Section 104 of Title I this year and only \$43,000,000 for Section 103 of Title I. Title VI-A is recommended for "0" dollars also.

We suggest that all institutions make their congressmen and senators aware of this situation and of our concern for the outcome if such is realized in our State.

To bring things to the project level, we will present a few possibilities to consider. This means that Utah will receive an estimated \$313,000 for Section 103, nothing for Section 104 and, of course, nothing for Title VI-A. The effect on certain projects could be as

Mr. MOSS. Next, the Nixon budget reduces funds for higher education by \$117,500,000. These cuts primarily affect construction grants for undergraduate academic facilities.

Mr. President, if anyone does not recognize there is a crisis in higher education in this country, they must have "dug a hole and pulled it in behind them," to use the old phrase. The crisis is partly financial. Many institutions have found it difficult to sustain current activities, let alone undertake new areas of instruction, or build new classrooms and other facilities, for ever-expanding school populations. Our young people are asking more of their universities and colleges every day—some of their demands are unreasonable, but some are unquestionably both reasonable and of prime importance, and many of them will require the renovation of obsolescent facilities and the construction of new ones if the problems are to be met.

In April of 1968, the American Association of Universities adopted a report which estimated that America must, somehow, finance new higher education construction at perhaps \$2 billion annually. I ask you, is this year of 1969, the one in which we should cut Federal construction funds by over a hundred million dollars?

Such a cut will jeopardize a number of higher education construction projects

in Utah. Seven new facilities have been authorized, and are under construction, or ready for construction. All would be seriously curtailed. The new facilities are the Snow College science facility, a Weber College classroom building, the Westminster fine arts project, the University of Utah physical education building, the Utah State University physical education facility, the Weber College maintenance building, and the College of Southern Utah administration building. The three projects which could be interminably delayed are the Weber College library addition, the technological building at the Utah Technical College, and the Dixie College science building.

I ask unanimous consent to place in the RECORD three letters from Utah which deal with these cuts—one from Governor Rampton, a second from Merle E. Allen, director of the coordinating council on higher education, and the third from Mr. Glen R. Swenson, director of the Utah State Building Board.

Governor Rampton's letter is particularly revealing in that he recalls that speeches by members of the Nixon Cabinet and Budget Director Robert P. Mayo at the Midwinter Governor's Conference the last of February all indicated that although there might be some cuts in the budget, the recommendations on grants in aid would be fairly close to those of President Johnson. Accepting

follows: (All figures are for the estimated Federal share.)

The Snow College Science Facility as proposed needs \$560,000. It is the only Section 103 project for the next fiscal year. They would be approximately \$247,000 short of having enough to proceed with construction until the next year—1970 calendar year (1971 fiscal year). The Remodeling of Noyes Building also needs \$12,000.

Weber Classroom No. 2 would be cut by \$428,750 this year and if the program is unchanged the same amount the following year or a total of \$857,500.

Westminster Fine Arts project needs \$500,000 and this reduction could cause them to delay construction for at least one year if not longer, or proceed without federal participation.

The University of Utah Physical Education Building could qualify for up to \$1,700,000 in additional funds but after this year would be unable to receive any regardless of the program appropriation.

The Utah State University Physical Education Facility could use \$150,000 or more under the existing contract and as much as \$350,000 with the addition of the swimming pools but conditions as shown would probably void them for any additional federal share.

The Weber Maintenance Building as a result would probably have to be withheld until fiscal year 1972 for construction assuming the resumption then of Title I appropriations.

The College of Southern Utah Administration Building would probably be affected by a \$200,000 cut back.

All of the preceding projects are now funded by State or private funding so the effects are almost immediate.

The following projects which have received State planning authorizations could be seriously delayed by not being able to receive the following stated federal shares when anticipated and of necessity having to be constructed some time in the far future or receiving additional State funds over the amounts requested in the 1969 Building Program and/or a reduction of project size:

Weber Library Addition—\$1,720,000.  
Utah Tech. College at S. L.—Technology Building—\$1,900,000.  
Dixie College Science Building—\$547,000.

#### TITLE VI-A (P.L. 89-329)

For effects of Title VI-A, Utah has always had more requests than funds available for instructional equipment. Some institutions have commented that this program, although limited in scope, has done more for them than programs of a much greater scope.

STATE OF UTAH,  
OFFICE OF THE GOVERNOR,  
Salt Lake City, April 29, 1969.

Senator FRANK E. MOSS,  
Senate Office Building,  
Washington, D.C.

DEAR TED: In preparing a budget to present to the Legislature this year, it was necessary for me to estimate the amounts that would be available from federal funding in a number of areas. Following the presentation of President Johnson's budget, which as I recall occurred early in January, I made minor modifications to conform to the recommendations therein contained. During the last two days of February at the Mid-Winter Governors' meeting in Washington, most members of the Cabinet and the Budget Director spoke to the Governors in Executive Session, and following their individual talks, submitted to questioning. Most of the questioning of the Governors had to do with federal funding of the grants-in-aid programs to the states. Most of the Cabinet members deferred the question to Mr. Mayo, who was the final speaker. Mayo stated that he did not yet have the information to give as to final figures, but suggested that the Govern-

nors—most of whose Legislatures were in the final days, as was ours—should assume that the final recommendations, while differing somewhat from the Johnson budget, would be fairly close thereto. Accordingly, I made no further modifications in my recommendations to the Legislature.

The Johnson budget recommended \$70 million under Sec. 103 of the Higher Education Facilities Act and \$84 million under Sec. 104 of that Act. This would have given the State of Utah a total under the two sections of approximately \$1,300,000. While we could have adjusted reasonably to modifications up to 10% of this amount, we are completely unprepared for the information we received today to the effect that the Bureau of the Budget was recommending \$43 million under Sec. 103 and nothing under Sec. 104. This means that we will receive under these two sections somewhere around \$400,000.

I wish to urge that you take whatever steps are necessary in the Congress to restore the appropriation under this Act to somewhere near the figures we were led to believe we could rely on. I realize, of course, the need for reducing the budget in whatever areas can absorb reductions. However, it does not appear to me to be a responsible approach to the matter of state-federal relationships to make such a drastic reduction as this after the states had been led to believe that the reductions would not be major in nature, and after the majority of the state Legislatures had adjourned.

Sincerely,

CALVIN L. RAMPTON,  
Governor.

STATE OF UTAH, COORDINATING  
COUNCIL OF HIGHER EDUCATION,  
Salt Lake City, Utah, May 9, 1969.

HON. FRANK E. MOSS,  
U.S. Senate,  
Washington, D.C.

DEAR TED: One element in the budget for fiscal 1970 that concerns us very much is the reduction in support for higher education facilities.

This is a serious problem for all of higher education and certainly a difficult one for the State of Utah. We have programmed services at our institutions on the assumption that support that had been developed by the federal government in this area would be continuing.

Higher Education in the State of Utah has been able much better to do its job because of the Higher Education Facilities Act of 1963. Now we find that the federal budget proposes no funds for programs in 1970 either under Title VI-A or Section 104 of Title I of P.L. 89-329; also that only \$43,000,000 have been appropriated for Section 103 of Title I.

This means the State will face a serious shortage of funds for facilities development and our schedule will be thrown seriously out of phase for several institutions. We are facing a choice in several instances of either proceeding with inadequate building with parts chopped off to accommodate the reduction in funds, or simply postpone construction of much needed facilities until these federal funds are restored. We need dependability if we are to get maximum use out of federal dollars spent. I would urge most seriously your support for these programs and request that funds be provided for the continuance this next year.

We appreciate your efforts in our behalf.  
Sincerely,

MERLE E. ALLEN, Ed.D.,  
Director.

Mr. MOSS. Third, the Nixon budget would cut \$47,916,000 from libraries and community service funds. This would defer funds for the purchase of public and college library books, and for public

library construction, and would also reduce funds for cataloging services and acquisition of books for the Library of Congress. This latter activity, of course, saves money for every other library in the country.

Mr. President, the final cut recommended is for \$3 million in overseas research and training—this is the program which provides funds for students doing overseas research—research which is important and necessary and is financed by foreign currencies excess to other government needs. Why cut it now?

Probably no budget cuts proposed by the Nixon administration could strike more cruelly at the hopes and the future of America than the drastic reductions proposed for education. Education is our most important domestic business—no nation can ever expect to be ignorant and remain free.

I am confident that committees reviewing authorizations and appropriations in the field of education will examine very carefully any recommendations which will emasculate programs which the Congress has established and supported overwhelmingly, some of them for a number of years.

I recognize the need for a ceiling on Federal spending at this time when the drain of Vietnam is inexorable. But surely we can find areas in which we can cut with less impact upon the future and well-being of the Nation than to cut our schools. I have suggested in the past, and I suggest again, that we do not deploy the Safeguard antiballistic missile, and in one stroke, we will have many times more money than we need for all of our Federal aid to education programs combined. Our scientific community is bitterly divided as to whether the ABM would even work, and if it would, there is considerable evidence that it would represent pure and unnecessary "overkill."

I say, let us forget about deploying the ABM, and fund our education programs properly.

Or, to those who insist that we must deploy the ABM just in case it might be effective, and we might need it, let me suggest that the administration put a tighter control on military spending generally, and forestall future waste such as the \$2 billion extra cost of building the Lockheed C-5A. Or let us stop producing nerve gas—I understand we already have enough to kill every man, woman, child, and animal in the United States. Let us apply funds we are now wasting in the military-industrial complex on the education of our children, and our young men and women.

Mr. President, we in America are today preparing our young people to be citizens in a changing and intimate world society. The crises of this year and hour may be mild in comparison with those our children and our young people will have to meet. I am hopeful that this Congress will not succumb to the philosophy that we can rest comfortably on a set of minimum standards and maintain the status quo.

We must not settle for the Nixon administration budget cuts in the field of education.

### MARY JOAN WHITE WRITES ON "A TIME OF TESTING"

Mr. BENNETT. Mr. President, an excellent, thought-provoking analysis of current unrest across the Nation has just been brought to my attention. It appears in the May 20 edition of the Wall Street Journal, and is written by Mary Joan White, a member of the Washington bureau of Salt Lake City's Deseret News.

Mrs. White, who is the wife of the Deseret News' fine Washington correspondent, Gordon Eliot White, comes close to striking at the roots of the violence and tension that has come to characterize our Nation's social landscape.

In the article, entitled "A Time of Testing," she traces the parallels between today and conditions of the pre-Civil War era. The similarities and attitudes extant during both periods are close enough, in my opinion, to warrant pause and reflection on how we can benefit from the lessons of history and thus avert repeating past mistakes.

Mrs. White states:

Society must not permit itself to be divided into factions, each seeing itself as the guide on the only road to light. Moderates must speak out in defense of justice, but also in defense of fair and legal roads to justice. Legitimate authority must act judiciously to curb excesses of those who would reject all authority but their own.

Because I believe the entire article is well worth reading, I ask that it be printed following my remarks:

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

#### A TIME OF TESTING—TODAY'S TENSIONS PARALLEL THOSE OF THE PRE-CIVIL-WAR PERIOD

(By Mary Joan White)

"... our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now we are engaged in... testing whether that nation, or any nation so conceived and so dedicated, can long endure..."

With the omission of nine words, the opening paragraphs of Lincoln's Address at Gettysburg are forever relevant to the United States of America. Their validity in our own time is sobering.

This nation is undergoing a period of testing of a nature it has not faced since Lincoln spoke. The parallels are sufficient to recall Hegel: "Peoples and governments never have learned anything from history, or acted on principles deduced from it."

In the 1860s the question of the place of the Negro in American society was the tinder that ignited public discourse and left the rule of law ashes in the fires of unreason. Good men saw certain questions as matters of higher moral law to which even the principles embodied in the Constitution should bow. Radicals at both extremes used the race issue to stir public passion, obscuring fundamental principles of democracy and implying that, in the immediate crisis, they were of only secondary importance. The moderates allowed it to happen. Each side practiced rule-or-ruin politics. To gain its own legitimate or illegitimate ends, each was ready to sacrifice the ideal of a people governing themselves by majority rule, one side in order to prevent its application, the other to extend it.

Between the extremes, the center itself divided. James Buchanan was still President when South Carolina seceded. Believing no

minority had the right to override the majority or destroy the union, he nevertheless held that the majority could not coerce the minority as a matter of principle or of national survival.

The most frightening present-day parallel to the ante-bellum period is the tendency to permit modern radicals to divide society on the basis of "morality" instead of promoting debate on the nature of the problems confronting society and the most effective means of solving the problems.

As long as slavery was a political, economic and social problem (albeit with moral overtones), the states were able to deal with it; its extension was limited and the trade curtailed. There was hope for eventual solution as late as 1850. But when the problem was forced beyond the political arena and became a moral issue, compromise and patience were no longer possible. Where once an institution had been condemned, subsequently fellow citizens were castigated as immoral or evil. The government of the people ceased to exist on a national basis and only war restored it.

In that war more than 617,500 men died. Legal slavery also died. Whether slavery could have been abolished short of war is questionable, but it is certain that the methods employed by the radicals stirred public passions to the point that leaders who tried to work through to a peaceable, just solution were cut off. Nor did the fearful price buy true freedom for the Negro. The nation has not finished with the bitterness, political division and racial injustice that survived the war.

Instead of sectional lines, racial and generational lines are being drawn today. Militant blacks and radical youth are attacking the problems of an admittedly imperfect society in terms of moral issues and with any means at hand. Viewing problems primarily as moral issues, however, has major drawbacks: One self and one's own solutions are necessarily seen as right. Anyone who does not support one's programs is at least blind; those who oppose or offer alternatives are not only wrong but immoral. If one's opponents are immoral, why quibble about the tactics used against the ungodly?

#### WHERE RESPONSIBILITY RESTS

Society must not permit itself to be divided into factions, each seeing itself as the guide on the only road to light. Moderates must speak out in defense of justice, but also in defense of fair and legal roads to justice. Legitimate authority must act judiciously to curb excesses of those who would reject all authority but their own. Whether we be parents, teachers, university administrators or government officials—or simply law-abiding, tax-paying, caring voters—we are responsible.

If a diverse people are to rule themselves, the majority (or its delegates) must decide and the minority must submit, even if the decisions are repugnant or hurtful. The minority can only try by persuasion to alter the balance. If the minority refuses to submit, society fragments and chaos results: Either the majority enforces its will by any means necessary, including war, or a period of anarchy ensues, historically followed by a tyranny of those most willing and able to use extreme measures. Self-government is dead. The founders of this nation did temper the harsh requirements of majority rule in the cause of individual liberty. Perceiving the danger implicit in "the greatest good for the greatest number," a possible tyranny by the majority, they wrote into the Constitution certain safeguards.

In their attitudes and strategy, the young radicals and black militants are the direct descendants of both the abolitionists and the Southern radicals, an uneasy mix surely. Like the abolitionists, they have a rather arrogant assurance that they are so right, that

they are above the law in their choice of means to their ends. Like the Southern radicals, they are so committed to their own view of the issues that they insist on being allowed to rule or ruin the system. Their attitude and more extreme methods are absolutely totalitarian.

Latter-day Buchanans find it difficult to condemn illegal methods employed in the name of reform. Like Buchanan, they deplore the excesses but deny society's responsibility to curb them.

#### FINDING THE PROPER COURSE

What is the proper course for a minority that finds some aspect of national or institutional policy accepted by the majority to be morally and ethically repugnant? Must conscience be sacrificed to majority will? Or must punishment be accepted as the price of exercising one's conscience? That dilemma accounts for much of the current hesitance to act in cases of clear violation of the law.

No very agreeable solution has been found. The dissenter can stifle his objections, exile himself, accept punishment—or limit his protest to legal forms. Society, of course, can ignore the violation of its laws, but it does so at its peril. Particularly when the minority is a sizable one, to ignore disobedience of the law is to encourage wholesale disrespect for the rule of law. To excuse a violation committed in the name of conscience is to set each man's conscience above that of the majority.

The response must be to examine the issue of the individual's right to heed his conscience in relation to the importance of a people's right to self-rule. The collapse of free democratic government that safeguards basic liberties ends the individual's free exercise of conscience. The obverse does not hold. The doctrine of individual nullification is no more valid in the 1960s than was its states' rights ancestor in 1795.

Harsh as it is, the paramount importance of the right of a majority to govern must be defended—even at the cost of the use of force.

The contemporary protest movement was born in the Rev. Martin Luther King's Montgomery bus boycott. Its current form is a perversion of those unquestionably legal, peaceful and productive origins. Now, the movement embraces seizure or destruction of property; violence or threat of it against persons; the systematic harassment of law-enforcement personnel; the denial of the right of others to free speech and legitimate action; the impairment of academic freedom. Current tactics differ not only in degree but in nature from Dr. King's non-violent civil disobedience that constituted no threat to the persons or rights of others or the rule of law. He never demanded amnesty for violating the law: He broke only those laws whose legality he wished tested against Constitutional principles, thereby forcing the law to live up to its ideals.

Where authorities do not make the mistake of using undue force against illegal forms of protest (thereby casting the protesters in the role of innocents whose demands must be granted in recompense), legal protest will serve as well and gain more of significance: Concessions rationally evolved in a spirit of community and cooperation stand more chance of being effective, leave no residue of bitterness and division, establish no precedents of disrespect for the rights of others.

In the closing days of the Convention of 1787, many of the participants were less than perfectly satisfied with their efforts at creating a Constitution. It was understood that some of the leading political figures of the day would oppose its ratification. Nearly at the end of his public service, Benjamin Franklin rose. Addressing the dissidents, he called on each to "doubt a little of his own infallibility..."

As for the rest, Franklin recognized that all had some fault to find with the Constitution, yet he urged support for it because, he said, "I expect no better, and I am not sure it is not the best."

#### DIMENSIONS OF SECURITY

Mr. MANSFIELD. Mr. President, the chairman of the Committee on Foreign Relations, Senator FULBRIGHT, delivered a speech to the National War College on May 19, entitled "Dimensions of Security."

The student body at the National War College is one of the most distinguished and able in the United States. Speaking to that audience provided a good occasion for the chairman of the Foreign Relations Committee to convey to that group some of the deep concern some of us feel in the Senate about the direction of our foreign policy and its relation to our military posture.

There is little I can add to the remarks which Senator FULBRIGHT made, but I would like to emphasize that the speech as reported in the press may imply that the chairman of the committee has not been sympathetic and understanding and admiring of the conduct of American soldiers in the field. This simply is not true. Senator FULBRIGHT said:

The courage and endurance of our fighting men command the respect of all Americans; the fault in our war policy lies not with them but with the political decisions which committed them to an impossible task.

Mr. President, I ask unanimous consent that the remarks of Senator FULBRIGHT be inserted in the RECORD at this point.

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

#### DIMENSIONS OF SECURITY

In the old Western movies there was a standard climax in which the villain emerged from his hideout shielded behind the captive heroine and snarling: "Shoot me and the girl dies!" I perceive in this old melodrama a kind of analogue to my own relations with the military. In these years of criticizing our war policy in Vietnam, I have thought a number of times that I had my fellow politicians in the executive branch concerned—intellectually, that is—only to have them burst out of their hideout shielded behind the military in the role of the heroine, and snarling: "Shoot me and the girl dies!"

I am tired—as I expect you may be—of seeing the military used as a hostage for policies made by civilian officials. I am tired of having my criticism of the war in Vietnam interpreted as an attack on our soldiers in the field. In fact it is no such thing. The courage and endurance of our fighting men command the respect of all Americans; the fault in our war policy lies not with them but with the political decisions which committed them to an impossible task. We have been trying to defeat a nationalist insurgency on behalf of a government which has shown itself incapable of inspiring either the support of its people or the fighting spirit of its army. For reasons having nothing to do with the fighting abilities of our GI's or the leadership qualities of their officers, that task has been found impossible—not in the sense that it is beyond our military means but because it is beyond any military means that we have been morally and politically willing to employ.

Some of us have perhaps not been as aware as we should of the anguish that Vietnam has involved for our professional soldiers. In the two world wars, and even the Korean War, our armed forces were bolstered by stalwart allies and strong public support at home. Both of these are lacking in Vietnam: our client is a weak reed and the American people are divided and demoralized. These, I am well aware, are heavy psychological burdens for an army facing a resourceful and tenacious enemy.

In addition, there is the specter of having to settle for something less than victory, perhaps even something less than a standoff. That would be a new experience for American soldiers, whose morale has been built not only on their unbroken history of success but on their "can-do" spirit in the face of any challenge. That spirit has served the American people well but it also contains a pitfall: it can lead an army to misjudge its prospects, by gauging them more on the basis of its own élan than a cold appreciation of the facts of the situation.

We politicians have a different standard. In our dealings with each other victories are rare; standoffs are routine; and sometimes we get beaten. Quite obviously soldiers cannot conduct wars by the pliant standards of parliamentarianism. But there is value in the experience of settling for less than you had hoped for, of trimming your sails, and carefully distinguishing between what you can do and what you cannot do. More than a few wars have been lost—I think of France in 1870 and Germany in 1914—in part because soldiers told their civilian chiefs that they could do more than it turned out they could do. And more than once in history a peace has been lost because politicians persuaded themselves that they could do more than it turned out they could do. In this connection, it occurs to me that few Presidential advisers, military or civilian ever served their country and President better than General Ridgeway did when he advised President Eisenhower in 1954, not that we could not intervene and win in Indochina, but that we could not do it at reasonable cost, or to any useful end. I think it is a great misfortune that there were no such persuasive "no-men" serving the Johnson Administration in 1964.

Mistakes are not liquidated with glory, and Vietnam, I believe, has been a mistake. At such time and by whatever means this war is ended, we are all likely to emerge somewhat sobered. There will be little for any of us to be proud of—except for the soldiers who fought so hard in so unpromising a cause. I stress this point to you as soldiers not only because I believe it to be true but, frankly, because I have had the fear that, out of an exaggerated feeling of our own responsibility for the stalemate in Vietnam, some of our military leaders have been professing an unwarranted optimism about the war, thereby encouraging its continuation.

#### I. THE DILEMMA OF ENDS AND MEANS

Having emphasized as clearly as I know how that I have no criticism to make of military men, or their performance in Vietnam, I turn now to the influence in our affairs that I do criticize: not the military but militarism, and its effects upon American life. I do not propose to belabor you with a discourse on the military-industrial-labor-university complex. I expect you have heard something about it already—more perhaps than you have cared to hear. Nor do I propose to recite the list of our foreign installations and the names of the countries to which we have committed ourselves militarily by one means or another. I propose instead to suggest some of the ways in which our far-flung military commitments are bringing about profound changes in the character of our society and government—changes which are slowly undermining democratic procedure and values,

and which, taken together, have set us on the path toward authoritarian government.

My theme is the relationship of ends to means, the connection between the objective of our foreign relations and the nature of the policies we pursue. The ultimate test of any foreign policy is not its short-term tactical success but its effectiveness in defending the basic values of the society. When a policy becomes incompatible with, or subversive of, those values, it is a bad policy, regardless of its technical or tactical effectiveness. I think we would all agree that the central, commanding goal of American foreign policy is the preservation of constitutional government in a free society. My apprehension is that we are subverting that goal by the very means chosen to defend it.

Confronted in the last generation with a series of challenges from dynamic totalitarian powers, we have felt ourselves compelled, gradually and inadvertently, to imitate some of the methods of our adversaries, seeking to fight fire with fire. I do not share the view that American fears of Soviet and Chinese aggressiveness have been uniformly paranoid, although I think there have been a fair number of instances of that. My point is that the very objective we pursue—the preservation of a free society—proscribes certain kinds of policies to us even though they might be the most tactically expedient. We cannot, without doing to ourselves the very injury that we seek to secure ourselves against from foreign adversaries, pursue policies which rely primarily on the threat or use of force, because policies of force are inevitably disruptive of democratic values. Alexis de Tocqueville, that wisest of observers of American democracy, put it this way:

"War does not always give democratic societies over to military government, but it must invariably and immeasurably increase the powers of civil government; it must almost automatically concentrate the direction of all men and the control of all things in the hands of the government. If that does not lead to despotism by sudden violence, it leads men gently in that direction by their habits.

"All those who seek to destroy the freedom of the democratic nations must know that war is the surest and shortest means to accomplish this. That is the very first axiom of their science."<sup>1</sup>

For more than a decade out of the last three we have been engaged in large-scale warfare, and for the rest of that period we have been engaged in the cold war and in ever more costly preparations for war. In the wake of our disappointment with the United Nations in the forties, we have taken it upon ourselves to preserve order and stability in much of the world, purporting to do on our own the things that Wilson and Roosevelt hoped to accomplish through world organization but never dreamed of America doing on its own. As I have said, I am not one of those who believe that these vast commitments were taken on out of delusion or the conscious lust for power. The threat, though exaggerated and distorted in some instances, has been real enough in others, but in either case the effect has been the same for our internal life. War, and the chronic threat of war, have been carrying us, "gently" by our "habits," toward despotism.

The dilemma involved in all this for a soldier must be a particularly agonizing one. It must sound as though he is being asked to fight with one hand behind his back, accepting limits upon his own stock in trade of which his adversary is free. And that is exactly what you, as soldiers, are being asked to do. You are asked to conceive of security in a dimension broader than that of your own trade. You are asked to conceive of security in terms of ends as well as means, in

<sup>1</sup> Alexis de Tocqueville, *Democracy in America* (New York: Harper & Row, Publishers, 1966), Vol. II, ch. 22, p. 625.

terms of the procedures and values of a free society as well as the most efficient means of thwarting an adversary.

There are times, to be sure, when a threat may seem so great and imminent as to warrant the circumvention of democratic procedure. There are times when war is thrust upon you. But there are times when a threat turns out in retrospect to have been less ominous than it seemed; there are times when we have some choice in the matter of war and peace. Psychologists tell us that our perceptions are only partly reflections of the real world; the other part is determined by our own expectations. I think that we have perceived more menace in the world around us than is actually there. I believe that we have had more choice than we have known. Korea was perhaps forced upon us; Vietnam was not, Pearl Harbor left us with no choice; the incident in the Gulf of Tonkin left us with ample choice. The Cuban missile crisis may have warranted unusual procedures; the Bay of Pigs and the Dominican Republic patently did not.

Because of the kind of country we are, we cannot, except in the most exceptional circumstances, allow foreign policy to take priority over domestic and constitutional requirements. Given a choice between the use of force and less certain but peaceful methods, it is in our interests to take a chance on the latter. Given a choice between efficient emergency procedures and cumbersome democratic ones, it is in our interests to gamble on the latter—in full consciousness of the possibility that our democratic procedures may cost us embarrassment or worse in our foreign policy.

It is quite beside the point to contend, as some of the advocates of the anti-ballistic missile contend, that it is safer to "err on the side of security," because security is involved on both sides of the argument. One has to do with the security of means, the other with the security of ends.

For three decades we have been erring on the side of the security of means. The consequences of that error are only now coming clearly into view. I should like to suggest what some of these consequences have been—economic, political and moral—and how they have undermined our security in its broader dimension.

## II. THE PRICE OF EMPIRE

Every nation has a double identity: it is both a power engaged in foreign relations and a society serving the interests of its citizens. As a power the nation draws upon but does not replenish its people's economic, political and moral resources. The replenishment of wealth—in this broader than economic sense—is a function of domestic life, of the nation as a society. In the last three decades the United States has been heavily preoccupied with its role as the world's greatest power, to the neglect of its societal responsibilities, and at incalculable cost to our national security. The economic cost is reflected in the disparity of almost ten to one between federal military expenditures since World War II and regular national budgetary expenditures for education, welfare, health and housing. The political cost is reflected in the steady concentration of power in the hands of the national executive, in a long-term trend toward authoritarian government. The moral cost is reflected in the unhappiness of the American people, most particularly in the angry alienation of our youth.

Speaking first of the economics of our global role: I have been told many times that in terms of our gross national product, we can well afford to do the things that need to be done at home without reducing our activities abroad. The answer to that assertion is that we are not in fact rebuilding our cities; we are not overcoming poverty and building schools and houses on anything approaching a scale commensurate with the

need; nor are we effectively combating crime, pollution, and urban and suburban ugliness.

Even if the economic resources were there, the psychological resources are not. The war in Vietnam has drained off not only money but political energy and leadership, and public receptiveness to reform. The war has totally altered the atmosphere of a few years ago, when hopes and confidence were high and the American people seemed willing to embark upon an era of social reform. An excellent start was made with the landmark legislation of 1964 and 1965, but Vietnam cut that short, dividing the country and the Congress, and inciting dissent and disorder. These in turn have given rise to a middle class reaction based on the fear of violence and anarchy. The result is an atmosphere uncongenial to reform, urgently needed though it is. Until the war in Vietnam is ended, there can be no prospect of the nation's more sober and generous instincts reasserting themselves, no prospect of a renewal of the nation's strength at its vital domestic source.

Having promised not to lecture you on the military-industrial-labor-academic complex, I confine myself to this one observation: With military expenditures providing the livelihood of some 10 percent of our work force; with 22 thousand major corporate defense contractors and another 100 thousand subcontractors; with defense plants or installations located in 363 of the 435 Congressional districts; with the Department of Defense spending \$7.5 billion on research and development this year, making it the largest consumer of research output in the nation—millions of Americans whose only interest is in making a decent living have acquired a vested interest in an economy geared to war. These benefits, once obtained, are not easily parted with. Every new weapons system or military installation soon acquires a constituency—a process which is aided and abetted by the perspicacity with which Pentagon officials award lucrative contracts and establish a new plants and installations in the districts of influential Members of Congress. I have not the slightest doubt that, if the anti-ballistic missile is deployed, it will soon acquire its own powerful constituency, and then we will be saddled with it—for reasons wholly independent of its ostensible military utility.

According to current intelligence calculations, made in terms of equivalent real purchasing power, the Russians are spending only three-fourths as much as we are on defense. Nonetheless, we are told, they threaten to pull ahead of us in strategic weapons and we must be prepared to counter that threat. I do not understand why they should be getting so much more for their money than we are. Perhaps the fault lies in inferior American efficiency—a disconcerting thought. Perhaps it lies in the lack of legislative oversight of the defense budget comparable in rigor and thoroughness to that exercised over the much smaller budgets of the other departments.

Be that as it may, by any standard the amounts spent on defense have become staggeringly disproportionate to the rest of the economy. It fills me with dismay when Department of Defense officials suggest that, as part of a "grand design" for strategic policy, we may be forced to "win" an arms race with the Russians by relying on our superior resources to spend them into bankruptcy. Such a strategy puts me in mind of the practice among the Indians of the Pacific northwest known as the "potlatch." Starting as a rivalry in gift-giving for the sake of prestige, the practice degenerated, as the tribes became wealthier, into competitive orgies of waste and destruction. An anthropologist describes it as follows:

"No longer did the potlatch serve its traditional functions of redistributing wealth, validating rank, and making valued alliances.

The wealth of these new rich seemed limitless, more than they could ever consume at a potlatch. So they instead destroyed vast amounts of wealth before the horrified eyes of the guests, as well as the other contenders, to dramatize the extent of their holdings. Fortunes were tossed into potlatch fires; canoes were destroyed; captives were killed. The competing claimants had no alternatives but to destroy even more property at their potlatches.

"A contender for rank ultimately found himself in a position whereby the only way he could humiliate a wealthy rival was to destroy one of the precious coppers"—a kind of bank note representing vast wealth. "The act was equivalent to wiping out all the debts owed to him. It was an incredible price to pay, but the man who made such a dramatic gesture no doubt rose meteorically in rank."<sup>2</sup>

Quite as inevitably as if it were deliberate, our imperial role in the world has generated a trend toward authoritarian government.

Vested by the Constitution exclusively in the Congress, the power to initiate war has now passed under the virtually exclusive control of the executive. The "dog of war," which Jefferson thought had been tightly leashed to the legislature, has now passed under the virtually exclusive control of the executive. The President's powers as commander-in-chief, which Hamilton defined as "nothing more than the supreme command and direction of the military and naval forces," are now interpreted as conferring upon the President full constitutional power to commit the armed forces to conflict without the consent of Congress. On the one hand it is asserted that the initiation of an all-out nuclear war could not possibly await Congressional authorization; on the other hand it is contended that limited wars are inappropriate for Congressional action. There being, to the best of my knowledge, no other kinds of war besides "limited" and "unlimited," it would seem that the Congressional war power has been effectively nullified.

The treaty power of the Senate has also been effectively usurped. Once regarded as the only constitutional means of making a significant foreign commitment, while executive agreements were confined to matters of routine or triviality, the treaty has now been reduced to only one of a number of methods of entering binding foreign engagements. In current usage the term "commitment" is used to refer to engagements deriving sometimes from treaties but more often from executive agreements and even simple, sometimes casual declarations.

Thailand provides an interesting illustration. Under the SEATO Treaty the United States has only two specific obligations to Thailand: to act "in accordance with its constitutional processes in the event that Thailand is overtly attacked, and to "consult immediately" with the other SEATO allies should Thailand be threatened by subversion. But the presence of 50 thousand American troops in Thailand, assigned there by the executive acting entirely on its own authority, creates a *de facto* commitment going far beyond the SEATO Treaty. In addition, on March 6, 1962, former Secretary of State Dean Rusk and Thai Foreign Minister Thanat Khoman issued a joint declaration in which Secretary Rusk expressed "the firm intention of the United States to aid Thailand, its ally and historic friend, in resisting Communist aggression and subversion." This, obviously, goes far beyond the SEATO Treaty.

<sup>2</sup> Peter Farb, *Man's Rise to Civilization as Shown by the Indians of North America from Primeval Times to the Coming of the Industrial State* (New York: E. P. Dutton & Co., Inc., 1968), pp. 150, 151.

An even more striking illustration of the upgrading of a limited agreement into a *de facto* military obligation is provided by the series of agreements negotiated over the last sixteen years for the maintenance of bases in Spain. Initiated under an executive agreement in 1953, the bases agreement was significantly upgraded by a joint declaration issued by Secretary Rusk and Spanish Foreign Minister Castiella in 1963 asserting that a "threat to either country" would be the occasion for each to "take such action as it may consider appropriate within the framework of its constitutional processes." In strict constitutional law, this agreement, whose phrasing closely resembles that of our multilateral security treaties, would be binding on no one except for Mr. Rusk himself; in fact it is what might be called the "functional equivalent" of a treaty ratified by the Senate. Acknowledging even more explicitly the extent of our *de facto* commitment to Spain, General Wheeler, acting under instructions from Secretary Rusk, provided Spanish military authorities in 1968 with a secret memorandum asserting that the presence of American armed forces in Spain constituted a more significant security guarantee than would a written agreement.

Quite aside from questions of the merit or desirability of these commitments, the means by which they were incurred must be a matter of great concern to anyone who is concerned with the integrity of our constitutional processes. For at least thirty years powers over our foreign relations has been flowing into the hands of the executive. So far has this process advanced that, in the recently expressed view of the Committee on Foreign Relations, "it is no longer accurate to characterize our government, in matters of foreign relations, as one of separated powers checked and balanced against each other."<sup>3</sup> To a limited extent this constitutional imbalance has come about as the result of executive usurpation; to a greater extent it has been caused by the failure of Congress to meet its responsibilities and defend its prerogatives in the field of foreign relations; but most of all it has been the result of chronic warfare and crisis, of that all but inevitable concentration of powers in time of emergency of which Alexis de Tocqueville took notice over a century ago.

Under circumstances of continuing threat to the national security, it is hardly surprising that the military itself should have become an active, and largely unregulated, participant in the policy making process. Bringing to bear a degree of discipline, unanimity and strength of conviction seldom found among civilian officials, the able and energetic men who fill the top ranks of the armed services have acquired an influence disproportionate to their numbers on the nation's security policy. The Department of Defense itself has become a vigorous partisan in our politics, exerting great influence on the President, on the military committees of Congress, on the "think tanks" and universities to which it parcels out lucrative research contracts, and on public opinion. I was, quite frankly, disturbed to learn some weeks ago that the Department of the Army actually planned a national publicity campaign, involving exhibits and planted magazine articles to be solicited from civilian scientists, in order to "sell" the ABM to the American public and to counteract the criticisms of Congressmen and the scientific community.

Again, let me emphasize that the danger I perceive here is not military men but *militarism*. Applying the same principle to the

executive as a whole, the danger of executive dominance over our foreign relations has nothing to do with the wisdom or lack of it of individual officials. A threat to democracy arises from *any* great concentration of unregulated power. I would no more want unregulated power to be wielded by the Congress than by the executive or the military—not even by the Senate Committee on Foreign Relations. The principle is an old and familiar one, and is just as valid today as it was when Jefferson expressed it in the simple maxim: "Whatever power in any government is independent, is absolute also."

In recent months the Senate has shown a growing awareness of the need for restoring a degree of constitutional balance in the making of our foreign policy. To a great extent this new attitude has been reflected in the debate on the anti-ballistic missile and a general disposition to bring the military budget under the same scrutiny that has always been applied to the budgets of the civilian agencies. In addition, the Senate is about to debate a "national commitments" resolution, the essential purpose of which is to remind the Congress of its constitutional responsibilities both for the making of treaties and the initiation of war.

These, I believe, are hopeful and necessary steps, but in the long run it is unlikely that constitutional government can be preserved solely by the vigorous exercise of legislative authority. No matter what safeguards of attitude and procedure we employ, a foreign policy of chronic warfare and intervention has its own irreversible dynamic, and that is toward authoritarian government. A democracy simply cannot allow foreign policy to become an end in itself, or anything more than an instrument toward the central, dominating goal of securing democratic values within our own society. I would indeed lay it down as a fairly confident prediction that, if American democracy is destroyed within the next generation, it will not be destroyed by the Russians or the Chinese but by ourselves, by the very means we use to defend it. That is why it seems to me so urgent for us to change the emphasis of our policy, from the security of means to the security of ends.

Finally, I would like to say a word about the moral price of our imperial role in the world. The success of a foreign policy, as we have been discovering, depends not only on the availability of military and economic resources but, at least as much, upon the support given it by our people. As we have also been discovering, that support cannot be gained solely by eloquent entreaty, much less by the devices of public relations. In the long run it can only be secured by devising policies which are broadly consistent with the national character and traditional values of the society, and these—products of the total national experience—are beyond the reach of even the most effective modern techniques of political manipulation.

History did not prepare the American people for the kind of role we are now playing in the world. From the time of the framing of the Constitution to the two world wars our experience and values—if not our uniform practice—conditioned us not for the unilateral exercise of power but for the placing of limits upon it. Perhaps it was a vanity but we supposed that we could be an example for the world—an example of rationality and restraint. We supposed, as Woodrow Wilson put it, that a rational world order could be created embodying "not a balance of power but a community of power; not organized rivalries, but an organized common peace."

Our practice has not lived up to that ideal but, from the earliest days of the Republic, the ideal has retained its hold upon us, and every time we have acted inconsistently with it—not just in Vietnam but every time—a hue and cry of opposition has arisen. When

the United States invaded Mexico, two former Presidents and one future President<sup>4</sup> denounced the war as violating American principles. The senior of them, John Quincy Adams, is said even to have expressed the hope that General Taylor's officers would resign and his men desert.<sup>5</sup> When the United States fought a war with Spain and then suppressed the patriotic resistance to American rule of the Philippines, the ranks of opposition were swelled with two former Presidents, Harrison and Cleveland, with Senators and Congressmen including the Speaker of the House of Representatives, and with such distinguished individuals as Andrew Carnegie and Samuel Gompers.

The dilemma of contemporary American foreign policy is that, while becoming the most powerful nation ever to have existed on the earth, the American people have also carried forward their historical mistrust of power and their commitment to the imposition of restraints upon it.<sup>6</sup> That dilemma came to literal and symbolic fulfillment in the year 1945 when two powerful new forces came into the world. One was the bomb at Hiroshima, representing a quantum leap to a new dimension of undisciplined power. The other was the United Nations Charter, representing the most significant effort ever made toward the restraint and control of national power. Both were American inventions, one the product of our laboratories, the other the product of our national experience. Incongruous though they are, these are America's legacies to the modern world: the one manifested in Vietnam and the nuclear arms race, the other in the hope that these may yet be brought under control.

The incongruity between our old values and our new unilateral power has greatly troubled the American people. It has much to do, I suspect, with the current student rebellion. Like a human body reacting against a transplanted organ, our body politic is reacting against the alien values which, in the name of security, have been grafted upon it. We cannot—and dare not—divest ourselves of power, but we have a choice as to how we will use it. We can try to ride out the current convulsion in our society and adapt ourselves to a new role as the world's nuclear vigilante. Or we can try to adapt our power to our traditional values, never allowing it to become more than a means toward domestic, societal ends, while seeking every opportunity to discipline it within an international community.

We cannot resolve this dilemma by choosing to "err on the side of security," because security is the argument for both sides. The real question is: which represents the more promising approach to security in its broader dimension?

#### "THE HEAD OF LOCAL 1199" BY ANTHONY HARRIGAN

Mr. THURMOND. Mr. President, many of you are aware of the difficulty being experienced currently in Charleston, S.C.

Seventeen of my colleagues saw fit to sign a letter to the President urging the President's intervention in this matter. I have written each of those Senators

<sup>4</sup> John Quincy Adams, Martin van Buren and Abraham Lincoln.

<sup>5</sup> Charles A. Barker, "Another American Dilemma," *Virginia Quarterly Review*, Spring 1969, pp. 239-240.

<sup>6</sup> The theme here developed, the dilemma posed by American power as against the commitment to an equality of rights in a community of world power, is adapted from an article by Professor Charles A. Barker of the Department of History of Johns Hopkins University, *ibid.*, pp. 230-252.

<sup>3</sup> *National Commitments*, Report of the Committee on Foreign Relations on S. Res. 85, United States Senate, 91st Cong., 1st Sess. (Washington: U.S. Government Printing Office, 1969), p. 7.

and sent to them a copy of an article by Anthony Harrigan in the Charleston News and Courier, "A Profile: The Head of Local 1199."

Mr. President, I ask unanimous consent that the article entitled "A Profile: The Head of Local 1199" by Anthony Harrigan and the text of my letter to 17 of my colleagues be printed in the CONGRESSIONAL RECORD.

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

**A PROFILE: THE HEAD OF LOCAL 1199**

(By Anthony Harrigan)

The News and Courier has obtained a file of material, including congressional reports and clippings from Communist Party journals, concerning Leon Julius Davis, president of Local 1199, Drug and Hospital Employees Union. The union is currently involved in a strike against two public hospitals in Charleston.

The record shows that Davis was born near Pinsk in Russia on Nov. 21, 1912. He came to the United States at age 9 in the company of an older brother. He became a drug-store clerk and formed Local 1199 in 1932.

In 1938, Davis was the signer of a Communist Party petition to place a candidate on the Communist Party ballot.

Davis' political activities first received considerable attention in the 1940s. He was listed in a House of Representatives report as having been affiliated with the Citizens Committee to Free Earl Browder, former head of the Communist Party in the United States.

Called to testify before the Committee on Education and Labor, Davis invoked the First and Fifth Amendments when counsel asked whether he was or ever had been a member of the Communist Party.

On Oct. 2, 1946, the Communist newspaper Daily Worker reported that Davis was one of 20 unionists in New York City who protested efforts by Democratic leaders in New York State to get the Communist Party off the ballot.

Davis' activities were not confined to the 1940s. While he is in the news this month due to his effort to organize striking hospital attendants in Charleston, his activities in the 1950s and 1960s have been fully reported in the Communist Daily Worker, The Militant, The National Guardian, The Daily World and other communist and leftwing publications.

The pattern of political activities is consistent for the period from the 1940s through the 1960s.

On April 13, 1949, Davis was a signer of an advertisement in The New York Times calling on Congress to reject the North Atlantic Treaty Organization pact.

On May 11, 1966, he signed another advertisement in The New York Times, urging a full pardon for Morton Sobell, who was convicted of atomic espionage for the Soviet Union.

On Nov. 14, 1966, Davis was a speaker at a Mobilization for Peace in Vietnam rally in New York City. The Militant reported that among the participants in the rally was Herbert Aptheker, leading Communist Party theoretician.

The Worker reported March 19, 1968 that an "all day Fast For Peace" was held by Local 1199 in New York City. Davis spoke at the meeting. Entertainment consisted of showing the film "Inside North Vietnam."

The National Guardian reported Nov. 12, 1966 that Davis took part in a "peace" rally in New York Nov. 5. Other speakers included Sue Eanet, regional coordinator of Students For A Democratic Society, and David Mitchell, draft resister.

Davis' primary field of operations has been labor affairs.

On June 7, 1960, the Greater New York

Hospital Assn. cited Davis' refusal to tell a congressional committee whether he was a communist. Local 1199 had threatened a strike against 10 non-profit hospitals belonging to the association.

Thirteen days later, Davis issued an ultimatum to the 10 hospitals, urging them to cease admitting patients until the dispute was settled. Seven of the hospitals had been involved in a 46-day strike in 1959, when the union sought unsuccessfully to win bargaining recognition.

The Greater New York Hospital Assn., in a public statement, characterized Davis as a "ruthless man using the sick and suffering as hostages in an attempt to set himself up as a dictator in our voluntary, non-profit hospitals."

Three years later, Davis was arrested after a melee outside Lower Fifth Avenue Hospital in New York City. Police were called to deal with more than 100 demonstrators picketing the hospital. The police made a number of arrests for disorderly conduct and unlawful assembly.

In early June of 1962, Davis and two of his organizers, Elliott Godoff and Marshall Dubin, were sentenced to 30 days in prison for defying a court injunction barring a strike at Beth-El Hospital in New York City.

The Communist Worker of July 17, 1962, reported that Leon Davis was sentenced to another term in prison—this time for six months—by Justice David Benjamin of Brooklyn for refusing to call off the strike at Beth-El Hospital. The Worker quoted extensively from a statement by Mrs. Leon Davis in discussing the strike.

On July 14, 1968 The Worker hailed the success of Local 1199 in getting new contract terms from the League of Voluntary Hospitals in New York City. The Worker reported that Davis was considering ways for "a quick follow-up of the victory with organization in other cities along the East Coast."

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
Washington, D.C., May 20, 1969.

DEAR SENATOR: Though I had no advance word from you, it came to my attention that you were among a number of my colleagues who called on the President to intervene on behalf of Local 1199, Drug and Hospital Employees Union, which is currently striking two public hospitals in Charleston, South Carolina.

As I understand the statement in which you concurred, your reasoning was that any demonstration which is temporarily non-violent must necessarily represent a just cause; therefore, all demands should be met before any violence occurs.

I cannot agree with your argument, which to me is specious to say the least; however, I have no quarrel with your right to express your views and I am sure the American people are pleased to know where you stand.

I am enclosing for your information a copy of an article from the "Charleston News and Courier" which gives some background on Mr. Leon Davis, President of the Union which you seek to aid.

With best wishes,

Sincerely,

STROM THURMOND.

**EXECUTIVE COMMUNICATIONS,  
ETC.**

The Vice President laid before the Senate the following letters, which were referred as indicated:

REPORTS ON ANNUAL BILLS OF ALL-ELECTRIC HOMES AND STATISTICS OF PUBLICLY OWNED ELECTRIC UTILITIES

A letter from the Chairman, Federal Power Commission, transmitting, for the informa-

tion of the Senate, a copy of report on All-Electric Homes in the United States, Annual Bills, January 1, 1968, Cities of 50,000 and More; and a report of Statistics of Publicly Owned Electric Utilities in the United States, 1967 (with accompanying reports); to the Committee on Commerce.

**REPORT OF THE COMPTROLLER GENERAL**

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on Activities of the Center for Cultural and Technical Interchange Between East and West, Department of State, dated May 20, 1969 (with an accompanying report); to the Committee on Government Operations.

**REPORT OF PROJECT PROPOSALS UNDER THE SMALL RECLAMATION PROJECTS ACT OF 1956**

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the receipt of an application for a loan and grant by the Water Supply and Storage Co., Fort Collins, Colo. (with an accompanying report); to the Committee on Interior and Insular Affairs.

**PROPOSED CONCESSION CONTRACT FOR PADRE ISLAND NATIONAL SEASHORE, TEX.**

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract under which Padre Island National Seashores Co., will be authorized to operate facilities and services for the public at the North Beach Development (Malaquite Beach), Padre Island National Seashore, Tex., for a term of approximately 20 years from the execution date of contract through March 31, 1990, when executed by the Director of the National Park Service (with accompanying papers); to the Committee on Interior and Insular Affairs.

**PROPOSED LEGISLATION TO AUTHORIZE THE ADMINISTRATOR OF VETERANS' AFFAIRS TO ENTER INTO AGREEMENTS WITH HOSPITALS, MEDICAL SCHOOLS, OR MEDICAL INSTALLATIONS**

A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation, to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to enter into agreements with hospitals, medical schools or medical installations for the central administration of programs of training for interns and residents (with accompanying papers); to the Committee on Labor and Public Welfare.

**EXECUTIVE REPORTS OF  
COMMITTEES**

As in executive session,  
The following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

John B. Martin, Jr., of Michigan, to be Commissioner on Aging; and

Ronald Rumsfeld, of Illinois, to be Director of the Office of Economic Opportunity.

**PETITIONS AND MEMORIALS**

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

By the VICE PRESIDENT:

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Finance:

"H1418

"Resolution memorializing Congress to institute a tax-sharing program with State and local governments

"Resolved, That the general assembly of the state of Rhode Island and Providence Plantations respectfully requests the Con-

gress of the United States to institute a tax-sharing program with state and local governments; and be it further

"Resolved, That the secretary of state be and he hereby is authorized to transmit a duly certified copy of this resolution to each senator and representative from Rhode Island in the Congress of the United States in the hope that they will use every effort to institute and expedite such a program.

"AUGUST P. LA FRANCE,

"Secretary of State."

A resolution of the General Assembly of the State of Rhode Island; to the Committee on the Judiciary:

"S436

"Resolution memorializing Congress with respect to the establishment of a Federal Bureau of Investigation Crime Laboratory in Rhode Island

"Whereas, the Federal Bureau of Investigation has under consideration the establishment of a regional crime laboratory, and

"Whereas, the location of a regional crime laboratory in the state of Rhode Island would be of considerable value to law enforcement officials in the State by providing speedier and more complete technological assistance in the pursuit of their duties; now, therefore, be it

"Resolved, that the general assembly does hereby memorialize congress to establish a regional crime laboratory in the state of Rhode Island; and be it further

"Resolved, that the secretary of state be and hereby is authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in the congress of the United States.

"AUGUST P. LA FRANCE,

"Secretary of State."

Two resolutions of the General Assembly of the State of Rhode Island; to the Committee on Labor and Public Welfare:

"H1039

"Resolution memorializing Congress to amend the provisions of the Fair Labor Standards Act of 1938, as amended, to permit "school drop-outs" to be employed gainfully in industry under appropriate regulations promulgated by the Secretary of Labor

"Resolved, That the members of Congress of the United States be and they are hereby respectfully requested to make such amendment to the Fair Labor Standards Act of 1938, as amended, so that minors who are school drop-outs, so called, may be gainfully employed in industrial and manufacturing occupations involving the operation of machinery, under appropriate regulations to be promulgated by the secretary of labor for their safety and protection; and be it further

"Resolved, That the secretary of state be and he is hereby respectfully requested to transmit to the senators and representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution in the hope that each will use every endeavor to have favorable action taken by Congress on this special matter.

"AUGUST P. LA FRANCE,

"Secretary of State."

"H1966

"Resolution memorializing the Congress of the United States to enact legislation establishing a Federal workmen's compensation law

"Whereas, Dissatisfaction with the adequacy and administration of state Workmen's Compensation laws is becoming widespread; and

"Whereas, An attempt was made in the 90th Congress to establish a National Commission on State Workmen's Compensation Laws which would undertake a comprehen-

sive study and evaluation of state workmen's compensation laws and methods of implementing the recommendations of the Commission"; and

"Whereas, There are possibilities of the introduction of a bill setting minimum standards for all state workmen's compensation laws. One provision of which would be complete coverage of all occupations and employments, eliminating present exemptions based on the nature of the employer's business or the number of employees; now therefore be it

"Resolved, That the Congress of the United States be memorialized to enact legislation establishing a Federal Workmen's Compensation Law; and be it further

"Resolved, That the secretary of state be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in the Congress of the United States in the hope that they will use every effort to further the passage of a Federal Workmen's Compensation Law.

"AUGUST P. LA FRANCE,

"Secretary of State."

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Public Works:

"H1223

"Resolution memorializing the Members of the United States Senate and House of Representatives From the State of Rhode Island to Make Every Effort to See That Action Is Taken to Build a Breakwater in Bristol Harbor in the Town of Bristol, Rhode Island

"Whereas, Bristol, Rhode Island has suffered tremendous amounts of damage from past hurricanes, wave and tide action to its industry, business, railroad property, government property, and yachting facilities; and

"Whereas, A public hearing was held on this proposal on December 11, 1957, by the U.S. Army Corps of Engineers; and

"Whereas, Thereupon surveys and plans for this breakwater were made by the U.S. Army Corps of Engineers in 1958; now therefore, be it

"Resolved, That the members of the United States senate and house of representatives from the state of Rhode Island are respectfully requested to take proper action to have such breakwater constructed as soon as possible in Bristol harbor in said town of Bristol, Rhode Island; and be it further

"Resolved, That the secretary of state be and hereby is authorized to transmit duly certified copies of this resolution to the Rhode Island delegation in congress.

"AUGUST P. LA FRANCE,

"Secretary of State."

A joint resolution of the legislature of the State of Alaska; to the Committee on Labor and Public Welfare:

"S.J. RES. 33

"Joint resolution requesting restoration of funds proposed to be cut from the federal aid to schools in federally impacted areas program

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

"Whereas Alaska schools educate the children of the large number of federal employees, including the military, who reside in the state; and

"Whereas the state is struggling under financial disabilities resulting from its position of relative economic underdevelopment, but is nevertheless attempting to provide highest quality education to all of the pupils in the state; and

"Whereas federal aid to schools in federally impacted areas was established to provide funds to schools attended by large numbers of dependents of federal employees and military personnel in lieu of the revenue from state property taxes which cannot be levied on federal property; and

"Whereas, at a time when this country's commitment to education is truly beyond debate, the cutting of these funds will place an extremely heavy burden on this state and on all those states which have heavy concentrations of federal employees and military personnel, and it is an extremely shortsighted response to the growing needs of our young people for meaningful quality education;

"Be it resolved that the Legislature of the State of Alaska requests the Congress of the United States to restore the funds proposed to be cut from the federal aid to schools in federally impacted areas program.

"Copies of this Resolution shall be sent to the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Richard B. Russell, President Pro Tempore of the Senate; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"BRAD PHILLIPS,

"President of the Senate."

A joint resolution of the legislature of the State of Alaska; to the Committee on Commerce:

"SJR 16 am H

"Joint resolution relating to the protection of fish and shellfish resources in waters over the continental shelf of the United States

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

"Where as the present nine-mile contiguous fishery zone is an artificial area based on developing custom and not on the biological needs and migratory habits of species occupying the continental shelf, its overlying or superadjacent waters; and

"Whereas destruction and incidental catches by foreign gear of protected or fully utilized species, especially king crab, tanner crab and immature halibut, are causing deep concern among scientists, fishermen and the industry; and

"Whereas some domestic fisheries are either endangered, or have virtually ceased in some areas, or have been prevented from expanding in a free and orderly manner by the admitted over-exploitation of certain stocks, pre-emption of fishing grounds or the destruction of our gear by foreign fleets; and

"Whereas additional foreign countries have sent exploratory fleets to areas of our shores and are developing the ability to further exploit the shellfish, demersal and pelagic fishes of our continental shelf, thereby compounding a serious and alarming situation;

"Be it resolved that the Sixth Alaska State Legislature respectfully requests that the government of the United States strive to extend its jurisdiction over and protection of all fishery resources of the continental shelf adjoining the states and territories of this country, including those species occupying the overlying waters of the shelf and those superadjacent waters that admit to the exploitation of the creatures of the continental shelf.

"Copies of this Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable John W. McCormack, Speaker of the House; the Honorable Richard B. Russell, President pro tempore of the Senate; the Honorable William Rogers, Secretary of the Department of State; the Honorable Walter J. Hickel, Secretary of the Department of the Interior; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and to the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"BRAD PHILLIPS,

"President of the Senate."

A resolution of the House of the Legislature of the State of Alaska; to the Committee on Commerce:

"H.R. 29

"House Resolution requesting an amendment to the Jones Act to exempt the ferry vessel *M. V. Wickersham* from several of its provisions

"Be it resolved by the House of Representatives:

"Whereas the State of Alaska has established, at its own instigation and expense, a modern marine highway system connecting Alaska and the 48 contiguous states through the Port of Seattle; and

"Whereas the Alaska Marine Highway System was devised and is operated to take the place of a highway because of the impossibility of actual road building in Southeastern Alaska; and

"Whereas there is a tremendous movement in commerce, trade and tourism between the South 48 states and Alaska; and

"Whereas, to better handle all of the traffic, the Alaska Marine Highway System purchased a foreign-bottomed vessel, the *M. V. Wickersham*; and

"Whereas, due to the provisions of the Jones Act, the vessel is prohibited from transporting passengers and vehicles between U.S. ports, thus creating a burden on the residents of the state, on the flow of commerce and on the visitors to Alaska; and

"Whereas, for the continued effective operation of the Alaska Marine Highway System, it is necessary that the *M. V. Wickersham* be exempted from certain provisions of the Jones Act;

"Be it resolved by the House of Representatives of the Sixth Alaska Legislature that the United States Congress is respectfully urged to amend the Jones Act to allow the transportation of vehicles and passengers between United States ports on the *M. V. Wickersham*.

"Copies of this Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Richard B. Russell, President Pro Tempore of the Senate; the Honorable Harley O. Staggers, Chairman of the House Interstate and Foreign Commerce Committee; the Honorable Warren G. Magnuson, Chairman of the Senate Commerce Committee; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"J. M. KERTTULA,  
"Speaker of the House."

A concurrent resolution of the legislature of the State of New Jersey; to the Committee on Finance:

"S. CON. RES. 55

"A Concurrent Resolution memorializing the Congress of the United States relating to Federal taxation of State and local government bonds

"Whereas, Equity among taxpayers is essential to popular confidence in the Federal revenue system; and

"Whereas, The Ways and Means Committee of the United States House of Representatives has conducted extensive hearings on proposals for equitable reform of the Federal personal income tax; and

"Whereas, Spokesmen for the National Governors' Conference, the National Legislative Conference, the National Association of Attorneys General and the National Association of State Treasurers, Auditors and Comptrollers have endorsed the objective of tax reform while urging the committee to refrain from changes which would weaken the capacity of the States to meet the needs for State services;

"Be it resolved by the Senate of the State

of New Jersey (the General Assembly concurring):

"1. The New Jersey Legislature commends the Congress of the United States and in particular the Ways and Means Committee of the House of Representatives for the current efforts to improve the equity of the Federal personal income tax.

"2. The New Jersey Legislature records its concurrence with the testimony before the House of Representatives Ways and Means Committee on behalf of State Governments in the following respects:

"a. that no change be made which would deprive State and local government obligations of their traditional immunity from Federal taxation;

"b. that no change be made which would result in constriction of the market for bonds issued by the States or local governments;

"c. that no change be made which would interpose Federal judgments relating to the policies of the States or local governments; and

"d. that no change is acceptable which would subject borrowing by the States and local governments to the uncertainties of the appropriation processes of the Congress.

"3. A copy of the resolution be sent to the Speaker of the House of Representatives, the President of the Senate, and all members of Congress from the State of New Jersey.

"HENRY H. PATTERSON,  
"Secretary of the Senate."

A joint resolution of the legislature of the State of Tennessee; to the Committee on Rules and Administration:

"H.J. Res. 99

"A resolution memorializing and recommending to the Senate of the United States of America to establish a Standing Committee for the purpose of handling matters relating to veterans affairs.

"Whereas, The General Assembly of the State of Tennessee has been advised of the fact that there are numerous matters concerning veterans affairs being sent to the Congress of the United States of America; and,

"Whereas, The House of Representatives of the United States of America has established a Standing Committee for the purpose of handling matters appearing before their body that relate to veterans affairs; and

"Whereas, At the present time there are several committees in the Senate of the United States of America that are considering veterans affairs in connection with their regular duties; and,

"Whereas, The Disabled American Veterans Organization feels that this situation is not feasible and in the best interest of veterans since there are more than 27 million veterans in the nation and when the wives, widows and orphans of veterans are considered, this number constitutes about one-half of the nation's population; and,

"Whereas, It is generally felt across the United States of America that there is a sufficient number of matters concerning veterans affairs coming before the Senate of the United States of America to warrant such a Standing Committee; and,

"Whereas, In the Ninetieth Congress, a bill establishing a Senate Committee on Veterans Affairs was approved by the Senate Committee on Rules and Regulations, but the bill was never taken off the Calendar for floor action and therefore, the bill failed even though a majority of the Senators were recorded in favor of the measure; and,

"Whereas, The Veterans Administration is the second largest agency of the United States Government and it is only fair and equitable to the nation's taxpayers that all of the functions of the Veterans Administration be under one Senate Committee, as they are now under one House Committee; and,

"Whereas, In the Ninety-First Congress,

efforts will once again be made to establish a Standing Committee on Veterans Affairs in the Senate; and,

"Whereas, The General Assembly of the great State of Tennessee should go on record as having made a recommendation and request to the Senate of the United States of America as to the need for such a Standing Committee,

"Now, therefore, be it resolved by the House of Representatives of the Eighty-Sixth General Assembly of the State of Tennessee, the Senate concurring, That this Body, having been advised of the above situation and the divergent conditions created thereby, does hereby memorialize, request and recommend to the Senate of the United States of America to create and establish a Standing Committee on Veterans Affairs as it appears this would be in the best interest of the citizens of this great State; and,

"Be it further resolved, That suitable copies of this Resolution be sent to each member in the Senate of the United States of America, Washington, D.C.

"WILLIAM L. JENKINS,

"Speaker of the House of Representatives."

A resolution adopted by the town of Hot Springs, N.C., Carolinas Council of Housing and Redevelopment Officials opposing the proposed move of the Regional Office of the Department of Housing and Urban Development from Atlanta, Ga., to Philadelphia, Pa.; to the Committee on Banking and Currency.

A resolution adopted by the township of Morris, Morris County, N.J., opposing any change in the tax exempt status of municipal bonds; to the Committee on Finance.

A resolution adopted by the city of Elizabeth, N.J., opposing any change in the tax exempt status of municipal bonds; to the Committee on Finance.

#### REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

S. Res. 162. A resolution for the relief of certain Kaw Indians (Rept. No. 91-183).

#### BILLS INTRODUCED

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

By Mr. MOSS (for himself and Mr. METCALF):

S. 2199. A bill to provide Federal assistance to States for improving elementary and secondary teachers' salaries, for meeting the urgent needs of elementary and secondary education, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. DOLE:

S. 2200. A bill to amend the Internal Revenue Code of 1954 to provide for the valuation of a decedent's interest in a closely held business for estate tax purposes; to the Committee on Finance.

S. 2201. A bill for the relief of Unruh's, Inc.; to the Committee on the Judiciary.

By Mr. DOLE (for himself, Mr. ALLOTT, Mr. BELLMON, Mr. COOK, Mr. CURTIS, Mr. DOMINICK, Mr. GOLDWATER, Mr. GOODELL, Mr. GURNEY, Mr. HANSEN, Mr. JAVITS, Mr. MILLER, Mr. PEARSON, and Mr. STEVENS):

S. 2202. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. MURPHY (by unanimous consent):

S. 2203. A bill entitled the "Consumer Agricultural Food Protection Act of 1969"; to the Committee on Agriculture and Forestry.

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

By Mr. MURPHY (for himself, Mr. HATFIELD and Mr. TOWER):

S. 2204. A bill to establish the National Oceanic Agency; to the Committee on Commerce.

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

By Mr. STEVENS:

S. 2205. A bill for the relief of Kerstin Elisabeth Halversson; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2206. A bill for the relief of Clayton County Journal and Wilbur Harris; to the Committee on the Judiciary.

By Mr. MONDALE (for himself and Mr. JAVITS):

S. 2207. A bill to amend section 235 of the National Housing Act to provide more flexible mortgage limits in order to encourage the development of homeownership in high-cost areas for lower income families; to the Committee on Banking and Currency.

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

By Mr. BIBLE (for himself and Mr. CANNON):

S. 2208. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of a national lakeshore on Lake Tahoe in the State of Nevada, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. YOUNG of North Dakota:

S. 2209. A bill to authorize and direct the Secretary of the Interior to convey certain property in the State of North Dakota to the Central Dakota Nursing Home; to the Committee on Interior and Insular Affairs.

By Mr. HANSEN:

S. 2210. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to public museums; to the Committee on Government Operations.

By Mr. TYDINGS:

S. 2211. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Finance.

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

By Mr. YARBOROUGH:

S. 2212. A bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. HARTKE:

S. 2213. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of certain sugars, sirups, and molasses, and for other purposes; to the Committee on Finance.

By Mr. MURPHY (for himself and Mr. CRANSTON):

S. 2214. A bill to amend Section 608(c) (2) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture and Forestry.

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

By Mr. YARBOROUGH:

S. 2215. A bill to amend the act entitled "An act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes," approved October 15, 1966, so as to extend the provisions thereof for an additional period of 3 years; to the Committee on Interior and Insular Affairs.

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

S. 2216. A bill for the relief of Jean Rawls Fairbank; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2217. A bill for the relief of Yau Pik Chau; to the Committee on the Judiciary.

By Mr. PELL (for himself, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, Mr. KENNEDY, Mr. NELSON, Mr. MONDALE, Mr. EAGLETON, Mr. CRANSTON, and Mr. HUGHES):

S. 2218. A bill to amend the Elementary and Secondary Education Act of 1965 and related acts, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. PASTORE (for himself, Mr. PELL, and Mr. ERVIN):

S. 2219. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of braided rugs composed of tubular braids with a core; to the Committee on Finance.

By Mr. TYDINGS:

S. 2220. A bill for the relief of Gheung Fuk-Lun A15960565; to the Committee on the Judiciary.

By Mr. MURPHY:

S. 2221. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 2222. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California; and

S. 2223. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California; to the Committee on Interior and Insular Affairs.

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

#### S. 2199—INTRODUCTION OF THE GENERAL EDUCATION ASSISTANCE ACT OF 1969

Mr. MOSS. Mr. President, I introduce today, for myself and Senator METCALF, an important bill, the General Education Assistance Act of 1969, which is designed to stimulate vastly improved schooling for our Nation's children and youth. This legislation was drafted by the teachers of America, speaking through the National Education Association. It is identical to bills introduced in the House of Representatives by Chairman CARL D. PERKINS of the Education and Labor Committee, Congresswoman ERITH GREEN, and Congressman ARNOLD OLSEN.

The bill provides that, beginning in fiscal year 1971, and extending through fiscal 1975, there will be two types of Federal grants to the States. The first will

be computed on the simple formula of \$100 per school age child, ages 5 through 17, based on the latest data, and distributed to the States on the basis of relative school population. Since my State of Utah ranks third in the Nation in this respect—outranked only by Alaska and New Mexico—we will fare well under this formula. If fully funded, grants under this section will total somewhat more than \$5.25 billion during the first year.

The second grant, a flat \$2.5 billion per year, will be distributed to the States on the basis of per capita personal income factor. Since the number of poor in my State is only point three of 1 percent of the population, we will not do as well under this grant as many other States, but we are grateful that this is so, and more than willing to share with those States which have a greater burden of poverty than we do.

I shall include at the conclusion of these remarks two tables—one which shows the estimated school age population as a percent of the total resident population in each State, and a second which shows the number of poor in each State and the total allocation to each State equalized under both grants in total amounts and pre-school-child payments.

The bill provides that at least 50 percent, plus the State's share of the \$2.5 billion equalizing funds may be used by the State to meet other urgent needs, such as employing additional teachers and teacher aides for summer school and preschool programs, and programs and activities in which children in attendance at private nonprofit schools may participate on a shared-time basis.

The urgency of this legislation is indicated by the shockingly low holding power of our schools. In some districts, as many as 40 percent of the students drop out of high school before graduation. The armed services reject a large number of young men who are unable to pass the mental tests.

Schools find it difficult to attract and hold good teachers. Studies by the Federal Government indicate that the average urban family of four needs an income of at least \$9,200 to maintain a decent standard of living; yet the average classroom teacher's salary in 1968-69 is \$7,908. My home State of Utah ranks second in the Nation in State and local expenditures as a percent of personal income, according to a recent study, but falls below the national average in current expenditures for public elementary and secondary schools. Many States are similarly limited in taxing powers and are thus unable to compete effectively in the market for adequately trained educational personnel.

While the Congress has enacted many valuable programs in education, and I am proud to have strongly supported these bills over the past 11 years, I am increasingly convinced that we have reached the point of diminishing returns in categorical, or specific-purpose aid. The legislation now on the books should be continued, improved, and, wherever possible, consolidated. But the States need a massive infusion of discretionary funds to solve their own particular edu-

cation problems. These funds must come from Washington.

This bill would help solve the critical shortage of qualified teachers and enable States to design programs to improve and equalize educational opportunity without restrictive direction from Washington. The most convincing argument for this kind of legislation comes from the teachers themselves, the people who are at the impact point of Federal legislation. They see the results of what we legislate, and they are telling us in no uncertain terms that the very quality of our education system is in peril.

Mr. President, the teachers know as well as we do that there are many urgent and competing demands on the money available for domestic programs, and that the situation is aggravated by our commitments abroad. But now is the time for Congress to examine and think through its policy on education. Federal aid, established in principle by the 1785 Northwest Ordinance, is no longer a matter for philosophical debate. We must now look at what the educational system needs and correct the deficiencies in our approach. I believe that this legislation will enable us to make a giant first step in the rebuilding of the Nation's school system.

I ask unanimous consent that the bill and the two tables be printed in the RECORD following my introductory remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and tables will be printed in the RECORD.

The bill (S. 2199), to provide Federal assistance to States for improving elementary and secondary teachers' salaries, for meeting the urgent needs of elementary and secondary education, and for other purposes, introduced by Mr. Moss (for himself and Mr. METCALF), 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. 2199

*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 "General Education Assistance Act of 1969".*

#### BASIC GRANTS AUTHORIZED

SEC. 2. (a) The Commissioner shall, in accordance with the provisions of this Act, make basic grants to State educational agencies for increasing the salaries of teachers and meeting the urgent needs of State educational agencies and local educational agencies within such States for current expenditures.

(b) For the purpose of making such grants there is hereby authorized to be appropriated for the fiscal year ending June 30, 1971, and for each of the four succeeding fiscal years an amount equal to \$100 multiplied by the number of children, aged five to seventeen, inclusive, in all the States.

#### ALLOTMENTS FOR BASIC GRANTS

SEC. 3. (a) From the sums appropriated pursuant to sec. 2(b) for each fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children aged five to seventeen, inclusive, in

such State bears to the number of such children in all the States.

(b) The number of children aged five to seventeen, inclusive, in a State and in all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

#### SUPPLEMENTAL EQUALIZATION GRANTS

SEC. 4. (a) For the purpose of making additional funds to local educational agencies to meet their urgent needs in providing educational services and programs, there is hereby authorized to be appropriated \$2.5 billion for the fiscal year ending June 30, 1971, and for each of the four succeeding fiscal years.

(b) From the sums appropriated under subsection (a) for any fiscal year, the Commissioner shall allot not more than 3 per centum among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. The Commissioner shall allot the remainder of the sums so appropriated among the remaining States proportionately according to the number of children in the State aged five to seventeen, inclusive, in a category described in clause (A), (B), or (C) of section 103(a)(2) of the Elementary and Secondary Education Act of 1965 (assuming a "low-income" factor of \$3,000). In making determinations under the preceding sentence, the Commissioner shall use the data prescribed under 103(d) of such Act.

(c) Subject to the provisions of section 6, the Commissioner shall for each fiscal year make a grant to each State educational agency equal to the State's allotment under subsection (b) for that year.

(d) From the grant made for a fiscal year under subsection (c), the State educational agency shall, except as provided in the next sentence, make a grant to each local educational agency in the State in an amount equal to the amount of the State grant which is attributable to children in the school district of such agency. Where satisfactory data are not available to determine the amount of a grant to a local educational agency under the preceding section, the State educational agency shall determine the amount of the State grant which is attributable to children in the county or counties in which the school district of such agency is located, and shall apportion the funds among the agencies whose school districts are located in such county or counties on such equitable basis as may be determined by the State educational agency, in accordance with basic criteria prescribed by the Commissioner.

(e) A grant received by a local educational agency under this section shall be used for current expenditures to meet its urgent needs in providing educational services and programs.

#### USES OF FEDERAL GRANTS

SEC. 5. The State educational agency shall use at least one-half of any grant or grants received under this Act from sums appropriated under section 2(b), in accordance with applications approved under section 6, for payment to local educational agencies within such State to be used by such local agencies for increasing the salaries of teachers employed by such local agencies, and for increasing the salaries of teachers employed by such State educational agency. The remainder of such grant may be used, in accordance with applications approved under section 6, for payment to local educational agencies within such State to meet the urgent needs of such local agencies for current expenditures, including expenditures for employing additional teachers and teacher aides for summer school and preschool programs, programs and activities in which

children in attendance at private non-profit schools may participate on a shared-time basis, and for State educational agencies to meet the urgent needs of any such agency for current expenditures, including expenditures for summer school and preschool programs.

#### APPLICATIONS

SEC. 6. (a) A grant or grants under this Act shall be made to a State educational agency upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

(1) provide that the use of the Federal funds received under this Act will be administered by or under the supervision of the State educational agency;

(2) provide assurances that funds appropriated under section 2(b) will be used in accordance with section 5, prescribe criteria for achieving equitable distribution of such funds within such State and for identifying the urgent needs for current expenditures of such State agency and of local educational agencies within such State: *Provided*, That such criteria shall not permit the amount to be distributed to a local educational agency to be affected by the amount of its grant under section 4;

(3) provide assurances that funds appropriated under section 4(a) will be used for purposes set forth in section 4(e);

(4) set forth policies and procedures which assure that Federal funds made available under this Act for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be available for the purposes described in section 5, and in no case supplant such funds;

(5) provide assurances that, to the extent consistent with law, programs and services designed to meet urgent needs for current expenditures will be provided on an equitable basis to children attending private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State;

(6) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of an accounting for Federal funds received under this Act, and such reporting procedures, including an evaluation of the impact of Federal funds received under this Act, as the Commissioner may reasonably require; and

(7) provide adequate procedures for affording the local education agencies within such State reasonable notice and opportunity for hearing.

(b) The Commissioner shall approve an application which meets the requirements specified by subsection (a) of this section and shall not finally disapprove, in whole or in part, any application without first affording the State educational agency submitting the application reasonable notice and opportunity for a hearing.

#### PAYMENTS

SEC. 7. (a) From the amount allotted to each State pursuant to section 3, the Commissioner shall pay to the State educational agency of such State which has an application approved under section 6 an amount equal to the amount needed for the purposes set forth in such application.

(b) (1) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this Act, except that the total of such payments in any fiscal year shall not exceed—

(A) 1 per centum of the total of the amount paid under this Act for that year to the State educational agency; or

(B) \$150,000, or \$25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territories of the Pacific Islands, whichever is greater.

(2) There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this subsection.

(c) Payments under this Act may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

**WITHHOLDING**

SEC. 8. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, finds that there has been a failure to comply substantially with any provision set forth in the application of that State approved under section 6, the Commissioner shall notify the agency that further payments will not be made to the State under this Act (or, in his discretion, that the State educational agency shall not make further payments under this Act to specified local educational agencies whose actions caused or are involved in such failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this Act, or payments by the State educational agency under this Act shall be limited to local educational agencies whose actions did not cause or were not involved in the failure, as the case may be.

**JUDICIAL REVIEW**

SEC. 9 (a) (1) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its application submitted under section 6 or with his final action under section 8, such State may within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that section. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(b) (1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to any payment to such local agency pursuant to this Act, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State

educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

**PROHIBITIONS**

SEC. 10. (a) Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or the selection of library resources by any educational institution or school system, or over the content of any material developed or published under any program assisted pursuant to this Act.

(b) Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

**ADMINISTRATION**

SEC. 11. (a) The Commissioner may delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

**DEFINITIONS**

SEC. 12. As used in this Act—

(1) The term "Commissioner" means the Commissioner of Education.

(2) The term "teacher" means any member of the instructional staff of a public elementary or secondary school who is engaged in the teaching of students, as further defined by the State educational agency of each State.

(3) The term "current expenditures" means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, community services, pupil transportation services, operation and maintenance of plant, fixed charges, food services and student body activities, but not including expenditures for capital outlay, and debt service.

(4) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

(5) The term "free public education" means education which is provided at public expense, under public supervision and direction, and without tuition charge.

(6) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school

district, or other political subdivision of a State or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(7) The term "salaries" means the annual monetary compensation paid to teachers for services rendered in connection with their employment.

(8) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law.

(9) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(10) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

The material presented by Mr. Moss follows:

The estimated school age population (5-17) as a percent of the total resident population, compiled by the Research Division of NEA, follows:

	[In percent]	*
1. Alaska	-----	32.5
2. New Mexico	-----	30.9
3. Utah	-----	30.7
4. North Dakota	-----	29.6
5. Montana	-----	29.3
6. Louisiana	-----	29.1
7. Arizona	-----	28.9
8. Mississippi	-----	28.8
9. Idaho	-----	28.7
10. South Dakota	-----	28.6
Wyoming	-----	28.6
12. Minnesota	-----	28.3
13. Vermont	-----	28.2
14. Michigan	-----	28.1
15. Delaware	-----	27.9
Wisconsin	-----	27.9
17. South Carolina	-----	27.7
18. Colorado	-----	27.1
Georgia	-----	27.1
Hawaii	-----	27.1
Maryland	-----	27.1
22. Alabama	-----	27.0
Indiana	-----	27.0
24. Iowa	-----	26.9
25. Ohio	-----	26.8
26. Maine	-----	26.7
27. Kentucky	-----	26.5
Nevada	-----	26.5
29. Texas	-----	26.3
30. Kansas	-----	26.2
Nebraska	-----	26.2
North Carolina	-----	26.2
United States	-----	26.2
33. Virginia	-----	26.0
34. Missouri	-----	25.9
Oregon	-----	25.9
36. Washington	-----	25.8
37. California	-----	25.6
New Hampshire	-----	25.6
39. Illinois	-----	25.5
40. West Virginia	-----	25.4
41. Arkansas	-----	25.3
Connecticut	-----	25.3
Massachusetts	-----	25.3
44. Florida	-----	25.2
Tennessee	-----	25.2
46. New Jersey	-----	25.1
Pennsylvania	-----	25.1
48. Rhode Island	-----	24.8
49. Oklahoma	-----	24.3
50. New York	-----	24.1

GENERAL EDUCATION ASSISTANCE ACT OF 1969

	Number of poor 5 to 17, 1968-69	Percent of poor in each State	Equalization	Basic amount	Total amount	Total amount per child
	(1)	(2)	(3)	(4)	(5)	(6)
Alabama	351,430	3.9	\$96,825,000	\$96,200,000	\$193,025,000	\$200.60
Alaska	9,270	.1	2,550,000	9,000,000	11,550,000	128.35
Arizona	66,536	.7	18,325,000	48,200,000	66,525,000	138.03
Arkansas	217,890	2.4	60,025,000	51,000,000	111,025,000	217.72
California	549,753	6.1	151,475,000	493,000,000	644,475,000	130.73
Colorado	67,222	.7	18,500,000	55,400,000	73,900,000	133.39
Connecticut	58,311	.6	16,050,000	74,800,000	90,850,000	121.46
Delaware	13,706	.2	3,775,000	14,900,000	18,675,000	125.34
District of Columbia	32,782	.4	9,025,000	18,700,000	27,725,000	148.26
Florida	257,846	2.8	71,050,000	155,000,000	226,050,000	145.84
Georgia	382,068	4.2	105,275,000	124,200,000	229,475,000	184.76
Hawaii	20,302	.2	5,575,000	21,100,000	26,675,000	126.42
Idaho	26,176	.3	7,200,000	20,200,000	27,400,000	135.64
Illinois	333,125	3.7	91,800,000	280,000,000	371,800,000	132.79
Indiana	143,502	1.6	39,525,000	136,700,000	176,225,000	128.91
Iowa	133,861	1.5	36,875,000	73,900,000	110,775,000	149.90
Kansas	82,590	.9	22,750,000	60,400,000	83,150,000	137.67
Kentucky	285,909	3.2	78,775,000	85,600,000	164,375,000	192.03
Louisiana	313,896	3.5	86,500,000	108,500,000	195,000,000	179.72
Maine	39,236	.4	10,800,000	26,100,000	36,900,000	141.33
Maryland	117,588	1.3	32,400,000	102,000,000	134,400,000	131.76
Massachusetts	128,132	1.4	35,300,000	137,600,000	172,900,000	125.65
Michigan	265,053	2.9	73,025,000	245,400,000	318,425,000	129.76
Minnesota	155,441	1.7	42,825,000	103,000,000	145,825,000	141.58
Mississippi	338,596	2.7	93,300,000	67,400,000	160,700,000	238.43
Missouri	211,779	2.3	58,350,000	120,000,000	178,350,000	148.62
Montana	26,886	.3	7,400,000	20,300,000	27,700,000	136.45
Nebraska	67,258	.7	18,525,000	37,700,000	56,225,000	149.14
Nevada	6,620	.1	1,800,000	12,000,000	13,800,000	115.00
New Hampshire	14,531	.2	4,000,000	18,000,000	22,000,000	122.22
New Jersey	157,058	1.7	43,275,000	177,400,000	220,675,000	124.39
New Mexico	64,178	.7	17,675,000	31,400,000	49,075,000	156.29
New York	653,622	7.2	180,100,000	436,800,000	616,900,000	141.23
North Carolina	492,087	5.4	135,600,000	134,600,000	270,200,000	200.74
North Dakota	43,037	.5	11,850,000	18,500,000	30,350,000	164.05
Ohio	295,569	3.3	81,450,000	283,400,000	364,850,000	128.74
Oklahoma	148,811	1.6	41,000,000	61,100,000	102,100,000	167.10
Oregon	51,336	.6	14,125,000	52,100,000	66,225,000	127.11
Pennsylvania	384,566	4.2	105,975,000	293,500,000	399,475,000	136.11
Rhode Island	27,540	.3	7,575,000	22,600,000	30,175,000	133.52
South Carolina	298,168	3.3	82,150,000	74,500,000	156,650,000	210.27
South Dakota	52,139	.6	14,350,000	18,800,000	33,150,000	176.33
Tennessee	337,556	3.7	93,000,000	100,000,000	193,000,000	193.00
Texas	653,171	7.2	179,975,000	289,000,000	468,975,000	162.28
Utah	24,457	.3	6,725,000	31,700,000	38,425,000	121.21
Vermont	17,770	.2	4,875,000	11,900,000	16,775,000	140.97
Virginia	276,216	3.1	76,100,000	119,500,000	195,600,000	163.68
Washington	80,828	.9	22,250,000	84,500,000	106,750,000	126.33
West Virginia	155,659	1.7	42,875,000	45,900,000	88,775,000	193.41
Wisconsin	130,937	1.4	36,075,000	117,500,000	153,575,000	130.70
Wyoming	9,907	.1	2,725,000	9,000,000	11,725,000	130.28
United States	9,071,907	100.0	2,500,000,000	5,230,000,000	7,730,000,000	147.99
Added total			2,499,949,000	7,739,939,000	10,239,888,000	174.75

S. 2202—INTRODUCTION OF A BILL TO CREATE A RURAL TELEPHONE BANK

Mr. DOLE. Mr. President, I am introducing, along with 13 cosponsors, legislation to permit the creation of a rural telephone bank, initially under the supervision of the Secretary of Agriculture and ultimately converted to non-Federal ownership with operation and control by its borrowers.

RURAL TELEPHONE DEVELOPMENT HISTORY

The REA loan program is well known to us in the Congress. The original act authorizing rural electric loans was passed by Congress in 1936 and extended to include rural telephone loans in 1949. In 1949, only about 38 percent of the Nation's farms were receiving telephone service of any kind. In the ensuing 2 years to date, under the REA telephone program, approximately 82 percent have received telephone service. Eight subscribers per rural line was the standard set by REA when the program started, replacing the old 20 to 25 subscribers per line. With this new dial service the rural subscriber is using his telephone so much more today that the eight-party line is now more difficult to get to use than was the old system. These systems are now being upgraded to four-party, and where economically feasible, one-party service on a systemwide basis. Under this pro-

gram, loans are granted to eligible borrowers at the statutory rate of 2 percent, for which they are obligated to provide modern telephone service on an area coverage basis within their service areas. The loan repayment records of these companies—both private type and cooperative type—is outstanding. REA loans have been made to build and improve more than 500,000 route miles of telephone line to service approximately 2,400,000 subscribers in rural areas. REA telephone borrowers totaling 869—636 commercial companies and 233 cooperatives—have received loans of over \$1.6 billion since the beginning of the telephone program in 1949. They will need more than twice this amount in the next 15 years. It is simply not realistic to expect Congress to provide it all through direct annual appropriations.

The present REA 2 percent lending program is being maintained at about \$125 million per year. If the 2-percent program alone were to bear the burden of the expected future capital requirements, it would mean doubling the current appropriations. The Congress simply cannot be expected to provide such an amount, at such rate, but presently there is no other alternative.

NEED FOR NEW APPROACH

These REA telephone systems cannot go directly into the private money market, because most of them operate un-

der a very low subscriber-density handicap. REA telephone borrowers have an average subscriber density of 3.8 subscribers per route mile of line as compared to a subscriber density of 16 per mile for the total independent telephone companies and over 40 per mile for the Bell System companies. Under the provisions of the bill those systems with the least density would be able to continue to secure 2-percent financing, with those systems who could afford to pay higher rates of interest borrowing directly from the bank.

With the diverse demands upon the Federal Treasury, it is imperative that new and additional sources of capital funds, at usable interest rates, be developed if these needs are to be met. This is the purpose, Mr. President, of my bill.

RURAL TELEPHONE BANK

Enactment of this legislation will assure rural telephone systems access to reasonable-cost growth capital through private sources by establishing a supplemental credit mechanism to which the borrower systems may turn for all or part of their future capital requirements, thereby reducing the drain on the Treasury both for loan funds as well as subsidies. This proposed bank is modeled somewhat after the highly successful Federal land banks which have operated for over 50 years and have long since reimbursed the Federal Treasury for the Government capital investment and have become totally borrower owned and controlled. The demand for capital is demonstrated by the current backlog of telephone loan applications on hand at REA which was over \$309 million on April 30, 1969. This demand has been increasing each year and must be met if these companies are to survive and meet the demands of their subscribers and keep pace with the industry.

Through borrowings in the private money market and the mix of moneys from stock purchased by borrowers along with the Government investment in the capital stock, the bank will be able to provide additional funds needed over the present level of the 2-percent program to meet the needs of these borrowers. The Federal investment will be repaid under the provisions of this bill with interest.

A maximum of \$30 million a year through the annual appropriation process will be available over a 10-year period from repayments or outstanding 2 percent loans—rather than an additional drain of new money from the Treasury—for investment in the capital stock of the bank.

CONCLUSION

Mr. President, I sincerely believe that this legislation offers a very constructive approach toward solving the capital needs of this worthwhile rural program, a program which has worked well since its inception in 1949 for rural America and contributed much to the productive capacity of our Nation's farms. I personally view this bill as an important step in bringing about a fiscal realism and responsibility in the Federal role of government as it affects this particular program and one which I believe will adequately meet the future capital demands which these telephone systems

are facing in providing the kind of telephone service that our rural areas expect and deserve.

The REA program has traditionally been a program for people—the people of rural America and urban America and every time an REA financed line is built all of our people benefit. I think it is certain that if these systems are to have the growth capital that they need to extend their lines to all of our rural people and provide telephone service on a par with the city telephone subscribers, they must have this legislation enabling them to acquire much of the necessary funds from the private money market rather than total reliance on the current 2-percent program.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2202) to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes, introduced by Mr. DOLE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

#### S. 2203—INTRODUCTION OF THE CONSUMER AGRICULTURAL FOOD PROTECTION ACT OF 1969

Mr. MURPHY. Mr. President, I introduce the Consumer Agricultural Food Protection Act of 1969 and ask unanimous consent that it be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The bill will be received; and, without objection, will be referred to the Committee on Agriculture and Forestry.

The bill (S. 2203) the Consumer Agricultural Food Protection Act of 1969, introduced by Mr. MURPHY (by unanimous consent), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry, by unanimous consent.

#### S. 2204—INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL OCEANIC AGENCY

Mr. MURPHY. Mr. President, I introduce a most important measure. The bill is cosponsored by Senators HATFIELD and TOWER. This bill deals with a subject which has been inextricably linked with the history, the economy, and the very security of our great Nation. It involves a subject which will not only loom more important in our Nation's future, but also in the future of all mankind.

The subject about which I am speaking is the ocean—its exploration and development for the benefit of all of our people. The oceans comprise about three-fourths of the surface of the earth. Yet, as Dr. George H. Sullivan, a member of the President's Commission on Marine Science, Engineering and Resources, which recently issued a comprehensive report, entitled, "Our Nation and the Sea," stated:

Almost nothing is known about the underwater expanse from ten miles outside New York to Le Havre, France.

The significance and importance of looking and moving seaward was succinctly stated in a passage from the President's Commission report, and I quote:

How fully and wisely the United States uses the sea in the decades ahead will affect profoundly its security, its economy, its ability to meet increasing demands for food and raw materials, its position and influence in the world community, and the quality of the environment in which its people live.

In 1966, as a coauthor and strong supporter of the sea grant college program, I characterized our ocean effort as follows:

For some time I have felt this nation's efforts in the exploration of the oceans have been inadequate and moving at a snail's pace . . . The Johnson Administration, however, has treated oceanology as a stepchild. It has failed to provide the leadership and the vision necessary to insure that the United States will be the leader in this endeavor.

The sea grant measure was enacted into law, and today is making an important contribution in preparing the country for an oceanology push. The President's Commission's report, to which I have previously referred, should give further impetus to our ocean efforts.

The truth is, however, Mr. President, that up to this time, we have only dipped into ocean exploration and development. I believe the time has come when we must reorganize our Nation's oceanology program for the plunge. I believe that the time has come when oceanology must be given the priority it deserves and which economic and security considerations demand.

The bill I am introducing, Mr. President, would reorganize our Nation's oceanology program to chart and give momentum to our ocean effort. The bill would establish a new National Oceanic Agency.

Mr. President, presently our oceanology effort is scattered among 23 agencies and departments with inadequate or no coordination among them. The President's Commission recommended the establishment of a new Federal agency.

Congressman BOB WILSON, of San Diego, America's Magellan of oceanology, has been advocating such an agency for years. His idea then may have been ahead of its time, but the time for the implementation of the idea is now.

I am hopeful, Mr. President, that President Nixon and his new administration will support the creation of a new agency. For, as the President's Commission in its report said:

The nation's stake in the uses of the sea is synonymous with the promise and threat of tomorrow.

There is promise in the great economic potential of the oceans. The dangers are represented by our own pollution of this resource, and the national security implications.

We are told the world's population will double by the year 2000. Particularly alarming is the projected population growth for less developed countries where two-thirds of the world's population lives. If the growth rates for these

less developed countries prove accurate, they will have four times as many people as the developed nations by the year 2000. Over the next 20 years, food producing must increase by 50 percent to keep up with population growth.

Mr. President, these are sobering statistics to a world already beset with problems of hunger and malnutrition. The need for additional sources of animal protein is already acute. Population growth will enlarge an already serious situation. The oceans hold a certain promise in helping to meet and to provide the protein need of the world.

The United States, however, lags in the harvesting of marine food products. Although, presently, fisheries represent the most important harvested economic resource of the ocean totaling over 1 1/2 of all other resources and experiencing a growth rate of 6 percent yearly, the U.S. fishing industry has not participated in that growth. The U.S. catch over the past 30 years has stayed approximately the same. Our fishermen today land only 4 percent of the world's catch, despite the fact that our citizens consume approximately 12 percent of the total world harvest. In fact, our fishermen land only about one-third of the fish consumed in the United States. They harvest only one-third of the potential catch the U.S. Continental Shelf yields. With the exception of our tuna and shrimp fisheries, the U.S. fishing industry is technically outmoded. Thus, the present picture of our fishing fleet leaves a lot to be desired.

Foreign fisheries, with the benefit of great research and technological development, are rapidly moving into the global fishing areas including areas off our east and west coasts. Soviet Russia is actively fishing all over the world. The Japanese are very active. In 1956, the United States was second only to Japan as a fishing nation. When I spoke on the sea-grant proposal in 1966, we occupied fifth place, behind Japan, Soviet Russia, Red China, and Peru. Now, we are in sixth place, with Norway having moved ahead of us. This obviously is not a desirable position, fitting for the leading nation on the face of the globe. It is not a position that the American people want, nor one they should tolerate. Not only is it important that we regain prominence in the fishing competition, because we have been traditionally a nation that realizes the importance of the seas, but also the importation of fish and fish products into the United States added over \$564 million in calendar year 1968 to our critical balance-of-payments problem.

Mr. President, we know that minerals abound in the oceans. Scientists tell us that the oceans contain more minerals than those which have been mined by man in all his past history. As an example, we have been taking oil from the Continental Shelf for over 30 years. At the present time, 16 percent of the total free world's oil production results from offshore efforts. Twenty-two countries now or will soon be able to drill oil from offshore areas. Private industry currently invests \$1 billion a year, and this investment is increasing by 18 percent each year.

The President's Commission indicated that offshore oil production may "account for at least 33 percent of the total world production in 10 years." Today there are over 12,000 oil wells off the Nation's coast. The number grows by 1,200 each year. The concentration of oil drilling platforms is so great in the gulf area that freeways for entrance to and exits from gulf ports had to be established. Thus, man is mining the ocean in this important area.

The tragic oil spillage at Santa Barbara illustrates that economic considerations must not be the only considerations and that environmental factors must be carefully examined in connection with our offshore oil production. For, Mr. President, pollution such as occurred at Santa Barbara must be prevented. Santa Barbara made this lesson painfully clear. Santa Barbara showed us our precautions and regulations were inadequate. Santa Barbara demonstrated the inadequacies of our knowledge both in preventing oil spillages initially and the dearth of our knowledge in coping with spillages once they occur. This is an area which must be given priority.

In addition to the rich deposits of oil, gas, and sulfur on our Continental Shelf, the deep sea floor is rich in manganese, copper, cobalt, nickel, molybdenum, vanadium, zinc, and zirconium deposits. The United States now imports 66 of 77 strategic materials. Forty strategic commodities are imported from unstable areas of the world where our supply may be cut off. With world demand for minerals expected to double by 1985 and to triple by the year 2000, competition for these minerals will increase, so the United States is forced to continually look for new sources. Our ability to locate such minerals and our ability to extract them could be critical. While no one is under any illusions that the ocean will yield these key minerals easily, I am confident that our great scientific and technological know-how, which has made our recent flawless space feats possible, will be equal to the challenge of the inhospitable environment of the oceans.

Mr. President, coming from the West, I am acutely aware of the value of our priceless resource—water. The scarcity of water has tormented man down through many centuries. Today, our water needs are great and growing. Tomorrow, the demands for adequate water to supply industry, agriculture, and our exploding populations will be even greater. The world demand is expected to double before the end of the 20th century. In the United States, it has been estimated that, by 1980, water supplies will be inadequate to meet the water requirements of the population.

Yet, Mr. President, scientists tell us that the earth's original supply of water is still in use. Little has been lost or added. The centuries-old hydrologic cycles of water continue today. It is, therefore, not the total world supply that is of concern to man, but its management distribution and use that will determine whether adequate water will be available. Our water needs today and our projected needs of the future underscore the importance of accelerating our de-

salination efforts and environmental modification efforts.

As a member of the Senate Health Subcommittee, I naturally am interested in the use of the sea's animal and plant-life for medicinal raw materials. The President's Commission tells us:

The medical history of people bordering the seas is replete with evidence that products with pharmaceutical applications can be obtained from the plants and animals of the sea.

We desperately search for a cure of cancer. We know the strangely, invertebrate marine animals have not acquired cancer. Why not? We need to investigate this. Some scientists also feel that compounds in vertebrates may hold a clue to the "biochemistry of sanity and insanity." No one knows, but these hints of medical possibilities show yet another possible benefit of ocean development and research. Despite these medical possibilities, only 1 percent of marine plant and animal life "known to contain biologically active materials, have been studied," according to the President's Commission.

While the economic potentials of ocean development are important, there are even higher stakes, perhaps the very survival of our Nation, that compel us to move ahead in the field of oceanology. Recently, Admiral Gorschkov, Commander and Chief of the Soviet Navy, said:

The flag of the Soviet Navy now flies proudly over the oceans of the world. Sooner or later, the United States will have to understand that it no longer has mastery of the seas.

And, according to Admiral Rickover, Russia has just announced "a projected 50-percent increase in the size of their merchant fleet."

Mr. President, our merchant fleet has been rightfully called the Nation's fourth arm of defense. While Russia is moving full speed ahead with the development of their merchant fleet, our merchant fleet continues its decline. In 1966, our merchant fleet carried only 9 percent of our foreign trade. In 1967, this had declined to 7.9 percent. The United States has dropped to 12th place among world's shipbuilding nations. Russia, in contrast, has risen to seventh place. All this at a time when once again experience is demonstrating the importance of the merchant fleet not only in peacetime but in wartime as well. For, in this conflict our merchant fleet is again keeping the supplies, the lifeblood of our troops, and personnel moving. Nearly all of these supplies and most of the persons involved in the war have been moved by our U.S. merchant fleet. Mr. President, the Soviet Union's effort to achieve mastery of the seas has been treated with relative indifference in the United States. The Soviet space sputnik resulted in a national space effort. What bothers me, Mr. President, is that the Soviet government has quietly stepped up its program in the "inner space." I am hopeful that the Nation will not need another sputnik to make us realize the importance and necessity of extending our efforts in what has been called the neglected frontier.

Admiral Rickover, a great American and the father of our nuclear Navy, in a recent letter to Senator JOHN PASTORE, pointed out the great importance that the Soviet Union is attaching to sea power in the broadest sense. Mr. President, I ask unanimous consent that excerpts from his letter be printed in the RECORD.

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

EXCERPTS OF LETTER FROM ADMIRAL RICKOVER TO SENATOR PASTORE

The Soviet Union is embarked on a program which reveals a singular awareness of the importance of sea power and an unmistakable resolve to become the most powerful maritime force in the world. They demonstrate a thorough understanding of the basic elements of sea power: knowledge of the seas, a strong modern merchant marine, and a powerful new Navy. They are surging forward with a naval and maritime program that is a technological marvel.

At the end of World War II, the Soviet Union had a fleet of 200 diesel-powered submarines. They then embarked on a massive building program, producing over 550 new submarines through 1968, at least 65 of which are nuclear-powered. During the same period, the United States built 99 submarines, 82 of them nuclear-powered. The Soviets have scrapped or given away all their World War II submarines as well as some built since. They now have a new submarine force of about 375; we have 143, which includes 61 diesel submarines most of which are of World War II vintage. Thus the Soviets have a net advantage of about 230 submarines. It is estimated that by the end of 1970 they will have a numerical lead in nuclear submarines.

To achieve this the Soviets greatly expanded and modernized their submarine building facilities. Just one of their numerous submarine building yards has several times the area and facilities of all U.S. submarine yards. They use modern assemblyline techniques under covered ways, permitting large-scale production regardless of weather conditions.

In the single year 1968, the Soviets put to sea a new type ballistic missile submarine as well as several new types of nuclear attack submarines—a feat far exceeding anything we have ever done. In looking to the future, it is estimated that by 1974 they will add about 70 nuclear-powered submarines to their fleet, whereas we will add but 26—further increasing their numerical superiority. In the case of the ballistic missile submarine the Soviets have undertaken a vigorous building program to surpass our Polaris fleet of 41. They have completed seven of the new Polaris-type submarines, and have the capability to turn out one a month. We have no Polaris submarines under construction or planned. We must assume that by the 1973-74 time period they will be up to us.

Numerical superiority, however, does not tell the whole story. Weapon systems, speed, depth, detection devices, quietness of operation, and crew performance all make a significant contribution to the effectiveness of a submarine force. From what we have been able to learn during the past year, the Soviets have attained equality in a number of these characteristics and a superiority in some.

In order to achieve the results so far attained in all areas of modern technology the Soviets had to develop their most important resource—technical and scientific personnel. The Soviet educational program enjoys highest national priority. The statistics on the total numbers of Soviet degree graduates are extremely impressive. The U.S. National Science Foundation data indicates that in 1966 alone, 168,000 engineers were graduated; the

U.S., on the other hand, produced but 36,000. With specific application to the Navy, the Leningrad Shipbuilding Institute, just one naval institute of several, had over 7,000 students in 1966 studying naval architecture and marine engineering. I doubt we had over 400 enrolled in these subjects in all U.S. colleges.

While we cannot specifically count the number of Soviet scientists and engineers devoted to naval work, it is apparent that they have created a broad technological base. They have committed extensive resources to support development of their naval forces. The steady build-up of the Soviet submarine Navy from an ineffective coastal defense force at the end of World War II to the world's largest underseas navy today deserves admiration; also it should deeply worry every American. By the end of this year we face the prospect of losing the superiority in nuclear submarines we have held for many years. The threat posed by their submarine force—with their new ballistic and cruise missile launchers and new attack types, is formidable. If more sophisticated types are added in the near future, as is likely considering their large number of designers and their extensive facilities, the threat will rapidly increase.

Mr. MURPHY. Mr. President, as Admiral Rickover indicates, the Soviet Union has produced over 500 new submarines since 1963, 65 of which are nuclear-powered. The United States on the other hand has built only 99 submarines, but 82 of them are nuclear-powered. The admiral further indicated that the Soviets have a new submarine force around 375, whereas we have only 143, of which 61 are of "World War II vintage."

Thus—

According to the Admiral—

the Soviets have a net advantage of about 230 submarines. It is established by the year of 1970 they will have a numerical lead in nuclear submarines.

It is a frightening thought that by the end of this year, the Soviet Union may gain superiority from us in nuclear submarines. We, of course, are aware of the tremendous capabilities of their Polaris—and its successor, the Poseidon—missiles, which are launched from mobile submarines having the expansive area of the oceans, 75 percent of our globe, as their area of operations. The problem of detecting and eliminating the dangers of submarine attack stagger the imagination. During World War II, my colleagues may recall, 4,786 allied merchant vessels were lost. In the early days of the war, our losses averaged around 100 per month. The Germans were able to destroy such large numbers during the early days of the war despite the fact that at the beginning of the war they had only 47 submarines. Russia, as previously indicated, has over 550. Need any more be said?

Our scientific understanding of the marine environment is obviously of vital importance to the Navy. The Navy has been the principal source of this Nation's basic research. Basic research will continue to play a major role in the Navy's total ocean program as the Navy carries out its mission of defense and deterrence. For example, the oceans, like the geography of our land, have peaks, valleys, and plateaus. There is a need to know

and to map the ocean, just as there always has been a need to have maps of our land surfaces.

If we are to increase our methods to detect hostile submarines and improve our accuracy at detecting targets, greater research in oceanology is greatly needed. One priority area, and the Navy has identified it as such, is underwater sound or acoustics. For our ability to seek, detect, and destroy an enemy under water depends upon our understanding of underwater acoustics. The basic science research has helped keep our Navy ahead of any potential aggressor. But, as the President's Commission warned:

The Navy of tomorrow may well operate in a context which a generation ago would have appeared implausible . . . It is certain, in our view, that the effectiveness of the Navy of tomorrow will be determined in considerable part by our level of scientific understanding of the marine environment, and that all aspects of basic science in this area are of concern to it.

Mr. President, in summary, I am convinced that ocean exploration and development demand greater priority of our Nation's resources. The ocean's resources, to today's explorers, might be thought of as at the same stage of development as our land resources during the days of our early pioneers. Investment in the oceans, our "neglected and last frontier," will result in great dividends for the Nation. The National Academy of Sciences has estimated that an investment of \$165 million in ocean research within a decade may produce a return of as much as \$3 billion yearly in resources.

Oceanology clearly is one of our tomorrow industries. In addition to promising economic returns and enhancing our national security, an accelerated oceanology effort will produce new jobs, new products, and new industries. Also, since the country is rightfully concerned with the problems of the disadvantaged, there seems to be great opportunity for employment of this group in ocean work. For example, I understand on board some of our ships, we have highly-trained oceanographers, who are doing work of technicians and technician aides. Clearly, this is a waste of skilled manpower to have these highly trained people streaming sample bottles. Information given to me indicates that such work is of a semiskilled nature and can be trained in short order. Our experience in the aerospace industry shows that for every engineer, additional technicians and technician aides are needed. A similar combination will undoubtedly hold true in our ocean programs.

Bordering the Pacific Ocean, Californians have always appreciated the importance of the ocean and have been cognizant of the benefits that might be derived by increased effort. Because of the great interest in oceanology in my State and the importance of the subject to the Nation, I urge the administration to support and the Congress to enact legislation reorganizing our total oceanic effort.

Speaking of seapower in the period when the English fleet was diminishing, Santayana wrote:

It will be a black day for the human race when scientific blackguards, conspirators, churls and fanatics manage to supplant him.

Fortunately for the free world, Mr. President, England was supplanted by the United States, and U.S. control of the seas has not only been essential for the economic health and defense of our Nation, but it has also helped to preserve freedom around the world. I believe that Admiral Rickover's statement clearly evidences the Soviet Union's absorbing interest in seapower in the broadest sense. The question that the Congress must long ponder is whether we are equal to the challenge. I am confident that the same technology, know-how, and resources that have made us No. 1 in space will enable us to be No. 1 in oceanology. This must be our national goal.

Mr. President, I ask unanimous consent that the text of the bill to establish a National Oceanic Agency be printed in the RECORD.

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

The bill (S. 2204) to establish the National Oceanic Agency, introduced by Mr. MURPHY (for himself, Mr. HATFIELD, and Mr. TOWER), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2204

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established an independent agency which shall be known as the "National Oceanic Agency" (hereinafter referred to as the "Agency").

Sec. 2. There shall be at the head of the Agency an officer to be known as the Administrator. The Administrator shall be appointed by the President, with the advice and consent of the Senate.

Sec. 3. The Agency shall establish a coordinated national program for oceanology and related sciences including meteorology. In order to implement that program the Agency shall have authority to carry out research projects and programs of the United States in this broad area.

Sec. 4. There is hereby transferred to the Agency all functions relating to oceanology and related sciences which are vested on the date of enactment of this Act in any officer, employee, department, agency, and instrumentality of the United States. There are hereby transferred to the Agency so much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, of any department, agency, or instrumentality of the United States with respect to which any function is transferred under this section as the Director of the Bureau of the Budget determines necessary in connection with the exercise by the Agency of the functions so transferred.

Sec. 5. All orders, regulations, directives, and other official acts of any officer or employee of the United States with respect to functions relating to oceanology and related sciences which are transferred by this Act and which are in force on the date of enactment of this Act shall continue in force until modified, amended, superseded, or revoked by the Administrator.

Sec. 6. In the performance of his functions the Administrator is authorized—

(1) to make, promulgate, issue, and rescind rules and regulations governing the manner of the operation of the Agency and the exercise of its powers;

(2) subject to the civil service laws and the Classification Act of 1949, as amended, to appoint and fix the compensation of such officers and employees as may be necessary to carry out its functions;

(3) to accept unconditional gifts or donations of services, moneys, or property, real, personal, or mixed, tangible or intangible;

(4) without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its work and on such terms as it may deem appropriate, with any agency or instrumentality of the United States, or with any State, territory, or possession, or with any political subdivision thereof, or with any person, firm, association, corporation, or educational institution;

(5) to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, and facilities, and each department, agency, and instrumentality of the Federal Government shall cooperate fully with the Agency in making its services, equipment, personnel, and facilities available to the Agency, and any such department, agency, or instrumentality is authorized, notwithstanding any other provision of law, to transfer to or receive from the Agency, without reimbursement, supplies and equipment other than the administrative supplies and equipment;

(6) to establish within the Agency such offices and procedures as may be appropriate to provide for the greatest possible coordination of its activities under this Act with related activities being carried out by other public and private agencies and organizations; and

(7) with the approval of the President, to enter into cooperative agreements under which officers and employees (including members of the Armed Forces) of any department, agency, or instrumentality in the executive branch of the Government may be detailed by the head of such department, agency, or instrumentality for services in the performance of functions under this Act to the same extent as that to which they might lawfully be assigned in such department, agency or instrumentality.

Sec. 7. Notwithstanding any other provision of this Act, no function shall be transferred under this Act which the President determines should not be transferred in the interests of national security.

#### S. 2207—INTRODUCTION OF A BILL TO PROVIDE MORE FLEXIBLE MORTGAGE LIMITS

Mr. MONDALE. Mr. President, I introduce today, for appropriate reference, a bill, jointly authored by Senator JAVITS and myself, to amend section 235 of the National Housing Act. Upon discovering that we were each working on this matter independently, Senator JAVITS and I decided to pool our efforts and produce a jointly authored bill.

The purpose of this bill is to provide more flexible mortgage limits in order to encourage the development of homeownership in high-cost areas for lower income families.

#### BACKGROUND

All Federal housing assistance programs impose maximum limits on total dwelling development costs to insure that only modestly priced housing is built

under these programs. These maximum limits vary according to program—public housing, 221(d)(3), 236, and 235—and from area to area. Each program recognizes that higher development cost limits must be allowed in high-cost areas where land and labor costs are higher. Generally speaking, the allowances for high-cost areas provided by statute for public housing and FHA multifamily programs like 221(d)(3) and 236 are realistic and adequate. This is not the case for the new 235 homeownership program. As a result, there are strong indications that the 235 program will often not prove to be economically feasible in many high-cost metropolitan areas—like New York City, Chicago or Washington, D.C.—which have some of the most severe housing problems in the Nation.

Joseph Gabler, Director of the FHA in Minnesota, has informed me that “the single major difficulty” of the section 235 program is the fact that the present mortgage limits “make it almost impossible to utilize section 235 in the metropolitan areas” of Minnesota. He points out that in the cities the only way to get new construction under this program is to build on urban renewal land where the cost has been lowered considerably below the market level.

The proposed amendment would give the Secretary of Housing and Urban Development the authority and flexibility to correct this problem when and where it arises.

#### THE NEED FOR THE AMENDMENT

In many high-cost areas, rental buildings costing up to \$19,000 or more per unit are now being built under the public housing, 221(d)(3) and 236 programs. Given today's high construction costs, these buildings are not elaborate structures. Present law establishes considerably lower cost limits in high-cost areas for houses built under the section 235 program than for those built under the rental programs, even though the income limits of the persons to be served by the 235 and 236 programs are exactly the same. This is paradoxical because the cost of detached or semidetached houses on separate lots is considerably greater than the cost of garden apartments. As a result, many builders in high-cost areas will be discouraged by the stringent cost limits from using the 235 program, thus frustrating Congress' purpose of widening opportunities for homeownership.

An example will help indicate how the present cost limits may inhibit production. Suppose a builder has an option on a tract of land on which section 235 houses might be built. Let us assume that the land has certain environmental deficiencies—like location in a deteriorating urban area—so that houses could not be sold if they were financed conventionally. In determining whether or not to exercise the option, the builder estimates all his costs—including a small allowance for profit—if he were to build houses under section 235. Let us assume further that his estimated costs total \$17,000, which is below the present statutory cost limit of \$17,500 in high-cost areas. He will still probably choose not

to take the land and participate in the program. He reasons that he will not complete construction for about 2 years, and that inflation may well erode his entire margin of safety by that time. Given the rapid rise of labor costs, interest rates, and lumber prices in the last few years, his actual costs may well exceed \$17,500, thereby destroying his profit margin. He is not certain that this will occur, but the chance is great enough to dissuade him from taking the risk. The existence of rigid statutory cost limits is the cause of this problem. If the builder knows that the Secretary of HUD has the authority to raise cost limits in response to inflation, he will be more likely to participate in the program. But he is obviously less confident that Congress will be able to act in time to adjust existing statutory cost limits in response to inflation.

#### THE AMENDMENT AND ITS EFFECT

The basic statutory development cost limit—technically it is the limit on the amount of the mortgage—under the section 235 program is \$15,000. The limit can be increased to \$17,500 for families of five or more persons. Under present legislation, an additional allowance of \$2,500 is allowed for high-cost areas.

Experience indicates that this allowance will be clearly inadequate in the years ahead. The 221(d)(3) and 236 programs permit development costs of up to 45 percent higher than their basic cost limits in high-cost areas. The proposed amendment, which adopts the language of sections 221(d)(3) and 236, would apply the 45-percent formula for high-cost areas that is used under these two sections to the 235 program.

Thus, the basic mortgage limits for ordinary sales units, units in cooperatives, and units in condominiums under section 235 would remain at \$15,000—and \$17,500 where the mortgagor's family includes five or more persons. But under the amendment, the Secretary would have the power to raise these limits up to 45 percent “in any geographical area where he finds that cost levels so require.”

It should be emphasized that this amendment would not necessarily result in higher cost units being built under 253. Rather, the amendment would give the Secretary the flexibility to raise the development cost limits in high-cost areas where spiraling costs require such an increase. The current allowance of \$2,500 does not give him sufficient flexibility.

It should also be pointed out that this amendment would not increase the monthly payments of many lower income families, since they will still pay 20 percent of their income. For those families who receive the maximum subsidy under the law, their cost per month would go up slightly in these high-cost areas. However, these families will still be better off, since there would be very little opportunity for families in high-cost areas to buy houses under section 235 in its present form; the builders are simply not going to participate in the program in such areas.

As a result of this amendment, builders

concerned about meeting cost limits will be just as likely to build sales units as they would rental units in most of our metropolitan areas. The end result will be to fully effectuate the purpose of the 235 program, which is now in serious trouble in those metropolitan areas of the country.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2207) to amend section 235 of the National Housing Act to provide more flexible mortgage limits in order to encourage the development of homeownership in high-cost areas for lower income families, introduced by Mr. MONDALE (for himself and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JAVITS. Mr. President, I am today joining the Senator from Minnesota (Mr. MONDALE) in a bill, which he has just offered for us both, and I ask unanimous consent that my remarks, together with a copy of the bill, may appear in the appropriate place in the RECORD.

The VICE PRESIDENT. The remarks and bill will be printed in the RECORD at an appropriate place.

Mr. JAVITS. Mr. President, it has become increasingly clear in the past few months that the success of section 235, homeownership program, has been put in doubt by the present statutory cost limitations. Under section 235, the maximum mortgage amount for a house of three bedrooms or less is \$15,000, or \$17,500 in high-cost areas. Since down-payments must be kept low in this program which is designed for persons of low or moderate income, these maximums on mortgage amount naturally lower ceilings on sales prices.

In high-cost areas the section 235 program has had little impact because these statutory cost limits are much too low and builders are reluctant to get involved in the face of rapidly escalating construction costs. For example, 6 years ago the median price of new single-family houses built in the Washington area was \$21,300. By 1966, it had increased to \$26,500, and it has now increased to \$32,500. At the end of 1968, census data show that only 11 percent of new houses sold in the West and Northeast were priced at under \$17,500, and in the North Central United States only 8 percent were. The problem is particularly serious near the center of major metropolitan areas where high land and labor costs make the statutory maximum cost limitations in section 235 particularly serious. An FHA survey early this year in the Washington, D.C., area uncovered no new single-family houses on the market with sales prices under \$17,500. Thus, in the very areas in which this program is most needed, the housing industry is least able to meet the need.

In the face of this situation, Senator MONDALE and I—individually—were preparing legislation to amend section 235, to make the statutory cost limitations more flexible. We have decided to join in offering this bill, which would authorize the Secretary of Housing and Urban Development to increase the cost limitations by up to 45 percent in high-cost

areas. Such an amended limitation on costs in high-cost areas would be consistent with a similar provision of the section 221(d)(3) program.

Such an amendment to section 235 at this time is crucial, for there is every reason to believe that costs will continue to rise. Lumber products have undergone an unprecedented price rise in the last 2 years, prompting congressional hearings and administrative action. Land and labor costs have been consistently going up, and, of course, we are all aware of the almost unprecedented increases in financing charges.

Recent statistics from the Department of Housing and Urban Development indicate that the statutory maximums have limited activity under the section 235 program in New York and in other comparable high-cost areas throughout the Nation. In a letter to me of May 16, 1969, William B. Ross, Acting Assistant Secretary-Commissioner, Federal Housing Administration, noted:

In New York City there has been absolutely no activity under the Section 235 program. . . . To date, reservations have been requested for only 32 units for the city of Albany and 61 units for the city of Buffalo. Our experience in other major cities is very similar.

Mr. Ross continues:

When we consider the activity this program has engendered throughout the nation and the backlog of requests for assistance amounting to over 60,000 units which we have not been able to fund, we can better judge the impact of the cost limits in the high cost areas.

Mr. President, I ask unanimous consent that the correspondence with Mr. Ross be inserted in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. JAVITS. Mr. President, this increase in the statutory cost limitations in high-cost areas in the section 235 homeownership program has been endorsed by several major groups. At its recent conference, the National Housing Conference approved a resolution calling for such an amendment, and in recent hearings on lumber price increases before the Housing Subcommittee of the Senate Banking and Currency Committee, the National Association of Home Builders recommended that a 45-percent increase in costs for high-cost areas be allowed under section 235. Also, in a letter to Housing and Urban Development Secretary George Romney, the Council of Housing Producers stated:

Housing costs have increased approximately 10% or more since legislation was first drafted for the 1968 Housing Act. HUD should ask for legislation which would regulate increases on statutory limits for 235 and 236. With costs increasing as they have been in the past two years, it will be almost impossible, in many areas, to build single family housing within the present limitations. . . . Money will go unused in many cities because producers will not be able to build single family homes within the limitations.

Mr. President, I am pleased to join Senator MONDALE in offering this bill. I hope that it will have early and serious consideration in the Congress.

## EXHIBIT 1

MAY 15, 1969.

Mr. MORTON BARUCH,  
Director, Low and Moderate Income Housing,  
Department of Housing and Urban Development,  
Washington, D.C.

DEAR MR. BARUCH: I am deeply concerned about the possible impact of present statutory cost limits for high-cost areas in section 235 of the National Housing Act. It has been brought to my attention that the present limits are seriously inhibiting the success of this program in certain areas of the nation. Accordingly, I am considering introduction of legislation to amend section 235 to increase the cost limitations to 45 percent of existing dollar-limitations in certain geographical areas to be designated by the Secretary of Housing and Urban Development. Such a provision would be consistent with present limitations in "below market interest rate" programs.

In connection with this matter, could you indicate to me the number of applications and the general level of activity under the section 235 program in the New York Regional Office of the Department of HUD. In addition, I would appreciate information as to the level of activity in other areas of the nation with cost figures similar to that of the New York Region.

I would deeply appreciate your immediate attention to this matter. Please relay any information to my legislative assistant, Emil Frankel, in Room 320, Old Senate Office Building (225-6542).

With best wishes,

Sincerely,

JACOB K. JAVITS.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL HOUSING ADMINISTRATION,  
Washington, D.C., May 16, 1969.

HON. JACOB K. JAVITS,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR JAVITS: I am replying to your letter of May 15, 1969, addressed to Mr. Morton A. Baruch of my staff concerning the statutory limits which have been established for the Section 235 homeownership program.

From our experience with the initial assistance funding made available to the program it would appear that the statutory maximums have limited activity in New York and other comparable high cost areas throughout the nation. In New York City there has been absolutely no activity under the Section 235 program either for project proposals for five or more units or on an individual basis for proposals involving four or less units. To date, reservations have been requested for only 32 units for the city of Albany and 61 units for the city of Buffalo. Our experience in other major cities is very similar. Assistance has been requested for only 181 units in Chicago; 250 units in Detroit; 73 units in Los Angeles and there have been no requests for assistance in the cities of San Francisco and Boston.

When we consider the activity this program has engendered throughout the nation and the backlog of requests for assistance amounting to over 60,000 units which we have not been able to fund, we can better judge the impact of the cost limits in the high cost areas.

You may be assured that within the legislative constraints every possible effort will be made to provide assistance to these areas by stressing the utilization of the Section 235(j) nonprofit rehabilitation program as well as rehabilitation under the regular homeownership assistance program. We will also permit maximum utilization of that percentage of funds available for existing housing.

In view of your request for our immediate

response in this matter, I am having this letter hand carried to your office.

Sincerely yours,

Wm. B. Ross,

Acting Assistant Secretary-Commissioner.

The text of the bill is as follows:

S. 2207

A bill to amend section 235 of the National Housing Act to provide more flexible mortgage limits in order to encourage the development of homeownership in high-cost areas for lower income families

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 235 of the National Housing Act is amended—

(1) by striking out the last proviso in subsection (b) (2) and inserting in lieu thereof the following: "Provided further, That the amount of the mortgage attributable to the dwelling unit shall involve a principal obligation not in excess of \$15,000 (or \$17,500, if the mortgagor's family includes five or more persons), except that the Secretary may, by regulation, increase the foregoing dollar amount limitations by not to exceed 45 per centum in any geographical area where he finds that cost levels so require"; and

(2) by redesignating subparagraph (C) of subsection (1) (3) as subparagraph (D), and by striking out subparagraph (B) of such subsection and inserting in lieu thereof the following:

"(B) involve a principal obligation (including such initial service charges, and such appraisal, inspection, and other fees, as the Secretary shall approve) in an amount (i) in the case of a single-family dwelling, not to exceed \$15,000 (or \$17,500, if the mortgagor's family includes five or more persons), or (ii) in the case of a two-family dwelling, not to exceed \$20,000: Provided, That the Secretary may, by regulation, increase the foregoing dollar amount limitations by not to exceed 45 per centum in any geographical area where he finds that cost levels so require;

"(C) where it is to cover a one-family unit in a condominium project, have a principal obligation not exceeding \$15,000 (or \$17,500, if the mortgagor's family includes five or more persons), except that the Secretary may, by regulation, increase the foregoing dollar amount limitations by not to exceed 45 per centum in any geographical area where he finds that cost levels so require; and".

**S. 2208—INTRODUCTION OF A BILL TO AUTHORIZE A FEASIBILITY STUDY OF ESTABLISHING A NATIONAL LAKESHORE RECREATION AREA AT LAKE TAHOE, NEV.**

Mr. BIBLE. Mr. President, on behalf of myself and my colleague, Senator CANNON, I introduce, for appropriate reference, a bill to authorize a feasibility study of a proposal to establish a national lakeshore recreation area at Lake Tahoe, Nev.

This bill, Mr. President, deals with one of our Nation's most prized scenic and recreation resources. It is an irreplaceable resource. And it is a resource that is gravely threatened by the relentless march of commercial development.

Joint efforts by the States of California and Nevada and the Federal Government to save the fabled purity of this mountain lake's waters have intensified in recent years, just as commercial development has intensified. But this is just one part of the overall problem. What is left of the Lake Tahoe's mag-

nificent natural shoreline also must be saved.

There is not too much of this natural shoreline left. And there is not much time left to save it.

The bill I introduce today culminates many years of hard work at all levels of government to preserve the lake's natural beauty and to set aside and develop a meaningful area for public recreation. It has the active support of the Governor and the Legislature of Nevada, and I am confident, the people of Nevada.

To date, the effort to provide a Lake Tahoe park and recreation area for the thousands of visitors from all over the Nation has been essentially a State project. Although State finances are obviously limited, Nevada has already committed considerable moneys to land acquisition. In working closely with former Gov. Grant Sawyer and his successor, Gov. Paul Laxalt, it has been my privilege to help secure some \$3 million in special Federal allocations from the land and water conservation fund to spur this effort along.

But all of us engaged in this park effort have had to face the reality that the overall project is too big for Nevada and the relatively limited assistance available in the land and water conservation fund. The project is big enough and the cause is important enough and the needs are urgent enough to merit a development of national proportions.

Recognizing this, I first proposed the establishment of a national lakeshore recreation area in a speech before the California-Nevada section of the National Wildlife Society in San Francisco last January. But I said then that the effort first required the full support of the Nevada Legislature and Governor. A supporting resolution was subsequently approved by the legislature and signed by the Governor.

Although I believe the ultimate answer will be the establishment of a national lakeshore recreational area, I realize this is but one approach.

All approaches should be explored. The Department of the Interior, through the Bureau of Outdoor Recreation and the National Park Service, is best qualified to conduct a thorough investigation of the problems and challenges and provide the most effective solution.

I must emphasize, Mr. President, the situation at Lake Tahoe presents a major challenge and demands fast action. Already, most of the lakeshore on the California side and too much of it on the Nevada side has been developed. The mountain slopes, the rocks and trees and the white beaches of this deep blue, mile-high lake have given way to the hotdog stand and the neon light. Public access for recreation is limited to a few small beaches and picnic areas which are not adequate to the needs of a fraction of the visiting public.

Fortunately, because a great deal of land has been held undeveloped in private ownership, long reaches of the Nevada shoreline remain in their natural state. But even this land is endangered because it is not under proper management and protection and could at any time be acquired and exploited by developers.

We are in a race with the bulldozer of commercial development. It is a race we must win.

Because of this situation there is an immediate and urgent need for land acquisition beyond what the State of Nevada has achieved. I have already consulted with the U.S. Forest Service over the feasibility of acquiring the proper acreage in the near future to protect the Federal interest. This may be possible under existing authority or with a slight modification of the Toiyabe National Forest boundary in the area. I shall pursue the most effective course in this regard.

Anyone who has ever seen Lake Tahoe knows it would be criminal not to extend every effort toward preserving its legendary beauty and managing its invaluable resources for countless future generations of Americans. Anything less and we stand indicted for neglect.

I hope this measure can be expedited in Congress and that the study it authorizes will be carried forward promptly. And when the solution is before us—in the near future, I trust—I hope Congress will take quick and effective action to achieve the goals I have set forth.

So that the RECORD will be complete, I ask that the full text of Senate Joint Resolution 15 of the Nevada Legislature, endorsing the proposed study and the ultimate establishment of a national lakeshore or national recreation area, be printed following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The bill (S. 2208) to authorize the Secretary of the Interior to study the feasibility and desirability of a national lakeshore on Lake Tahoe in the State of Nevada, and for other purposes, introduced by Mr. BIBLE (for himself and Mr. CANNON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The joint resolution presented by Mr. BIBLE follows:

**SENATE JOINT RESOLUTION 15**

Senate joint resolution requesting Senator ALAN BIBLE to introduce in the U.S. Senate certain legislation concerning Lake Tahoe.

Whereas, The 55th session of the Nevada legislature recognizes the unique natural characteristics and unsurpassed beauty to be found in the Lake Tahoe basin, and further recognizes the need for immediate action to preserve the clarity of the lake and its scenic forest environs as open space and recreation reserves; and

Whereas, Opportunities exist for establishment of large areas of open space and recreation lands in Nevada and the entire basin; and

Whereas, If steps to establish a portion of the basin's undeveloped lands for recreation and open space fail, the area may be subjected to overdevelopment and, further, the natural resources of the basin may be excessively exploited and their integrity impaired; and

Whereas, The Nevada legislature in recognizing the resource needs of the Lake Tahoe basin has enacted the following major programs in its effort to preserve Lake Tahoe:

1. In 1963, purchased Marlette Lake and surrounding lands in Washoe and Ormsby

counties for the preservation of a prime water supply and watershed;

2. In 1964, authorized the acquisition of 12,000 acres for park and recreation purposes in Washoe and Ormsby counties, which included 7 miles of shoreline, of which 3 miles have been purchased; and

3. In 1964, appropriated 1½ million dollars to finance the purchase of park lands, which, through the generosity of the Max C. Fleischmann Foundation was matched by an additional 1½ million dollars; and

Whereas, The Federal Government, through its Department of the Interior, Bureau of Outdoor Recreation, in recognizing the significance of Nevada's Lake Tahoe state park land acquisition project, approved a 3-million dollar Land and Water Conservation Fund grant to match state and foundation funds; and

Whereas, Nevada, through legislative and executive actions of the past several years, is making outstanding progress to preserve Lake Tahoe and its environs; and

Whereas, Lake Tahoe is recognized as a national attraction and deserves the financial support of the Federal Government to hasten preservation of the basin for the enjoyment of all the nation's citizenry; and

Whereas, The United States Forest Service administers national forest lands within the Nevada portion of the Lake Tahoe basin known as the Toiyabe National Forest; and

Whereas, The Toiyabe National Forest, if authorized and funded, could offer immediate assistance and supplemental support to the State of Nevada in preserving the integrity and beauty of the basin; and

Whereas, Expansion of that portion of the Toiyabe National Forest situated in the Lake Tahoe basin has not kept pace with general urban growth patterns and increased needs for additional recreation and open space lands in the basin; and

Whereas, The Toiyabe National Forest is immediately capable of contributing significantly to the overall development and protection of resource values in the Lake Tahoe basin; now, therefore, be it

*Resolved by the Senate and Assembly of the State of Nevada, jointly,* That Senator Alan Bible is encouraged and requested to introduce legislation in the 91st Congress of the United States:

1. Immediately to expand the Toiyabe National Forest boundary in Ormsby and Douglas counties to the shoreline of Lake Tahoe;

2. To appropriate funds to enable the United States Forest Service to implement an immediate land acquisition program for purposes of acquiring significant mountain and lakeshore lands while they are still available;

3. To authorize the Bureau of Outdoor Recreation, to conduct a recreation resource study of the entire Lake Tahoe basin to determine specifically actions and administrative direction that should take place in the management and development of federal public lands in the Lake Tahoe basin; and

4. To require that, after completion of the study, consideration be given to the establishment of a national park, national recreation area or national lakeshore in the Lake Tahoe basin, to be administered by the United States Forest Service, the United States Park Service or other appropriate state or federal agencies; and, be it further

*Resolved,* That copies of this resolution be transmitted forthwith by the legislative counsel to President Richard M. Nixon, Senator Alan Bible, Senator Howard Cannon and Representative Walter S. Baring.

#### S. 2211—INTRODUCTION OF THE TAX REFORM ACT OF 1969

Mr. TYDINGS. Mr. President, I introduce legislation to close the numerous

loopholes that have destroyed the equity of our Federal tax system.

I was encouraged by the administration's recent decision to support tax reform. However, I am deeply disappointed by the limited scope of the President's proposals.

Closing certain loopholes while leaving others intact will only result in a rechanneling of tax-exempt income behind the remaining tax shelters. Billions of dollars in potential tax revenue will continue to slip through these unchallenged loopholes into the pockets of a privileged few.

This "half-way" approach to tax reform is not likely to placate the rebellious American taxpayer. He is demanding an equitable tax system which requires that each contribute his fair share. Reform that fails to eliminate all major inequities will only serve to further weaken the fading faith in our tax system.

For a serious tax revolt is brewing. From my conversations with constituents across Maryland, it is clear that the taxpayers of this country are fighting mad over the swollen size of their tax bills, and the glaring loopholes in our Federal tax structure. And well they should be.

Last year a 10-percent Federal surtax was imposed to combat inflation. At the same time, an estimated \$50 billion a year that could be employed to curb price rises was escaping through the loopholes in our jerry-built tax system.

State and local sales and property taxes continue their astronomical climb to pay for needed Government services. At the same time, billions that could be used to finance these services are siphoned off for the private profit of the special interests.

The middle-income taxpayers on whom the tax burden falls most heavily and most unfairly struggle to make ends meet in this period of rapid inflation. At the same time, 155 Americans filed returns in 1967 on incomes of more than \$200,000 apiece and paid not one penny in Federal taxes; 21 members of this group earned more than \$1 million that year!

Is it any wonder that the average taxpayer is in a rebellious mood?

Comprehensive reform would not only relieve this growing restiveness by renewing public confidence in our tax system, it would also produce a number of significant economic benefits.

Many of the loopholes themselves contribute to inflationary pressures in the economy. Suspending the 7 percent investment tax credit would ease the inflated condition of the capital goods market. Eliminating unlimited tax deductions for hobby farms would help check the rising price of farmland.

In addition, such loopholes are indirectly responsible for the tight money policy and high interest rates that work such a hardship on State and local governments, small businesses, and on the home building industry. For example, suspending the investment tax credit would eliminate this special incentive to build capital equipment which has been feeding the demand for the Nation's scarce supply of money. The result would

be a reduction in the cost of money—lower interest rates.

Finally, far-reaching tax reform would render the proposed extension of the 10-percent surtax unnecessary. Additional revenue raised by repeal of the investment tax credit alone would have the same anti-inflationary impact on the economy as half the surtax. The other nine loopholes I propose closing, along with the minimum income tax offered in this bill, would provide enough new revenue to offset the remainder of the surtax.

Extending this additional burden on the average taxpayer to preserve the special advantages of a small minority is unconscionable. Enactment of the legislation I am proposing would make possible the immediate termination of the surtax without weakening our efforts to halt inflation.

This bill would eliminate the following loopholes in our Federal tax system:

#### CAPITAL GAINS UNTAXED AT DEATH

Increases in the value of shares of stock and other forms of property are subject to a tax as a capital gain. But the tax is not assessed until the property is sold and the increase in value is realized.

However, under current law, some capital gains are never taxed. For if an individual does not sell his property and it passes to his heirs, neither he nor his heirs will ever have to pay income tax on the increases in the property's value realized during the benefactor's life. The heirs are only responsible for future capital gains. This loophole costs the Treasury an estimated \$2.5 billion each year.

One way of eliminating this loophole is to simply tax capital gains at death. However, such a remedy might work a hardship on relatively poor beneficiaries who would be forced to liquidate their inheritance in order to pay the taxes on past capital gains.

This bill holds heirs responsible for past untaxed capital gains as well as future gains. But the taxes will not fall due until the property is sold. Thus, each time a property is sold, regardless of the number of times it has changed hands through inheritance in the interim, taxes will be paid on all capital gains realized since the previous sale of the property.

#### OIL AND MINERAL DEPLETION ALLOWANCES

The oil depletion allowance is one of the least justifiable and most defended loopholes in our tax system. It allows oil producers to receive 27½ percent of the gross income from their oil wells tax-free—provided it does not exceed 50 percent of net income. This is supposed to operate like the depreciation write-offs permitted in other industries.

However, unlike depreciation write-offs, the oil depletion allowance continues year after year as long as the well keeps producing; it does not stop when the cost of the well is recovered. Normal cost depreciation, by contrast, permits capital assets to be depreciated over their useful life, but total deductions cannot exceed the total cost of the asset.

The Treasury estimates the cost of the average oil well is recovered 19 times over. The effect of this on oil company tax bills is striking: In 1966, the 20 top

oil companies in the United States showed a total profit of more than \$4¾ billion yet they paid only 8½ percent of it in Federal income tax, about the same rate a man and wife earning \$3,000 a year must pay.

In addition, 41 other minerals currently enjoy a 23-percent depletion allowance.

This bill attacks this loophole by placing a 15-percent ceiling on all percentage depletions, the ceiling currently applicable to nonprivileged minerals. The net effect of this equalizing measure will be an increase in Federal tax receipts of nearly \$1 billion a year.

#### DIVIDING CORPORATIONS FOR TAX SAVINGS

The advantages of multiple incorporation are a product of the way the corporation tax is constructed: The first \$25,000 of a corporation's earnings are taxed at 22 percent, while all earnings above that are taxed at 48 percent. By dividing a business into a number of separate corporations, each reporting earnings of \$25,000 or less, the extra 26-percent tax is avoided entirely.

For example, a corporation earning \$100,000 a year which splits up into four \$25,000 corporations can save \$19,500 a year in taxes. There is a record of one corporation that divided itself into 734 separate corporations for an annual tax saving of nearly \$5 million.

By eliminating the benefits derived from multiple corporations, this bill will save the Treasury \$200 million a year.

#### PREFERENTIAL TAX TREATMENT FOR GIFTS

Under present tax law, property given away during a donor's lifetime is taxed at the gift tax rate, which is only three-fourths as high as the estate tax rate that applies to property transferred at death. In addition, \$3,000 can be given away each year without paying any gift tax.

This bill raises the gift tax rates by 25 percent, bringing them into line with the estate tax rates. No distinction would be made between property given away during a donor's lifetime or at his death. Closing this loophole would mean \$150 million in additional tax receipts each year.

#### USE OF HOBBY FARM LOSSES TO OFFSET OTHER INCOME

The "hobby farm" loophole allows wealthy individuals who get most of their income from sources other than farming to exploit farm ownership to escape paying large amounts of taxes. Under the present law, these part-time rustics can show "tax losses" which are not true economic losses, and then use them to offset nonfarm income. The result is often a large overall tax saving.

This loophole not only costs the Treasury approximately \$400 million a year, it also puts the full-time farmer at an unfair competitive disadvantage. For the genuine farmer is forced to compete in the marketplace with these wealthy hobby farmers to whom a profit in the ordinary sense is not necessary.

To deal with this problem, this bill limits the amount of nonfarm income that can be offset by farm losses in any one year. Those with nonfarm incomes up to \$15,000 are allowed to use farm losses to offset this nonfarm income in full. But, for each dollar of nonfarm

income in excess of \$15,000, the amount of nonfarm income that can be offset is reduced by a dollar.

Thus, an individual with a nonfarm income of \$30,000 or more could offset none of it with farm losses.

#### TAX EXEMPTION ON MUNICIPAL INDUSTRIAL DEVELOPMENT BONDS

Many communities issue municipal bonds bearing tax-free interest to finance commercial facilities and industrial plants for private profitmaking corporations. In effect, this is an unjustifiable public subsidy of plant construction for corporations fully capable of financing these plants themselves. In addition, these bonds flood the tax-exempt bond market and drive up interest rates on all tax-exempt bonds.

Virtually all States issue these bonds, which vitiates their principal function of luring businesses across State lines. Today they are no more than windfalls for private corporations provided at the taxpayers' expense.

Eliminating this loophole would save the Treasury \$50 million a year.

#### TAX EXEMPTION ON MUNICIPAL BONDS

Interest on State and local bonds has been tax exempt since the income tax was enacted in 1913. Consequently, these bonds have long been a favorite form of investment for the very wealthy.

While there is little incentive for the average taxpayer to buy municipal bonds at 4 percent when he can purchase corporate bonds that will pay him 7 percent, the tax-free bonds are very attractive to taxpayers in the 50-percent-and-up brackets. Over 80 percent of tax-free bonds held by individuals are held by the wealthiest 1 percent of the population.

However, this tax exemption does perform the important function of enabling hardpressed States and cities to raise the money to finance needed public facilities. Taxing the interest on municipal bonds without any compensating provisions would force municipalities either to pay higher interest rates—which few could afford—or to do without badly needed public facilities.

Representative HENRY REUSS of Wisconsin has devised a plan that would deny giving tax-free income to millionaires without penalizing municipalities seeking to raise funds for capital improvements. It calls for taxing the income from these bonds, but coupled with a direct Federal subsidy to States and cities to compensate them for their higher borrowing costs. The Treasury would come out nicely ahead on such an arrangement, since it now loses considerably more revenue—\$1.8 billion in 1968—than the States and localities save in lower borrowing costs—roughly \$0.9 billion.

Modeled after the Reuss plan, this bill establishes a Municipal Bond Guarantee Corporation to guarantee State and local bond issues against default, and to pay States and localities an interest subsidy sufficient to reduce their interest payments by one-third. In return for the guarantee and the subsidy, States and localities would be required to waive the tax-exempt status of the bond issues involved, thus allowing the Federal Government to tax the interest.

Under this legislation, municipalities could continue to issue tax-exempt bonds if they wished. However, in most cases, the Guarantee Corporation route would prove more attractive. According to Treasury Department estimates, municipal borrowing costs are only reduced 25 percent by their tax-exempt status; the Federal interest subsidy would diminish their borrowing costs by 33 percent.

#### UNLIMITED CHARITABLE DEDUCTIONS

The ordinary taxpayer may not deduct more than 30 percent of his income for charitable contributions, regardless of how much he gives. However, this is not the case for the very wealthy. They are allowed to deduct gifts to charities without limit if—in that year and 8 of the 10 preceding years—their charitable contributions plus Federal income taxes paid exceed 90 percent of their taxable income.

At first glance, it may appear that anyone this generous deserves a tax break. But there is a catch. It is only 90 percent of taxable income—not gross income—that must be given away or paid in taxes to be eligible for an unlimited deduction. The millionaire who receives most of his income from tax-exempt sources such as capital gains and municipal bonds has relatively little taxable income. A modest annual gift—possibly to his own foundation—grants him the privilege of an unlimited charitable deduction.

By eliminating this feature of our tax laws, the Treasury would stand to gain an additional \$60 million a year.

#### SPECIAL TAX TREATMENT FOR STOCK OPTIONS

This loophole enables top executives of large corporations to pay taxes on part of their incomes at low capital gains rates. The result is an annual loss of \$150 million in Federal tax receipts.

This is the way it works. If an executive is awarded a bonus or a raise by a corporation, he pays taxes on it like everyone else. However, if he is a top executive, the corporation may give him an option to purchase its stock instead.

The option permits the executive to purchase the company's stock at any time during a given future period at the price the stock is selling for at the time the option is given. Thus, he might be able to buy a stock for \$100 that is currently selling for \$500. The \$400 difference is regarded under present law as a capital gain, taxable at the low capital gains rates.

A man who received the same amount of income in the form of salary or a bonus would pay an income tax at least double that of the executive utilizing a stock option. This clearly makes no sense.

The Revenue Act of 1964 closed this loophole somewhat. The bill would eliminate it completely.

#### SEVEN-PERCENT INVESTMENT TAX CREDIT

In 1962, the 7-percent investment tax credit was enacted in an effort to stimulate the economy by providing a subsidy to private investment. This credit permits business firms to subtract 7 percent of the value of eligible new equipment installed during the year from their tax bills.

However, at this point, the investment

tax credit is doing its job too well. Projected spending for plant and equipment in 1969 amounts to \$73 billion, an increase of \$9 billion or 14 percent over 1968. This anticipated rise for 1969 contrasts with a 2-percent increase in 1967 and 4 percent in 1968. The presence of the 7-percent investment tax credit puts us in the paradoxical position of subsidizing the sector of economy generating the most inflationary pressure while employing monetary policies and the 10-percent surtax to cool things off.

This legislation would indefinitely suspend the investment tax credit for all property installed after its enactment, except for property which was ordered under binding contract before enactment. Doing this would increase Treasury receipts by \$3 billion during the first year.

#### MINIMUM INCOME TAX

As explained earlier, a number of extremely wealthy individuals in this country manage to avoid paying Federal income tax each year. Closing the major loopholes in our tax structure ought to eliminate this practice.

However, to make certain, this bill calls for the creation of a minimum income tax. This will insure that all taxpayers are taxed at the regular rates on at least 50 percent of their total income, regardless of how much of their incomes come from tax exempt sources.

It is estimated that such a tax would yield roughly \$500 million a year.

#### THE NEED FOR ACTION

We cannot afford to further delay the reform of our loophole-riddled tax system. Each loophole gives some special interest group unwarranted advantage over the average American taxpayer. Each one forces the rest of us to pay heavier taxes than we would with an equitable tax system.

Despite the outrageous nature of these loopholes and their obvious inequities, eliminating them will be a monumental task. Those who benefit from them are well-organized, well-financed, and determined to keep them on the books. The lobbyists for these special interests already are beginning to swarm over Capitol Hill.

However, the time has come to unite against those who perpetuate the privileges of the few against the many. No democracy can long tolerate such blatant inequalities in its laws and retain the confidence of its citizens.

I, for one, intend to fight for real tax reform until it is won.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2211) to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on Finance.

#### S. 2214—INTRODUCTION OF A BILL TO AMEND THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

Mr. MURPHY. Mr. President, I introduce a bill to update the Agricultural Marketing Agreement Act of 1937. The purpose of the act was to assist in sta-

bilizing prices of fruits and vegetables in the fresh market at a profitable level. Canning, the only major method of food preservation in 1937, was exempted from the act's provisions. By 1946 freezing was used commonly for food preservation and Congress again, in its wisdom, updated the act by expanding the exemption to include fruits and vegetables for freezing.

Today, many forms of processing are in use. Therefore, I think it would be advisable to place all processors of potatoes—canners, freezers, dehydrators, potato chippers and shoestring manufacturers—on a fair, equal and competitive basis.

Mr. President, I am convinced that this legislation is in the best interest of the potato industry, both growers and processors, the men and women of the working force who man the processing plants, and the consumers throughout this Nation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2214) to amend Section 608(c) (2) of the Agricultural Marketing Agreement Act of 1937, as amended, introduced by Mr. MURPHY (for himself and Mr. CRANSTON), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

#### S. 2215—INTRODUCTION OF A BILL TO EXTEND THE HISTORIC PRESERVATION ACT

Mr. YARBOROUGH. Mr. President, among our most valuable assets is our heritage, passed on to us from our forebears. Though this Nation is young in years, it is rich in history. Every part of this Nation has a valuable and interesting history which has been cherished and preserved by those generations which have preceded us and which we must now pass on to our children.

This heritage is made up of intangibles—attitudes, thoughts, traditions—as well as tangibles—songs, stories, and the other aspects of our glorious history. But, the most important things are the works of man and, ironically, these sometimes seem to be the most easily lost. All of us have seen the sad spectacle of a beautiful and historic old home being torn down to make way for a parking lot, a school, or some other building of architectural and historic merit being removed to make way for an apartment house, a shopping center, or a freeway. Each such removal takes us further from our past. Each such act destroys a real, touchable link with our forebears.

I introduce this bill today to help preserve this heritage. The purposes of the Historic Preservation Act have been carried out remarkably well, considering the financial limitations under which it has been forced to operate. I hope that we will not let this effort die now. I urge that we prevent such a thing happening by extending this law.

Mr. President, I ask unanimous consent that the text of this bill, to amend the Historic Preservation Act, be printed in full at this point in the RECORD.

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

The bill (S. 2215) to amend the act entitled "An act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes," approved October 15, 1966, so as to extend the provisions thereof for an additional period of 3 years, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

#### S. 2215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 108 of the Act entitled "An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes", approved October 15, 1966 (80 Stat. 915), is amended by deleting "three" and inserting in lieu thereof "six".

#### ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Michigan (Mr. HART) and the Senator from New Jersey (Mr. CASE) be added as cosponsors of my bill (S. 338) to amend section 1677 of title 38, United States Code, relating to flight training, and to amend section 1682 of such title to increase the rates of educational assistance allowance paid to veterans under such sections.

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

Mr. YARBOROUGH. I ask unanimous consent, at its next printing, the name of the Senator from Michigan (Mr. HART) be added as a cosponsor of my bill (S. 1190) to provide for special programs for children with learning disabilities.

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

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Texas (Mr. YARBOROUGH), I ask unanimous consent that, at its next printing, the names of the Senator from Vermont (Mr. PROUTY) and the Senator from Massachusetts (Mr. KENNEDY) be added as additional cosponsors of the bill (S. 1519) to establish a National Commission on Libraries and Information Science, and for other purposes.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. MURPHY) be added as an additional cosponsor of the bill (S. 1611) to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped and for other purposes.

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

Mr. PELL. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey (Mr. WILLIAMS) and the Senator from Colorado (Mr. DOMINICK) be added as cosponsors of the bill (S. 1611), to amend Public Law 85-905 to provide for a National Center on Educational Media

and Materials for the Handicapped, and for other purposes.

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

Mr. HART. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Idaho (Mr. CHURCH) and the Senator from Rhode Island (Mr. PELL) be added as cosponsors of my bill (S. 2029), to provide improved judicial machinery for the selection of juries, to further promote equal employment opportunities of American workers, to authorize appropriations for the Civil Rights Commission, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices, and for other purposes.

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

Mr. MURPHY. Mr. President, the name of the Senator from Arizona (Mr. GOLDWATER) was inadvertently omitted as a cosponsor of S. 2120, the Older Americans Act Amendments of 1969, when the bill was introduced on May 12.

I therefore ask unanimous consent that, at its next printing, the name of the Senator from Arizona (Mr. GOLDWATER) be added as a cosponsor of the bill (S. 2120) to amend the Older Americans Act of 1965 to extend its duration to authorize assistance for projects for foster grandparents and senior companies, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that act.

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

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Colorado (Mr. DOMINICK) and the Senator from New Jersey (Mr. CASE) be added as cosponsors of Senate Joint Resolution 59, proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical requirements.

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

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Arizona (Mr. FANNIN), the Senator from California (Mr. CRANSTON), the Senator from California (Mr. MURPHY), the Senator from Colorado (Mr. DOMINICK), the Senator from Delaware (Mr. BOGGS), the Senator from Iowa (Mr. MILLER), the Senator from Kansas (Mr. PEARSON), the Senator from Kentucky (Mr. COOPER), the Senator from Montana (Mr. METCALF), the Senator from North Dakota (Mr. BURDICK), the Senator from Oregon (Mr. PACKWOOD), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Texas (Mr. TOWER), the Senator from Utah (Mr. MOSS), the Senator from Vermont (Mr. PROUTY), and the Senator from West Virginia (Mr. RANDOLPH) be added as cosponsors of Senate Joint Resolution 85, to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week."

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

Mr. COOK. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of the joint resolution (S.J. Res. 91) establishing the Federal Committee on Nuclear Development.

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

#### ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. MURPHY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Colorado (Mr. DOMINICK) be added as a cosponsor of Senate Concurrent Resolution 24, to express the sense of Congress to encourage research and training in aging.

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

#### REQUEST FOR STAR PRINT OF SENATE JOINT RESOLUTION 85

Mr. GOLDWATER. Mr. President, during the next few minutes I would like to direct the attention of Senators to the development of archery as a major competitive sport in the United States.

Of course, the origin of archery can be traced to ancient times. The legends and histories of brave deeds accomplished with the bow and arrow will forever stand out in the annals of history. William Tell, Robin Hood, the American Indian, and numerous other names will always bring to mind feats of skill and courage associated with the bow.

But the sport of archery is not lost among the pages of history. Archery as a competitive sport and recreation activity has grown to an all-time high of popularity in the United States during the past few years.

The extent of the widespread interest in archery is indicated by its establishment as a major intercollegiate sport throughout the Nation. And, Mr. President, I am pleased to add that one of our Arizona institutions—Arizona State University—under the direction of Miss Margaret Klann, has been paramount in attaining a major status for the sport of archery. Arizona State University has produced four all-American archers in the past 2 years. Northern Arizona University also deserves recognition, having produced the 1965 world champion, Mr. Charles Sandlin.

Much of the credit for the rise in interest and importance of archery in this country must also be given to the National Field Archery Association, which was founded 30 years ago, in 1939. This association, with a current membership of approximately 40,000 persons, has been a leader in the promotion of competitive and recreation-type archery.

The National Field Archery Association is a true, national body, with affiliate chapters in each of the 50 States. In fact, there are 2,100 local clubs that have been established as affiliates of the organization throughout the country. Also, the NFAA has created five international organizations, representing the areas of Europe, Mexico, Japan, England, and Okinawa.

Mr. President, the NFAA is a responsible, civic-minded organization. Through its bow hunting division, it has assisted each State in enacting legislation setting limited hunting seasons and has worked to develop good conservation legislation. Each State affiliate has a local, knowledgeable archer available to assist in local and State wildlife management problems.

In the area of competitive archery, the association has developed a tournament program ranging from local and State events to national championships, both indoor and outdoor.

The NFAA feels a particular sense of responsibility to the youth of the organization. Each year a specialized committee convenes at the NFAA annual meeting to review and examine the programs established for young archers. Two years ago the association developed a youth scholarship program guided by a committee of NFAA members professionally engaged in the field of education. The purpose of this project is to provide financial assistance to those student members of the organization who have the ability and desire to attend college, but lack the financial resources to do so.

In 1967 and 1968 this program was primarily financed by general association funds and contributions by individual members and clubs. In 1969 the organization has developed a National Archery Week program of events designed to generate additional income for the scholarship fund. This period will extend from August 23 to September 1.

In view of the successful development of the NFAA since its origin, its record of civic awareness and contributions, and the parallel steep rise in the popularity and importance of archery, I concluded that it would be entirely fitting that Congress should give its official recognition, on behalf of the American people, to the sport of archery and the related activities of the NFAA.

For this reason, I have introduced a joint resolution that would authorize the President to proclaim the 7-day period from August 26, 1969, through September 1, 1969, as "National Archery Week." Mr. President, I have made a thorough check of the proclamations issued last year and the statutes enacted since then and I can assure my colleagues that this period has not been reserved for any other occasion.

This year in particular would be an especially timely occasion for the enactment of the resolution—first, because 1969 marks the 30th anniversary of the founding of the National Field Archery Association; second, because the United States will be the host country for the world archery championships; and third, because it was announced this year that archery has achieved the status of an Olympic gold medal event for all future summer Olympic games.

Mr. President, it is with great appreciation that I announce that 16 Senators have asked to join with me in sponsoring the measure. In all, these Senators represent 15 separate States, which indicates the truly national support for this proposal. In order that the names of all Senators may appear on the printed

copies of the resolution and so that I may make some revisions in language to take account of information that was not available when the resolution was first introduced, I ask unanimous consent that there be a star print made of the joint resolution (S.J. Res. 85).

Also, Mr. President, I ask unanimous consent that at its next printing, the names of the Senator from Arizona (Mr. FANNIN), the Senators from California (Mr. CRANSTON and Mr. MURPHY), the Senator from Colorado (Mr. DOMINICK), the Senator from Delaware (Mr. BOGGS), the Senator from Iowa (Mr. MILLER), the Senator from Kansas (Mr. PEARSON), the Senator from Kentucky (Mr. COOPER), the Senator from Montana (Mr. METCALF), the Senator from North Dakota (Mr. BURDICK), the Senator from Oregon (Mr. PACKWOOD), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Texas (Mr. TOWER), the Senator from Utah (Mr. MOSS), the Senator from Vermont (Mr. PROUTY), and the Senator from West Virginia (Mr. RANDOLPH) be added as cosponsors of such joint resolution.

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

#### SENATE RESOLUTION 197—SUBMISSION OF A RESOLUTION REPUDIATING THE BREZHNEV DOCTRINE

Mr. DODD (for himself and other Senators) submitted a resolution (S. Res. 197) repudiating the Brezhnev Doctrine. (See the above resolution printed in full when submitted by Mr. DODD.)

#### SENATE CONCURRENT RESOLUTION 26—SUBMISSION OF CONCURRENT RESOLUTION IN SUPPORT OF GERONTOLOGY CENTERS

Mr. DOLE. Mr. President, I submit for appropriate reference a concurrent resolution in order that the Congress of the United States might have an opportunity to go on record expressing our particular concern that an appropriate share of our national resources be used for basic research in the aging process. There are more than 19 million Americans age 65 or over. Our census experts tell us that their number increases at an annual rate in excess of 300,000. By the year 2000, we will have living in the United States over 30 million of our citizens who could thus be classified as older citizens.

It is my understanding that while we as a nation engage in substantial health research, that only a minor part of this is devoted to the aging process. For instance, in our great national institutes of health less than one-half of 1 percent of their research dollars are earmarked for special studies in the aging process. Gerontology is a relatively new science and those who specialize in it recognize to an increasing degree the importance of the interrelationships of such factors as economics, psychology, sociology, medicine, and biology on the aging process. As we can look further into the interdisciplinary influences, we can learn more about how to avoid or mitigate the impact of these influences on older people. There is no question for instance

that poverty can lead to grave medical problems or that medical problems can often impoverish older people or that psychological problems, or either, can cause or be the result of medical or economic problems.

Our specialists tell us that almost half of the older people in our population suffer from one or more chronic diseases. There is no question but that older age can reduce our resistance to these diseases. We as a nation must be able to provide our older population with further know how in taking care of themselves I believe this great body is first to recognize that all of us look forward to more effective means of dealing with the problems of older age. Certainly effective programing in this area makes sense from a humanitarian standpoint, from a social standpoint, and from an economic standpoint, the billions of dollars expended by and for older people should be spent as wisely as we know how. I recommend that we go on record in support of this resolution expressing the sense of the Congress that programs of scientific research for training in aging will be recognized as a matter of critical national concern. In particular, I am concerned that more facilities such as is now being developed in California at University of Southern California, the Ethel Percy Andrus Gerontology Center, be recognized as a pilot effort in extending the interdisciplinary approach to aging studies.

Mr. President, I hope that this will lead to further interrelated study in this vital subject at all of our great centers of research, learning, and training, and I commend this resolution to you.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 26), which reads as follows, was referred to the Committee on Labor and Public Welfare:

#### S. CON. RES. 26

Concurrent resolution in support of gerontology centers

Whereas there are over 19 million older Americans 65 and over, and

Whereas the number of older Americans increases by over three hundred thousand per year, and

Whereas by the year 2000, 34 per centum of our population will be 65 and older, and

Whereas the average life span of an American child born today is 70 years as compared with 47 years in 1900, and

Whereas Gerontology is a relatively new science, and

Whereas Congress is continually concerned with the well-being of older Americans, said concern having been demonstrated by the establishment of the Administration on Aging (Public Law 89-73); Now therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that programs of scientific research and training in aging, such as the Ethel Percy Andrus Gerontology Center located at the University of Southern California, be encouraged and supported.*

#### FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED—AMENDMENT

##### AMENDMENT NO. 22

Mr. STEVENS (for himself and Mr. KENNEDY) submitted an amendment in-

tended to be proposed by them, jointly, to the bill (S. 7) to amend the Federal Water Pollution Control Act, as amended, and for other purposes, which was ordered to be printed and referred to the Committee on Public Works.

(See reference to the above amendment when submitted by Mr. STEVENS, which appears under a separate heading.)

#### NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

R. Jackson B. Smith, Jr., of Georgia, to be U.S. attorney for the southern district of Georgia for the term of 4 years, vice Donald H. Fraser, resigning.

Charles E. Robinson, of Washington, to be U.S. marshal for the western district of Washington for the term of 4 years, vice Donald F. Miller.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, May 27, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

#### NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Anthony J. P. Farris, of Texas, to be U.S. attorney for the southern district of Texas for the term of 4 years, vice Morton L. Susman.

Doroteo R. Baca, of New Mexico, to be U.S. marshal for the district of New Mexico for the term of 4 years, vice Emilio Naranjo.

Royal K. Buttars, of Utah, to be U.S. marshal for the district of Utah for the term of 4 years, vice Ellis Maylett.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, May 27, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

#### NOTICE OF HEARING

#### EVERGLADES NATIONAL PARK HEARINGS SCHEDULED FOR JUNE 3 AND 4

Mr. JACKSON. Mr. President, for the information of Members of the Senate and the general public, informational hearings on the Everglades National Park's water supply, environmental pollution, and jet airport problems, have been scheduled for June 3 and 4. The hearing will be held in room 3110 of the

New Senate Office Building at 10 a.m. before the full Committee on Interior and Insular Affairs.

Congress established the Everglades National Park in 1934 and placed it under the administration of the National Park Service to preserve certain values for the enjoyment of present and future generations. In 1948, the Corps of Engineers, pursuant to a legislative authorization, the central and southern Florida flood control project, became involved in a water supply, flood control, and land reclamation project near the park. As a result of the corps activities this project intercepts and retains most of the water which once flowed naturally into the park. Today, the park's water supply is threatened and the ecological balance and the very life of the park is endangered. More recently, agencies of local government in the State of Florida have, in connection with the Department of Transportation, become involved in a project to build a 39-square-mile superjet airport within 6 miles of the park. This action could have a detrimental impact on the park's water supply. It would cause air and water pollution. It would create a noise problem and encourage urban, commercial, industrial, and residential development near the park's boundaries.

Mr. President, a satisfactory resolution to the problems facing the Everglades is necessary if the park and its wildlife are to survive for the enjoyment of present and future generations of Americans as Congress intended when the park was authorized in 1934.

The purpose of the June 3 and 4 hearings will be twofold: First, to receive an up-to-date status report on the planning, the alternatives and the negotiation now underway to minimize damage to park values. Second, to review the process of Federal decisionmaking which has contributed to the conflicting patterns of Federal, State, and local land use which presently threaten the Everglades National Park.

The present situation at the park is apparently the result of a lack of coordination and cooperation among Federal departments and agencies, State and local government, and committees of the Congress. I am not aware of anyone who seriously questions that these inconsistent Federal land-use policies and activities have and, unless changes are made, will continue to detract from the park's values.

The present situation in the Everglades National Park shows the type of problems which arise when different departments of Government, following different legislative mandates and policies, proceed with their own separate missions without adequate coordination and consultation. One of the questions I will want answered at the hearing is why the Department of Transportation provided \$500,000 for work on the proposed 39-square-mile superjet port and \$200,000 for a high-speed transportation study directly adjacent to the park boundaries without first undertaking studies to determine the impact these developments would have on water quality, on fish and wildlife, and on the park values which

Congress sought to preserve when the park was authorized. I will also want to know what interdepartmental consultation and discussions preceded this decision.

The real issue involved in the Everglades is not—as some Government officials are reported to contend—whether the “bird watcher types” are successful in protecting park and wildlife values. The real issue, in my judgment, is whether the Federal and State governments are doing an adequate job of cooperating in land-use planning and management. Rational planning involves the consideration of all relevant values and alternatives. On the basis of information available to me now, I do not think that all of the relevant values have been considered.

As Members of the Senate are aware, I have introduced legislation, S. 1075, designed to establish a national environmental policy. A statement of a national policy for the environment together with a requirement for official findings on the environmental impact of Federal decisions and legislative proposals would effectively make the quality of the environment everyone's responsibility. No agency would then be able to maintain—as many now do—that it has no mandate, no requirement, or no responsibility to consider the consequence of its actions on the environment.

I am preparing an amendment to S. 1075, which will require all agencies of the Federal Government to adjust their planning and their activities toward achievement of a balanced environment. This amendment will be available prior to the hearing and I will want to have the judgment of the Federal witnesses on what its effect would have been had it been enacted at the time the park was created by the Congress.

Another matter of concern which will be explored at the hearing is whether the Department of Transportation has ignored and perhaps even violated the provisions of section 4(f) of the Department of Transportation's organic act. I offered this amendment to the act which created the Department in 1966 and it was adopted by the Congress. Section 4(f)'s purpose is to direct the Secretary of Transportation to cooperate and consult with other Federal departments in developing transportation plans. The section also provides that the Secretary shall not approve any program or project which requires the use of public park and recreational lands or wildlife refuges unless: First, there is no feasible alternative; and, second, the program includes all possible planning to minimize harm to these areas resulting from such use.

I will want detailed information with respect to whether both of these provisions have been and are being complied with in connection with the development of the superjet airport and other transportation plans in the area of the Everglades National Park. I will also want to know what alternatives were considered; what planning has been done to minimize damage to park values; what interdepartmental and interagency consultations have taken place?

I have requested the Attorney General to furnish the committee with a Justice Department opinion as to whether the Corps of Engineers has authority to issue regulations for the control of water in its projects so as to assure the Everglades a protected supply of water without first getting the concurrence of the State of Florida. It is my understanding that the corps and the Department of the Interior at one time agreed that this could be done. Subsequently, however, it is alleged, the corps has changed its position. This matter was submitted to the Attorney General for resolution in November 1968. To date, however, no decision or opinion has been made public by the Justice Department. I believe it should be. I believe that the American people and the Congress have a right to an answer to these questions.

It is my understanding that the Public Works Committees of both bodies of the Congress requested the corps, in the early 1960's, to restudy the central and southern Florida project for the purpose of improving the water supply to the park. The modified project, as passed by the Congress added \$66 million to the previous authorization. The Federal Government, I am informed, bears 75 percent of these costs and 48 percent of the costs are attributed to park benefits. In view of these financing provisions, I see no reason why the water needed for the survival of the park, its wildlife and ecology could not and should not be made available.

In view of the complexity of this problem and the many different interests involved, the committee will want to receive testimony from each of the Federal agencies involved as well as from officials of the State of Florida, the Dade County Port Authority, and representatives of major conservation organizations. I have requested Secretary Volpe, Secretary Hickel, and the Chief of the Corps of Engineers, Lieutenant General Cassidy, to appear before the committee. A similar invitation is being extended to the Governor of Florida.

Mr. President, the problem of the Everglades National Park requires a reasonable and an early solution. Resolution is important because of the many scenic, recreational, wildlife, and scientific values found in the park which are found nowhere else. We cannot allow these to be destroyed; they must be preserved.

The Everglades is of importance for still another reason. It is a manifestation of what happens and what is happening in this country under the pressures of population, development, and man's applications of new technology. In pursuit of convenience and material wealth we are too often insensitive to the environment and to the values of the natural world.

#### NOTICE OF HEARINGS

Mr. KENNEDY. Mr. President, I wish to announce that the Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee will hold a 1-day hearing on Monday, May 26 at 10:30 a.m. in room 2228, New Senate Office Building. The subject of the hear-

ing will be S. 1144, a bill to remove the statutory ceiling on appropriations for the Administrative Conference of the United States.

#### RECESS

Mr. JAVITS. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair.

There being no objection, (at 12 o'clock and 31 minutes p.m.) the Senate took a recess subject to the call of the Chair.

On the expiration of the recess (at 1 o'clock and 51 minutes p.m.), the Senate reassembled, and was called to order by the Presiding Officer (Mr. ALLEN in the chair).

#### THE HIGH COST OF DRUGS

Mr. LONG. Mr. President, this morning a great doctor, Dr. John Adriani, of the Charity Hospital of New Orleans made a statement that I believe every doctor in America should read. His statement was about the abuses of the drug industry as it exists in America today. As chairman of the Council on Drugs of the American Medical Association, Dr. Adriani is one of the outstanding experts on this subject.

I believe that Dr. Adriani qualifies for an award for service to humanity for the kind of work he has done in trying to provide for American citizens the best drugs at the lowest cost. Dr. Adriani, in the beginning of his remarks, made the following statement:

I preface my remarks to the committee with the statement that I am strongly biased in my views on matters pertaining to drugs and that my bias in this regard is 100 percent pro-patient and only pro-patient.

Dr. Adriani is a man who has spent his life working with drugs. He has done this not for money, but for the service that he could render to humanity. He understands the subject as well as anyone. Any doctor or any drugstore owner who would like to know why the public is complaining about the drug prices and practices and why people like the Senator from Louisiana and the Senator from Wisconsin complain and keep making speeches about the fact that the public is being victimized, oppressed, and outraged by the high prices charged for drugs produced at a low cost, ought to read Dr. Adriani's statement.

It takes great courage for a man such as Dr. Adriani to stand up and speak the honest truth when the drug companies are spending hundreds of millions of dollars trying to spread misinformation calculated to mislead and confuse the American people.

Dr. Adriani is perhaps second only to Dr. Alton Ochsner as a private citizen of Louisiana seeking to serve humanity as best he can.

Dr. Ochsner made the courageous fight in America to prove the connection between smoking and cancer, heart disease, and emphysema. He has insisted that the American Cancer Society and the American Heart Society should do something about it. He insisted that the Federal

agencies should do something about the health hazard, meaning no ill will toward the tobacco industry, but thinking in terms of suffering humanity.

I have mentioned Dr. Ochsner's name in connection with Dr. Adriani because they are both presently citizens of the New Orleans area. In terms of men in medicine who have done great work for suffering humanity, these two great Americans are persons of whom Louisiana can justly be proud.

Mr. President, I ask unanimous consent that the prepared text of Dr. Adriani's remarks be printed in the RECORD. I challenge any drug manufacturer to prove Dr. Adriani wrong on a single major point.

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

STATEMENT OF JOHN ADRIANI, M.D., CHARITY HOSPITAL, NEW ORLEANS, LA., TO SENATOR GAYLORD NELSON'S SUBCOMMITTEE ON MONOPOLY, OFFICE OF THE SMALL BUSINESS COMMITTEE, U.S. SENATE

Mr. Chairman and Members of the Committee: It certainly is a compliment to me, who is familiar with so little of the vast fund of available information on drugs, to be invited to appear before this committee. You do me honor by indicating that I may be of assistance to you. The accumulation of knowledge pertaining to drugs over the past several decades has been so phenomenal that no single individual, be he a practitioner of medicine, pharmacologist, pharmacist or other person whose primary interest is drugs, can be expected to know all of the important details concerning all drugs available for use in the treatment of disease.

I preface my remarks to the committee with the statement that I am strongly biased in my views on matters pertaining to drugs and that my bias in this regard is one hundred percent pro-patient and only pro-patient.

#### BACKGROUND AND QUALIFICATIONS

I am John Adriani of New Orleans, Louisiana. I am a Doctor of Medicine who graduated from the College of Physicians and Surgeons of Columbia University in 1934. My specialty has been surgery, but my interests have been diversified since I began medical practice. I majored in chemistry before entering medical school and gave strong consideration to becoming a chemist and concentrating my interests in drug chemistry before I finally decided to study medicine. I also had training in physiology under the renowned Doctor Homer Smith at New York University. My contact with surgery made me aware of the woeful lack of knowledge of the action of anesthetics and the primitive methods of administering these drugs which existed in the early 1930's. The methods were nearly as primitive as they were in 1842 when ether was first introduced as an anesthetic.

Anesthetics are drugs which are used to carry a patient halfway to eternity and back. Obviously, these drugs are lethal and the responsibility of administering them is great. The science and specialty of anesthesiology has developed as a result of the recognition by a few physicians three decades ago of the importance of the actions of these drugs and of the knowledge of their proper administration.

An anesthesiologist is one who uses and studies pain relieving drugs in patients. An anesthesiologist must also possess broad knowledge in matters pertaining to other types of drugs because the specialty encompasses the use of drugs which are either antagonists and overcome the effects of anesthetics or are used as adjuncts to augment the effects of anesthetics. In addition, some

drugs are used prophylactically to prevent unanticipated and unwanted side effects. Another point of importance is that patients who require anesthesia often are taking drugs prescribed by personal physicians, internists, and other specialists to treat diseases not directly related to the surgical disease for which they are hospitalized. An example would be the use of digitalis in a patient to treat existing heart disease, reserpine for the treatment of the high blood pressure which caused the heart to decompensate, a diuretic, which facilitates the elimination of salt and prevents accumulation of water in the tissues, quinidine to make the pulse regular, a tranquilizer to prevent excitement and apprehension, a vasodilator to prevent anginal pain, an anticoagulant to prevent clotting in the vessels of the heart and brain, and insulin to control diabetes. It is not uncommon to find a patient who needs an operation having all these conditions and receiving all these drugs. How these drugs interact with those prescribed by the anesthesiologist and surgeon is a matter of great importance. Little is known about many drug interactions and the subject is now becoming one of intensive study.

The anesthesiologist is, in essence, a clinical pharmacologist who is knowledgeable in the behavior of many drugs. He is familiar with their use in human beings who are ill and who are under treatment. His knowledge of drugs stems from their actual use in patients and not merely from information gathered in studies from normal human volunteers or from animals.

My experience in matters pertaining to drugs has been quite diverse, encompassing research in pharmacology, testing of new drugs, the teaching of pharmacology for over thirty years to undergraduate medical, dental, and postdoctoral students. In addition, I am engaged in the training of nurses to administer anesthetics, gases and mists for treating pulmonary (lung) diseases.

I have been a member of the Council on Drugs of the American Medical Association for six years and Chairman from the latter half of 1967 to date. I have been a member of the Revision Committee of the U.S. Pharmacopeia for the past nine years and was a member of the panel on anesthetics of the Subcommittee on Scope of the U.S.P. ten years before I was made a member of the Revision Committee. I have been a consultant to the Food and Drug Administration since 1963 when the Kefauver-Harris Amendment was first implemented. I am now also Chairman of the Advisory Committee to the FDA on Anesthetic and Respiratory Drugs.

For the past nine years I have been Associate Director at Charity Hospital of New Orleans, Louisiana, in which capacity I have gained considerable insight into the budgetary problems concerning the care of the sick and the cost of medical supplies, particularly drugs. I have also been a member of the Pharmacy and Therapeutics Committee of Charity Hospital, serving in the capacity of pharmacologist.

My entire professional life as a physician has been devoted as a salaried employee in tax-supported institutions (Bellevue Hospital, New York, and Charity Hospital, New Orleans) in caring for those unable to finance their own cost of medical care. I have no private practice except occasional consultations, testifying as an expert in medicolegal matters, or the treatment of special cases referred to me for problems pertaining to pain. I submit this resumé of my activities to you and to your Committee, Mr. Chairman, to apprise you of the areas of my interest and experience and background in matters pertaining to drugs.

#### TOPICS REQUESTED TO BE DISCUSSED

I am appearing by invitation as an individual physician, representing no organization or institution. My statements reflect

my own thinking and opinions and are not to be construed as reflecting opinions of any organization or institution with which I am associated. I have been asked to express any general views I may have on drugs, but specifically to comment on antibiotic combinations, antibiotic overuse, and particularly the overuse of Chloramphenicol.

#### GENERIC NAMING

The problems of drug utilization and prescription methods are complex and are increasing in complexity as the number of drugs introduced into therapeutics increases. The situation can now be described as nearly chaotic. No semblance of order can be made of the existing chaos until all drugs and combinations thereof are designated by given, common, or generic names and not by proprietary, or brand names. Proprietary or brand names are, in essence, aliases. An alias, no matter how used, tends to confuse or to be deceptive. An alias is intended to conceal the true identity of whatever or whomever is being designated by an alias. The use of brand names for drugs serves no constructive purpose; on the contrary, the practice hampers rational drug utilization, rational prescribing and dissemination of drug information. Brand names should be abolished. The public's best interests shall not be served until this is done.

It is a function of the government to do for the people what the people cannot do for themselves. No private group or scientific organization possesses the capability or is empowered to institute reforms in drug nomenclature which are so sorely needed. Obviously, then, this is something that the people cannot do for themselves. Government, therefore, must intervene and act in the public's behalf. The record of the U.S. Government in assuring the public that food products supplied to a consumer are pure and properly labelled is commendable and is known to all. The citizens of no other nation on earth have the assurance that food products which enter interstate commerce are safe, as does the citizenry of this nation. Foods are dispensed by their given names and not by aliases. The brand and the name of the vendor or producer is inscribed on the dispensing container to permit the consumer to purchase the commodity of his choice and preference. It is difficult to understand why drugs, which are equally as important, if not more important than food, to the health of a nation and well-being of the public are permitted to masquerade under aliases. In essence, the pharmaceutical industry is being granted preferential treatment by being allowed to distribute drugs using brand names, since no other major industry preparing merchandise for human consumption is granted similar special privileges. The reasons given are that merchandise of one manufacturer varies in quality from that of another and that to do otherwise interferes with the physician's prerogative or prescribing a drug of his choice. It is ludicrous to conceive that items so vital to the public health are distributed by brand names, under the guise that to do otherwise would be interfering with the physician's prerogative of selecting the product of a manufacturer which he deems best for his patient. The arguments which have been advanced for justifying the practice of using brand names are not only illogical and superfluous, but even puerile. If it is the object of the pharmaceutical industry to promote ignorance and to confuse not only the physician, but the public as well, the use of brand names effectively accomplishes this purpose. The prime motive, if one gives the matter thoughtful consideration in using aliases for drugs, is to promote sales, to establish monopolies and to stifle competition of rival manufacturers.

#### GENERIC LABELING

It is my belief that carefully and thoughtfully prepared legislation should be adopted,

advocating that compulsory labelling of prescription drugs dispensed either in bulk to pharmacists and physicians or prescription drugs dispensed in individual packages be done by generic, or common names. "By 'common names' I refer to names that are shorter or better known than the generic name. Aspirin is a more common name than the generic name—acetylsalicylic acid. The generic labelling should appear in large, bold-faced type on the label, wrapper, container, brochure and all other identifying devices or documents. The brand name of the manufacturer, if such a drug has a brand name, should be in parentheses beneath the generic name in type no larger than one-eighth the size of the type used for the generic name of the drug. Interposed between the generic name of the drug, in type no larger than that used for the manufacturer's name and the brand name but large enough to be easily legible, should be interposed the chemical name of the drug.

A pharmacist who dispenses to a patient, on a prescription from a physician, a portion of the contents of a drug packaged in bulk should be required to label the package of the drug so dispensed to the purchaser with the generic, or common name of the drug. If the physician has specified dispensing a drug of a particular manufacturer, the manufacturer's name should be indicated in parentheses below the generic name, in order that the physician, as well as the patient, will know whether or not the specified item has been supplied. The labelling on the container given to the patient should be omitted if the physician indicates "do not label" on the prescription.

#### NAMING OF MIXTURES AND COMBINATIONS

Mixtures of drugs would be designated as Mixtures. For example, the mixture now available as Coricidin would be labeled as Chlorpheniramine, Aspirin and Phenacetin Mixture. The brand name Coricidin would not be included in the labelling. Instead, the name, Chlortrimeton, since it is a proprietary ingredient, would appear in parentheses in type one-eighth the size of type used to name the ingredients of the mixture beneath the name of the ingredient Chlorpheniramine, together with the manufacturer's name. The labelling of mixtures should also carry the chemical names of each ingredient, in fine print, with the generic or common name in parentheses and the amount of each ingredient in each tablet, capsule, or unit of liquid measure should be indicated in both milligrams and in grains. The latter stipulation would not be a requirement of the labelling applied to the package dispensed by prescription to a patient. These are of interest primarily for the pharmacist, pharmaceutical chemist, or the toxicologist in the event this information is required in cases of poisoning, homicide, determination of purity or biologic assay. An expiration date should be indicated for drugs which have expiration dates.

#### LABELING OF OVER-THE-COUNTER DRUGS

Producers of "over-the-counter drugs" are likewise enjoying special privileges which are far from being in the public's best interest. As a matter of fact, the surveillance of the firms packaging over-the-counter drugs is not as close as that of firms packaging prescription drugs. The FDA has no surveillance over claims of efficacy of over-the-counter drugs made in advertisements, in newspapers, magazines, telecasts, etc., and Federal agencies empowered to take action seldom do so.

Pharmaceutical firms which package a prescription drug which may also be sold over the counter in certain dosage forms often make claims in advertising in newspapers and nonprofessional magazines that would not pass the scrutiny of the FDA. I am thinking specifically of Neosynephrine, packed by Winthrop, in the form of nose drops, which is available over the counter,

which, in lay journals is claimed to be effective for "colds." The labeling of over-the-counter drugs should follow the same pattern as that of prescription drugs and the advertisements should be as informative concerning full disclosure and efficacy as prescription drugs.

#### REPACKAGING OF DRUGS

Drugs dispensed by "repackaging firms" should indicate the source of each ingredient, that is, the name of the manufacturer from whom each chemical was purchased. The same requirement should apply to firms distributing a repackaged drug under a brand name or to mixtures. The large manufacturing firms who buy drugs from other firms should indicate on the package that they did not make the drug, by indicating its source, in the same manner as required of the "repackaging houses."

In addition, the American Medical Association should indicate in its code of ethics that physicians should own no stock or interest in any pharmaceutical firm, repackaging firm or pharmacy, and insist that this be enforced at the county society level. No conscientious, ethical physician who lives up to his oath should object. The patient is at his mercy and purchases what he specifies and there should be no conflict of interest.

#### IMPACT OF GENERIC LABELING

Should one ask, "Will such a change in labelling as is being proposed be in the public's best interest?", the answer will obviously be, "It will." If one asks, "How?", the answer would be, "Everyone will learn and know the real name of a drug"; the physician, the pharmacist, the nurses who take care of the patient, the pharmacist's attendants and the relatives. Pseudonyms and aliases ultimately will disappear, without one bit of harm to the public.

Will physicians be restricted in their prescribing prerogatives if such a plan were placed into effect? The answer is, "Not at all." The physician will still be able to prescribe the drug he chooses, manufactured by the firm he prefers and in which he has confidence. He still will be able to prescribe in the dosage form he chooses and has always used in prescribing the drug. If, for medical reasons, a physician does not wish a patient to know the identity of a drug, it will still be his prerogative to request this.

Pharmacists will still be required to supply to a patient a drug a physician requests, made by the manufacturer that the physician indicates and prefers. An ethical pharmacist will not substitute an inferior drug, as has been argued that he might do by those who feel that the brand names protect the patient and protect the physician's right to prescribe as he sees fit. If a physician does not object to labelling, the patient is then told what he is to receive and can insist that the pharmacist supply exactly what is prescribed and what the patient is paying for. Patients may be able to shop and obtain a drug at its lowest cost.

The days of mystery in medicine are over. Medicine is a science as well as an art. Patients are not morons. They read, and they are becoming more knowledgeable, and there is no reason for not disclosing all pertinent information to everyone for the proper and safe use of a drug. By using a standard name for each drug, full disclosure will be provided for all persons involved. The chemically oriented physician will have the chemical name. The pharmacist, the pharmaceutical chemist, the toxicologist and the physician who have become accustomed to using brand names will have them at their disposal should they wish them, but in time they will be de-emphasized and brand names hopefully will disappear. Existing hospital formularies can be abbreviated and new ones prepared in hospitals where none now exist. Pharmacists will find that in due time physi-

cians' prescribing habits will change and they will need fewer items on the shelves.

#### GENERIC EQUIVALENCY

The arguments for retaining brand names prescribing have been shrouded and wrapped in that nebulous cloud referred to as "generic equivalency." The paucity of convincing and well-documented data of clinical significance causes one to suspect that this situation has been grossly exaggerated. Should a product of one pharmaceutical firm be chemically equivalent and more effective biologically, then this would be a selling point which a pharmaceutical firm could use in its advertising. The firm could, with justification, capitalize upon this point in its advertising and utilize it as a reason for selecting the drug of that particular firm. The firm thus could boast that its product is superior and has this advantage over that of competing firms. Considerable stretch of the imagination is required for one to see the justification for the use of an alias for designation of a product merely on the basis of generic equivalency. For example, should Ether prepared by SQUIBB be found to be biologically and clinically more effective than that of competitive manufacturers, and I doubt that it would, a physician who is aware of this would request Ether—Squibb. In the event Lidocaine U.S.P. prepared by Astra were demonstrated to be biologically and clinically superior to products distributed by a competing firm, this would not necessarily interfere with a physician's choice to prescribe Lidocaine—Astra instead of the alias, Xyllocaine. Neither would have been interference of the physician's prerogative to prescribe the product he deems most effective clinically, if indeed he can make such a distinction, and the best interest of the patient will still be served. The question of generic equivalency has been "ballyhooed with both scientific and pseudo-scientific data, so that it is virtually impossible to determine what is fact and what is fancy. The situation is almost laughable. Much is said about crystal size, the effect of binders and mordants, coating, etc. This all sounds impressive and has some basis of fact, no doubt, Mr. Chairman, but no one has said what happens to one of these elite, "non-generic brand name drugs" when it is introduced into the stomach of a patient, the contents of which are not known, the acidity of the juices in the stomach are not known and other variable factors which are bound to exist are not known. What happens to one of these pills or capsules after they are introduced into the stomach and are followed by a martini, potato chips, shrimp remoulade, turtle soup, a steak, potatoes, some wine, salad and dessert. If a drug is readily soluble, the chances are excellent that chemical equivalency equals biological and clinical equivalency.

One cannot deny that in some cases biologic potency may vary from one product of one manufacturer to another or even from batch to batch of a given drug by a given manufacturer, but how much is known about all of this which is factual and clinically significant? It appears to me that no one has given this matter much thought over the years and now the matter is being called to the attention of the scientific community and we are becoming aware of something that only time will prove whether or not is important. The effectiveness of a drug taken before breakfast may differ from that of taking the same drug before lunch or before supper or at bedtime, or from one day to the next. Such variable factors as fever, the presence of other drugs, hydration and liver and kidney function may influence the efficacy of a drug. Generic naming must not be confused with generic equivalency. The two terms are distinct, separate entities and not synonymous.

#### ACCEPTABLE STANDARDS

Standards formulated by the U.S. Pharmacopeia, the National Formulary and other agencies are acceptable, reliable standards and should be adhered to at this time until additional well documented information is available, at which time these agencies and scientific groups can revise their standards. As time passes we will no doubt learn more about the so-called "biologic equivalency" and its clinical importance. The standards will then be modified in accordance with our added knowledge, but until such a time the present-day standards are adequate.

There must be a beginning to make order out of chaos, and now is the time to effect changes. The vociferous displeasure which will be voiced will be intense but it can be readily parried by asking, "Is what is being done in the public's best interest?" How can full disclosure of all details pertaining to a drug be anything other than in the patient's best interest?

#### COMPLEXITY OF GENERIC NAMES

The greatest objection and difficulty that one will encounter in attempting to establish uniform nomenclature of drugs will be the complexity of some of the generic names which have been assigned to drugs. This is a matter that will have to be resolved with time. Some names undoubtedly will have to be simplified. Chlorpheniramine, mentioned in the description of Coricidin, is a name that borders on the complex side. There is a tendency among physicians to abbreviate names or use "nicknames." For instance, cyclopropane is usually referred to as "cyclo" by anesthetists. Muscle relaxants are facetiously referred to as "arrow poisons." In the case of the muscle relaxants, for example, Decamethonium is the generic name for Succurine and succinylcholine is the generic name for Anectine or Sucostrin. Tubocurarine is a non-patented generic name for Curare and should be retained. These generic names are not difficult to pronounce or spell.

The purpose, Mr. Chairman, in my recommending that the chemical names be included on the package and in the other types of labelling is that one wishing to know the chemistry would have it available. The United States Adopted Names, a committee composed of members of the U.S.P., N.F., Council on Drugs of the AMA, and the FDA, now attempts to incorporate in the name an indication of the chemical nature of the drug. If it were known that the chemical names are required on the labelling, perhaps the USAN would be more inclined to adopt the simpler names and not attempt to follow a chemical type of nomenclature.

#### LICENSING SYSTEMS

A code of good manufacturing practices and other criteria with a licensing system and registration for all individual pharmaceutical products is essential. All drugs would then meet the same standards. This, of course, would be imposing the same requirements on all firms manufacturing drugs equally and would do much to solve the problem and obviate the objection which allegedly exists that some drugs are chemically equivalent but not biologically equivalent. This is not an impossible problem to resolve.

#### FIXED RATIO COMBINATIONS

Physicians have, for years and years, used drug combinations. They will continue to use drug combinations in the future. I see no end to this practice. It is reasonable and logical in some cases. There is a difference, Mr. Chairman, between combinations and fixed ratio combinations. Combinations are essential and not necessarily objectionable. However, there are objections to the use of fixed ratio combinations because no two individuals respond to the same manner to a given drug. The argument advanced in the

use of fixed ratio combinations is that a patient then would receive all the medication in one tablet, capsule or teaspoonful of solution or injection. The use of fixed ratio combinations is as logical as selling combinations of salt and pepper in fixed proportions. I am sure that if pepper were combined with salt in a fixed ratio and sold on the premise that one would require only one shaker on the table instead of two the product would have limited sale. Individual tastes vary; some people would like more salt and less pepper and vice versa.

The same principle applies to drugs in combinations of fixed ratio, particularly when they are dissimilar chemically or therapeutically. I have in mind a particular fixed ratio combination which has been recently introduced on the market under the brand name of Innovar. This is a mixture of a new narcotic of great potency, Fentanyl, and a new "tranquillizer," Droperidol. The narcotic causes rigidity of the muscles and interferes with respiration. The tranquillizer has the capability of paralyzing the nerves supplying the blood vessels and causing a fall in blood pressure. The combination is packaged in a ratio of fifty parts of the tranquillizer to one part of the narcotic. When this combination is used, certain individuals overreact to the narcotic while others overreact to the tranquillizer. Such a mixture of fixed proportions is illogical. It has been promoted and, because of its newness, detailed information of its pharmacologic properties is lacking or it has not as yet drifted down to the practicing physician through the normal and unbiased drug information channels; that is, from physicians who actually are familiar with the drug and recognize its side effects. When an N.D.A. of a new product of this sort is approved by the FDA, the "detail men" are the first to acquaint the physician with the product. The package insert, in these cases, provides all of the required available information but this is not sufficient because in many cases the drug has been tested by individuals whom we facetiously refer to as "testimonial writers." Seasoned researchers are not interested in testing drugs in the manner proposed by a sponsoring manufacturer. The data on the N.D.A. applications is not always obtained from research of the highest quality. Side actions and other adverse effects often remain virtually unknown until a drug is subjected to widespread general use or is studied carefully by seasoned researchers. When a drug is first introduced, we are not fully aware of its actual usefulness and limitations. It is only with time and sad experiences that a drug finds its proper niche in therapeutics.

#### ANTIBIOTIC FIXED RATIO COMBINATIONS

Some fixed ratio combinations of antibiotics and chemotherapeutic agents available on the market are deemed ineffective in certain cases, from data studied by the Review Committee of the NAS-NRC. Inasmuch as the physicians and other scientists on these committees are knowledgeable in their fields and not biased, I would accept their recommendations. In instances where they say that a fixed ratio combination is not effective, this combination should be withdrawn from the market unless supplementary data of proof of efficacy is supplied by a manufacturer. Withdrawal of mixed ratio combinations of these types does not hamper the physician from using combinations. A physician will still be able to prescribe two of three drugs in quantities to suit an individual patient. Antibiotics and chemotherapeutic drugs are far from innocuous drugs. Each type is capable of producing sensitization, kidney, liver, and in some cases nerve damage. Where fixed ratio combinations are used, only one ingredient may be effective but the amount in the mixture is insufficient. The physician may increase the dose if the response is good but not as great as an-

ticipated. It is thus possible for the amount of the ineffective agent to be increased above the toxic level and cause harm to a patient.

#### CHLORAMPHENICOL

I have been asked to comment on the use of Chloramphenicol (Chloromycetin). Chloramphenicol is a valuable drug and certainly nothing should be done to curtail the intelligent use of the drug by knowledgeable physicians in instances in which it is indicated. It not only would be difficult to legislate when a physician should or should not use Chloramphenicol, but such a step would be ill advised. There is no doubt that there has been and probably still is some abuse of the drug. This appears to be decreasing. There are, however, other drugs in other categories that are equally as hazardous as Chloramphenicol but in other ways. They, too, are used thoughtlessly and indiscriminately in certain cases.

#### PHARMACY AND THERAPEUTICS COMMITTEES

The hospital pharmacy and therapeutics committees required by the Joint Commission on Accreditation of Hospitals in accredited hospitals could manage the problem of proper drug usage quite effectively. These committees, however, should be strengthened and be more active than they now are. Their scope should be broadened to include the reporting, not only of adverse reactions, but a review of a drug utilization and promotion of drug education to the hospital visiting staff. The premise upon which the Joint Commission for the Accreditation of Hospitals bases its requirements of accreditation, as far as the medical and surgical visiting staff is concerned, is that the visiting staff governs itself. The philosophy that the staff governs itself can be workable. It is effective in certain, but not all, hospitals. Tissue committees are quite effective in most hospitals in preventing unnecessary surgery. Utilization review committees which review duration of patient stay and hospitalization likewise have been effective; therefore, the same principle could be applied to drug utilization. The pharmacy and therapeutics committee could challenge a physician for using a drug such as Chloramphenicol in situations where it was not indicated or for administering the drug without performing the proper bacteriologic and sensitivity studies. Legislation is not the answer to this problem. The solution must be by education and self-regulation by the medical profession. The use of drugs presenting hazards similar to Chloramphenicol could be "policed" in a similar manner.

#### ROLE OF THE AMERICAN MEDICAL ASSOCIATION

I realize that the American Medical Association has, over the years, differed with Congressional leaders and governmental agencies in its views concerning the dispensing of health care to the public. I prefer not to say that I agree or disagree with the pronouncements that have been made by the Association because I must admit that I am not familiar with both sides of the story in some cases. I have either heard or read biased sides presented by physicians or read biased sides presented by the government in the news media. Therefore, it is difficult for me to have strong feelings one way or the other in this matter. Again, when in doubt, I apply the rule which serves as my guide—"Is what is being proposed in the best interests of the public?" I would like to emphasize, Mr. Chairman, that medicine, as it is practiced today, is the best in the history of the world. It would not be in the state of development that it is today had it not been for the American Medical Association. Many years ago Abraham Flexner submitted a report on the deplorable status of the various medical schools in the United States. Following the presentation of this report the American Medical Association took the initiative and established uniform stand-

ards of medical education in this country. We then surpassed the rest of the world as far as medical standards of medical education and medical practice are concerned. The American Medical Association is a scientific body which can, if it wishes, assemble scientific and medical talent of the highest calibre. The association has and must have a political superstructure. The part of the medical association that the public knows is the "political portion," which is a small portion. After all, the American Medical Association is a democratic organization. It is organized and operates in many ways as does the Congress or the various State legislatures. It is governed by an elected House of Delegates. The actions of the Congress, as depicted in the press, sometimes appear absurd. Likewise, the actions and resolutions of the American Medical Association may appear to be ridiculous and ill conceived to one on the outside looking in who does not know all the ramifications involved in a decision. The portion of the American Medical Association that one does not see is the conglomerate of scientific councils and other divisions not involved in medico-political affairs. The Association may be likened to an iceberg, one-eighth of which protrudes above the water. This portion is the political portion which the public sees.

The functions of the American Medical Association of which the public is not aware are the scientific functions. This is the portion likened to the iceberg which is beneath the water. The Council on Medical Education, which inspects and approves medical schools, internships, residencies and postgraduate programs, a costly and important undertaking, is a little-known body of the Association which serves the best interests of the public. The Council on Drugs, of which I am a member, is promoting the formulation of drug utilization policies, adverse drug reaction reporting and dissemination of medical knowledge to physicians. The activities of the Association are financed to a large extent by physicians' dues and voluntary contributions and to a lesser extent from income from advertising in periodicals published by the Association.

I may appear to be idealistic and naive in making this statement, but I believe the governmental agencies should take into their confidence and work closely with the various scientific bodies of a national stature, including the AMA, and attempt to cooperate and work jointly for the benefit of all. Any legislation which is hastily passed, ill conceived, is restrictive and appears to encroach upon the physician's prerogative to make decisions and to practice medicine as he deems best for the patient will be construed as punitive and will arouse resentment and resistance. A frustrating situation will be created and the main goal, namely, providing the best health care possible for the public which both the government and the American Medical Association are obligated to provide, will not be attained.

#### THE PHARMACEUTICAL INDUSTRY

In advocating uniform nomenclature I am not castigating or opposing the pharmaceutical industry. One must remember that the pharmaceutical industry operates in a manner similar to any other industry and its primary goal is profits. It has, however, a greater responsibility to the public than any other industry. The patient does not make the decision as to which and whose drug is to be brought. The physician does. The industry should remember this fact but does not always do so. If the profit incentive is removed, then expansion and progressive development of the industry will be stunted and this would not be in the best interests of the public. I am sure that you have information from your hearings which indicates that some pharmaceutical firms have been ruthless, have fixed prices, and have com-

mitted acts which have not been in the public's best interest. Nonetheless, the pharmaceutical industry has also contributed its share to the progress of medicine in this country. We need an active and vigorous pharmaceutical industry. There should be regulation of the industry but such regulation should be nonrestrictive in nature. It should create a more competitive environment than now exists and permit a firm to expand and progress and to develop significant and better products and not duplicate products. Any restrictions which are placed upon a firm that remove incentive will not be in the best interests of the public or the medical profession. Restricting monopolistic practices will, of course, encourage competition which is healthy and which is in the best interests of the public.

The question, Mr. Chairman, then is not should we abolish brand names and use generic names, but when? The sooner the better. It can be done, and it will be a step forward in medicine.

I think I have said enough, Mr. Chairman; thank you.

#### S. 2212—INTRODUCTION OF A BILL TO AUTHORIZE THE APPROPRIATION OF FUNDS FOR THE PADRE ISLAND NATIONAL SEASHORE

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to authorize the appropriation of \$4,129,829 to settle the final judgment rendered against the United States for the acquisition of lands and interests in land for the Padre Island National Seashore. This amount, plus \$1,581,321 already deposited in court, will be sufficient to pay the total amount of the judgment and interests as was provided in a stipulation signed by the parties involved and entered with the U.S. District Court for the Southern District of Texas.

According to the Secretary of the Interior, this appropriation would settle the last of condemnation proceedings relating to this national seashore. I ask unanimous consent that the text of Secretary Hickel's letter be inserted in the Record at this point.

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

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., May 13, 1969.

HON. SPIRO THEODORE AGNEW,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To authorize the appropriation of funds for Padre Island National Seashore in the State of Texas and for other purposes."

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

The bill would authorize the appropriation of such sums as are necessary to satisfy final judgments against the United States in the last remaining condemnation proceeding which was brought to acquire property for the Padre Island National Seashore in Texas. Two proceedings were brought, numbers 65-C-54 and 66-B-1, both of which have resulted in final awards to the property owners in excess of the amounts deposited in court by the United States as estimated fair market value of the properties. With respect to number 65-C-54, the 90th Congress enacted Public Law 90-594, which authorized the appropriation of \$6,-

810,380, plus interest, to satisfy the deficiency in that case. Enactment of the enclosed bill would authorize the appropriation of \$4,129,829, plus interest, to satisfy the deficiency in proceeding number 66-B-1.

This Department, in its letter to the Congress of June 4, 1968, recommended the enactment of a draft bill which would authorize appropriations sufficient to satisfy the awards in both proceedings. However, the authority with respect to proceeding number 66-B-1 was deleted by the House Committee on Interior and Insular Affairs (see House Report No. 1856, 90th Congress,

2d Session, to accompany H.R. 17787), and this deletion was concurred in by the Senate Committee on Interior and Insular Affairs (see S.R. No. 1598, 90th Congress, 2d Session). The deletion was made on the ground that a final judgment in proceeding number 66-B-1 had not been rendered, appeals filed by the Government and the former landowners with respect to tracts 14 and 16 not then having been disposed of.

Final judgments with regard to the four tracts involved in proceeding number 66-B-1 have now been rendered. The following table shows the sums involved:

Tract	Deposit	Final award	Deficiency	Judgment date
14 and 16.....	\$1,581,321	\$5,700,000	\$4,118,679	Dec. 18, 1968
15.....	7,200	11,000	3,800	May 14, 1968
17.....	14,400	21,750	7,350	Jan. 8, 1968
Total.....	1,602,921	5,732,750	4,129,829	

With regard to tracts 14 and 16, at trial the jury awarded the former landowners \$9,891,637.80. On motion of the Government, the court ordered a remitter in the amount of \$2,591,637.80, which would have reduced the award to \$7,300,000. Pending final action on the remitter, however, the former landowners offered to accept a total figure of \$5,700,000, provided the Government agreed to revestment of title to tract 16 and a portion of tract 14 in the former owners. These lands totaled 1,628.05 acres, and were deemed not now essential to the management and development of the seashore. The Government therefore joined the former landowners in a stipulation providing for revestment of the 1,628.05 acres and an award of \$5,700,000, which was approved by the court.

Under the stipulation mentioned above, interest on the deficiency with regard to tracts 14 and 16 (\$4,118,679) commenced to run on January 1, 1969. Under similar stipulations covering tracts 15 and 17 interest on the deficiency on tract 15 (\$3,800) will commence on May 14, 1969, and interest on the deficiency on tract 17 (\$7,350) commenced January 9, 1969. Interest will accumulate against the Government at the rate of 6 percent from the above dates on the deficiencies until they are paid. The funds authorized in this draft legislation will be sufficient to complete land acquisition for this national seashore under the current plans of the Department.

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

Sincerely yours,

WALTER J. HICKEL,  
Secretary of the Interior.

Mr. YARBOROUGH. Mr. President, I am very proud to have been the sponsor of the bill creating this national seashore. President John F. Kennedy signed the bill creating this national seashore on September 28, 1962. This beautiful portion of the Texas gulf coast is now preserved in practically its natural state and will be enjoyed by all Americans for generations to come.

This legislation is needed so that the last settlement can now be made for the land acquired for this seashore.

Mr. President, I ask unanimous consent that the text of my bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately re-

ferred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2212) to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

#### S. 2212

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy the final judgment of \$4,129,829 (that is \$5,700,000 less \$1,581,321 deposited in court) rendered against the United States in civil action 66-B-1 in the United States Court for the Southern District of Texas, for the acquisition of lands and interests in land for the Padre Island National Seashore. The sums herein authorized to be appropriated shall be sufficient to pay the amount of said judgment, together with interest as provided in a stipulation signed by the parties and entered with the court.*

#### SENATE RESOLUTION 197—SUBMISSION OF RESOLUTION REPUDIATING THE BREZHNEV DOCTRINE

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut is recognized for 20 minutes.

Mr. DODD. Mr. President, I have asked for this time so that I may introduce a resolution and make some remarks about it. I consider it a very important resolution and I hope that my fellow Senators will carefully consider it.

On the heels of the invasion of Czechoslovakia, the Soviet Union promulgated the so-called Brezhnev doctrine, asserting its right to intervene in any so-called Socialist country.

Because this doctrine in effect nullifies the Charter of the United Nations and constitutes a continuing threat to the peace of the world, I believe that it would be helpful if the Senate of the United States went formally on record as repudiating the central concept of the Brezhnev doctrine, reasserting the right of all nations to sovereignty over their own affairs, and urging the Soviets to de-

sist from intervention in Czechoslovakia.

I submit for appropriate reference a resolution designed to make these points clear to the Soviets and to world opinion.

In submitting this resolution, I am honored to be joined as cosponsors by the Senator from Indiana (Mr. BAYH), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Utah (Mr. MOSS), the Senator from Oregon (Mr. PACKWOOD), the Senator from South Carolina (Mr. THURMOND), and the Senators from Texas (Mr. TOWER and Mr. YARBOROUGH).

It is my hope that the administration will be encouraged by this resolution to take those diplomatic measures that can and should be taken in advance to discourage the extremists in the Soviet politburo and to impose at least some restraint on Soviet actions in Central Europe.

The Brezhnev doctrine was spawned by recent events in Czechoslovakia.

What has happened in Czechoslovakia and what is happening there today has a significance that far transcends the fate of one country.

The Czechoslovak situation, indeed, is a great historical pivot, on the outcome of which may depend the future evolution of the Soviet Union and of Communist rule in Central Europe, and of the entire relationship between the free world and the Communist world.

On March 30, the Senate Subcommittee on Internal Security released a study captioned "Aspects of Intellectual Ferment and Dissent in Czechoslovakia," which had been prepared at my request by the Legislative Reference Service of the Library of Congress. Essentially this study was an analysis of events leading up to the Soviet invasion of Czechoslovakia, and of developments from the time of the occupation until roughly mid-February.

In the statement made at the time the study was released, I said that the recent events in Czechoslovakia, coupled with the smoldering discontent in the rest of Communist Europe and in the Soviet Union itself, call into question, in the most dramatic form, both the viability of the Communist system and the ability of Moscow to control the empire which it built up in the postwar period on the bayonets of the Red army. I also said that anything could happen in Czechoslovakia and anything could happen in Central Europe.

At the very moment this statement was mailed out to the press, a new and dramatic train of events began to unfold in Czechoslovakia and Central Europe.

On March 28, the victory of the Czechoslovak ice hockey team over the Soviet team triggered wildly enthusiastic demonstrations from one end of Czechoslovakia to the other. In the course of these demonstrations, certain unruly elements threw rocks at Soviet barracks and other installations, and broke into and vandalized the Soviet airline and travel office in Prague.

Responsible Czechs have charged that these provocations were the work of So-

viet stooges. Whether this was so or not, the Soviets reacted in the best Stalinist tradition.

On March 31, Marshal Andrei Grechko, Soviet Defense Minister, and Vladimir Semyonov, Soviet Deputy Foreign Minister, flew into Prague unannounced, accompanied by a top-level military delegation, and demanded a meeting with the Czechoslovak leaders.

According to reports, the Soviet emissaries gave the Czech leaders an ultimatum, warning them that if they failed to act at once to stop anti-Soviet demonstrations and criticism in the press, the Soviet army would again intervene and "would run over the demonstrators with tanks."

A few days later, on April 5, the press reported that the Czechoslovak leaders had been forced to agree to the stationing of three more Soviet divisions in their country, raising the total Soviet occupation force from approximately 70,000 to roughly 115,000 men.

These events, and other events of the last few weeks, strongly suggest that the Soviet leaders, after a period of apparent indecision, have now veered back toward a hard line on Central Europe.

On April 5, the Soviet press leveled against Yugoslavia some of the strongest criticism that had been seen in Moscow in more than a decade.

On April 9, Ivan Bashev, the Bulgarian Foreign Minister, reinforced these threats by telling the press that, I quote:

The Warsaw powers will invade any other alliance nation which follows Prague's example.

And then, on April 17, there came the ominous announcement that Dubcek was resigning as party secretary and that his place was being taken by Gustav Husak, a hardline Slovak party leader who for months now has been assailing the critics of Soviet actions.

At the point of the bayonet, the Kremlin appears to have succeeded in compelling the Czechoslovak Government to renounce their own freedom and the freedom of their people. But the situation is far from clear cut.

#### IN THE WAKE OF THE CZECHOSLOVAK INVASION

The Kremlin originally decided to intervene in Czechoslovakia because it felt its rule threatened by the contagion of freedom. But the process of political and ideological disintegration in Communist Europe and in the Soviet Union itself has probably only been accelerated by the invasion and occupation of Czechoslovakia.

Having invaded and overrun the country and having arrested and removed its leader, the Kremlin, for the first time in its long history of dictatorship and repression, found itself confronted with a situation which appeared to refuse to yield to force.

So united were the Czechoslovak peoples in their opposition to the old Stalinist tyranny of the Novotny regime that Moscow has had the greatest difficulty to find even the handful of traitors necessary to impose a viable quisling regime.

Czechs and Slovaks, intellectuals, students, and workers manifested their opposition to the Soviet occupation and

their opposition to the reinstallation of censorship, in an unprecedented show of national unity.

On top of all these things, the occupation of Czechoslovakia resulted in the universal condemnation by world opinion, a condemnation which has by no means been limited to the ranks of the confirmed anti-Communists.

On the heels of the Czechoslovak invasion, Moscow invented the so-called Brezhnev doctrine, under which it claimed the right to intervene in any socialist country if it believes that the socialist regime is threatened.

But the Rumanian and Yugoslav Communists, instead of muting their claim to independence, became bolder and more assertive than ever.

A major reason for the growing defiance displayed by the Yugoslav and Rumanian governments is the dramatic intensification of the Sino-Soviet conflict in recent months. This intensification runs so deep that there is now a distinct possibility of larger hostilities along the Sino-Soviet frontier.

No one can with certainty foresee the final outcome of the confrontation between the brute force of the Soviet Red army and the peaceful but stubborn national resistance of the Czechoslovak people.

With their ultimatums and troop movements, the Soviets have been able to compel the Czechoslovak leaders, against their will, to impose precensorship of the press, to suspend certain publications which they found most offensive, and to dismiss a number of officials.

But, despite the reported arrests of some hundreds of oppositionists, and despite any concessions their leaders may have been compelled to make, recent news suggests that the Czechoslovak people are in no mood for total capitulation.

For example, on April 24, the press reported a sit-in strike by the philosophy students at Prague's famous Charles University, protesting against the removal of Dubcek.

Even more indicative of continuing resistance was the report that when the hardline Communists ordered their journalistic followers to break away from the journalists union and set up an independent hardline union, only 71 out of 4,000 members heeded the call.

The Kremlin unquestionably has a much greater degree of political control in Czechoslovakia today than it had 1 month ago. But its control is far from complete, and anything can still happen in Czechoslovakia.

#### THE KREMLIN'S DILEMMA

If the Czechoslovak peoples, despite the Red army and despite the new pressures to which they are being subjected, succeed in preserving enough of the limited freedom which they won for themselves during the first part of 1968, then the contagion of freedom is bound to spread to the other Central European Communist countries. It is bound to feed the massive intellectual ferment that has grown up in the Soviet Union since the death of Stalin.

If, on the other hand, the situation in Czechoslovakia cannot be brought under control by Husak and his small band of hardliners, and if the Kremlin in des-

peration decides again to move its tanks in, the chances are that there would be large-scale bloodshed. Then, the U.S.S.R. would be able to govern only by means of mass arrests and open Red army rule.

Moreover, all the indications are that this would not really solve the problem which the Kremlin faces in dealing with the growing dissidence throughout Communist Europe, including the Soviet Union.

There is a serious possibility that, instead of snuffing out the flames of discontent, a second military intervention would only serve to feed them.

And even if they should succeed in temporarily controlling the situation, the men of the Kremlin must be asking themselves how many more East German uprisings, and Poznan rebellions, and Hungarian revolutions, and how many more instances of national defiance on the pattern of Czechoslovakia, the Red army will be able to repress by brute force.

There have been a number of indications of grave concern over the still simmering discontent in Communist Poland. On the surface, the Gomulka regime has been able to stabilize the situation since it put down the nationwide student strike of March 1968. But when the Congress of the Communist-controlled Polish Peasant Party convened in Warsaw in early March of this year, the secret police found it necessary to arrest more than 100 of the delegates to the Congress to assure that the leadership retained a working majority.

A press dispatch of March 4 quoted a high-ranking Soviet party official as saying that Moscow's greatest concern at the moment is the situation in Poland. This situation he described as roughly the same as the situation in Czechoslovakia at the end of 1966, that is, before the overthrow of the conservative Novotny government.

Against this background of universal discontent the Soviet leaders must be asking themselves whether the immediate advantages the Soviets might hope to gain from a second round of military intervention in Czechoslovakia are not outweighed by the ultimate disadvantages.

They must be wondering what they would do if the smoldering spirit of revolt throughout the Communist empire, including even East Germany, should erupt simultaneously. Specifically, they must be wondering whether the Kremlin would still be able to deal with such a situation by sending in the Red army.

And, above all, the men of the Kremlin must be asking themselves whether Moscow can afford to become involved in more crises in Central Europe, with Red China growing constantly more belligerent and threatening.

These are some of the many questions that must be tormenting the Soviet leaders in the dilemma they now confront in Czechoslovakia.

No matter which way the Soviet leadership decides to move, there is no solution to the Czechoslovak problem that they can feel comfortable about. Precisely because of this, their future handling of the Czechoslovak crisis remains unpredictable.

I would like to call to the attention of the Senate a plea addressed to American and world opinion by a group of striking Czechoslovak students. This plea has reached me via an intermediary. Why, they ask, do groups of American students protest and demand greater rights and more freedom for themselves while they completely ignore the massive denial of student rights in Czechoslovakia? Are American students only concerned with their own freedoms, but oblivious to the freedoms of students in other countries?

The letter which they wrote made this poignant remark:

All people towards the end of the 20th Century are supposed to have a future. You are supposed to look forward to one. Today, while the world ignores us here, we wonder if there is any future.

This is a valid question.

I hope that the resolution I have submitted today will be acted on promptly by the Foreign Relations Committee and by the Senate.

What is involved here is a very simple proposition.

My resolution does not call on us to take any warlike or threatening actions.

It does not involve the application of diplomatic pressures or economic sanctions.

It does not require that we sever relationships with the Soviet Union or with the other countries which participated in the invasion of Czechoslovakia.

What, then, is the purpose of this resolution?

Its purpose is to demonstrate to our own people and to the world that we are not morally dead, that we have not lost our capacity for indignation, that we do not intend to reconcile ourselves to the monstrous policy of permanent aggression which has now been enshrined in the Brezhnev doctrine.

Its purpose is to make it clear to the world that we do not share the posture of those foolish people who tried to sweep the invasion of Czechoslovakia under the rug, or who tried to brush it off by telling us that the Soviets were taking an essentially defensive action within their own sphere of interest.

Some of these people indeed went as far as to equate the Soviet invasion of Czechoslovakia with our intervention in the Dominican Republic.

This is like equating the action of a murderer with the action of a policeman who shoots a criminal in an effort to prevent murder.

I shall be more prepared to listen to those who equate the Czechoslovakia invasion with the Dominican intervention when the Soviet Union holds free elections in Czechoslovakia under international supervision.

The purpose of my resolution, finally, is to say on behalf of the Senate of the United States that the Brezhnev doctrine and the occupation of Czechoslovakia are wholly evil things. They must be condemned in resounding terms by civilized men throughout the world.

It is my hope that this resolution will encourage other legislatures in free countries to follow our example. News of this action will get through behind the Iron Curtain so that the brave people of Czechoslovakia and of the other Com-

munist-dominated countries will know where the American people stand on this issue.

In closing, I want to again commend Mr. Whelan's study on "Aspects of Intellectual Ferment and Dissent in Czechoslovakia" to all those who are concerned over the trend of world events. Because, if we are to develop a meaningful European policy geared to the realities of today rather than to the outdated impressions of yesterday, it is clearly essential that we give the most careful study both to the dangers and to the potentialities inherent in the Soviet-Czechoslovakia confrontation.

Mr. President, I ask unanimous consent that the full text of the resolution be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The resolution will be received and appropriately referred.

The resolution (S. Res. 197), which reads as follows, was referred to the Committee on Foreign Relations:

#### S. RES. 197

Whereas the Soviet Union, with the support of four other Warsaw Pact countries, invaded and occupied Czechoslovakia in August of 1968, in flagrant violation of international law and of the United Nations Charter; and

Whereas subsequent to the occupation of Czechoslovakia, Soviet Party Secretary Leonid Brezhnev promulgated what has since come to be called the "Brezhnev Doctrine," explicitly sanctioning Soviet military intervention in any so-called socialist country, "when a threat emerges to the cause of socialism in that country" and implicitly reserving to the Soviet Union the right to define what constitutes a socialist government; and

Whereas this doctrine, in effect, nullifies the Charter of the United Nations if it is permitted to stand unchallenged; and

Whereas the Soviet government has in recent weeks threatened renewed military intervention in Czechoslovakia and reiterated its adherence to the Brezhnev Doctrine in ominous terms; and

Whereas through its military and political blackmail, the Soviet government has been able to compel the Czechoslovak government to accept a serious abridgement of its own freedom and the freedom of its people: Therefore be it

*Resolved*, That the Senate of the United States reiterates its adherence to the United Nations Charter and to the principle of self-determination and respect for the territorial integrity of other countries which are at the heart of the Charter; and be it further

*Resolved*, That the Senate, by this present resolution, advise the world and advise the Soviet leaders that it does not accept the validity of the Brezhnev Doctrine because it considers this doctrine a most serious threat to the peace of the world and to the integrity of the United Nations; and be it further

*Resolved*, That the Senate deplores the fact that the Czechoslovak authorities have been obliged to bow before the military and political pressures exercised by the Soviet authorities in a manner which gravely compromises Czechoslovak freedom; and finally, be it

*Resolved*, That the Senate appeals to the Soviet leaders to abandon their intervention in Czechoslovakia, and to reconsider their claimed right to intervene in other "socialist" countries because of the peril that this doctrine constitutes to the maintenance of peace.

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

Mr. DODD. I yield.

Mr. MURPHY. Mr. President, I wish to

congratulate the Senator from Connecticut for the remarks he has made today. I wish to call attention to the fact that over the years no one has expressed these sentiments more forcefully to the American people than has the Senator from Connecticut. He has constantly exhibited himself as a student of these matters—and a careful student. His statements have been couched in fact. He places his finger on one of the most important aspects of our times; namely, the necessity for the complete truth to be told without restriction, so that the people, not only of this great Nation—where we enjoy the freest society that has ever been conceived—but also the peoples of other nations who aspire to freedom will have the opportunity to know the facts and the conditions, so that they can be the judge as to how their governments will be determined and the direction their future lives will take.

I commend my distinguished colleague and congratulate him once more and wish to associate myself with the remarks he has made today.

Mr. DODD. Mr. President, I am grateful to the Senator from California for his generous references to me. I am not overly humble, but I really do not deserve them. There have been many others in the Senate who have done much—and others outside the Senate as well.

All I want is to make clear, as best I can, what I think is going on, and get the interest of others who have the same objectives in mind that I have.

The Senator from California has been a great leader in this effort.

I hope that we will do something about this resolution. For the purpose of making our moral position unmistakably clear.

I thank the Senator from California for his courtesy and his kind comments.

Mr. MURPHY. I thank my colleague.

Mr. TOWER. Mr. President, the string of rationalizations offered by the Soviet Union in justification of her occupation of Czechoslovakia have come to be known as the Brezhnev doctrine. Moreover, the Warsaw letter of July 15, 1968, from representatives of the governments of those nations who would later move against and occupy Czechoslovakia to the Central Committee of the Czechoslovak Communist Party, expressed the basic contentions of the statements issued after the occupation. The Warsaw letter warned that the Socialist community will never allow the Socialist system or the balance of power in Europe to be altered in favor of "imperialism," by peaceful means or otherwise, from within or without; and that a Socialist country can remain independent and sovereign only as a member of the Socialist community; and that no Socialist can speak of its sovereignty vis-a-vis other Socialist nations. Andrei Gromyko, in addition to reiterating the concept of the limited sovereignty of Socialist nations, in a speech before the United Nations on October 3, 1968, declared that the Socialist community is not subject to the prevailing rules of international relations since Socialist countries have their own responsibilities and vital interests such as the maintenance of mutual security and their own Socialist principles of mu-

tual relations based on fraternal aid, solidarity, and internationalism.

The inconsistency of the intervention in Czechoslovakia with the alleged Marxist-Leninist doctrine of "self-determination" is sophistically smoothed over with the argument that this principle is based on an abstract approach to the people's sovereignty and not on reasoning within the context of class struggle. Actually it is abundantly clear that, except in those instances where to do so suits their purposes, the Soviets refuse to be bound by either international law or even by the supposed philosophy which they ostensibly embrace.

An article published in Pravda of September 26, 1968, went even further in expanding the "right" to intervention in the affairs of other nations by stating that the laws and norms of right are subject to the laws of class warfare and the laws of social development. Thus the concept of national sovereignty is restricted in this view not only in the case of Socialist countries but also throughout the world. Briefly, the right to self-determination in this interpretation is nothing more than the right to be subservient to the Soviet Union. As seen by the Soviet Union, all nations have the "right."

Since a people will find its true happiness only under "Socialist self-determination," the armed aggression of the Soviet Union and the Warsaw Pact allies has the educative effect of helping its victims to recognize their own best interests.

Mr. President, this line of reasoning is so patently specious that one need only recite it to refute it. However, it is not a new concept in Soviet ideology. Similar arguments were employed to justify the 1956-57 intervention in Hungary. In the early 1960's, Soviet ideologists drew three main distinctions in international law: international law, as it is usually understood and as it is expressed in article 2 of the U.N. Charter, which is, according to the Soviets, only applicable to relations between capitalist and Socialist countries; the principles of intervention and hegemony, which, supposedly, governs the international relations among "capitalist" nations; and Soviet internationalism. In delineating this view of international relations, the Soviets have conveniently ignored the Warsaw Pact in which the signatories, including the Soviet Union, agreed to be guided by the principles, aims, and statutes of the United Nations organization. Such duplicity, by this time, is hardly surprising.

The true Soviet policy is to follow a course of convenience toward the ultimate goal of world domination; the Brezhnev doctrine is the ideological by-product of this policy and follows, rather than occasions, the aggressive actions of the Soviet Union. The revitalization of "Socialist internationalism," with its accompanying interventionist doctrines, in its present expanded version, is an attempt to justify the occupation of Czechoslovakia. More ominously, it anticipates justification of future intervention in both Communist and non-Communist countries.

No matter how the Soviets stretch their sophistries, the Brezhnev doctrine, as it is expressed and as it has been carried out, is a demonstration of flagrant

disregard for the spirit and the letter of international law as laid down in the United Nations Charter, the Warsaw Pact, or any other source, except the tortuous reasoning of Kremlin ideologists. Beyond the verbal obfuscation, the expansionist designs of the Soviet Union are clear. We must take to heart the stern lesson in Communist psychology provided by the armed aggression of the Soviets and their allies against the people of Czechoslovakia. Furthermore, we must express our strong opposition to this oppressive and illegal action if, in the future, we are to negotiate with the Soviet Union from a position of strength and solidarity.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the Dallas Morning News of May 1, 1969.

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

#### THE BREZHNEV DOCTRINE

President Nixon could profitably add junking of the Brezhnev Doctrine to his agenda of demands when he starts talks with Russia. The new Brezhnev Policy, expounded on the ruins of Czech freedom, asserts Russia's right to use force in any communist country when its leadership strays toward free institutions.

Our own Monroe Doctrine, which Russia sneers at, only warns, foreigners out of the hemisphere. Judging by Cuba, it doesn't do a very good job of that. Our own liberals holler "world policeman" whenever the U.S. defends some little country's freedom.

Yet the Kremlin is asserting not only the right to subvert the world but also to keep conquered territories in bondage by force. The Red army stands behind the doctrine, which mocks the nominal sovereignty that the satellite nations assert.

Supporting a resolution in Congress condemning the new Red expansionist doctrine, Sen. John Tower has contrasted the Brezhnev Doctrine with the U.N. Charter, which proclaims the principles of self-determination and territorial integrity. He sees the Red policy as a "gross breach of international law" and a threat to peace and sovereignty.

It is that—and more. The Reds don't subscribe to U.N. principles but they don't scruple to condemn South Africa or Portugal or Rhodesia as being "threats to peace" because of their internal policies. The irony seems lost on the U.N., which wouldn't dare censor Russia for the dozens of captive peoples it has swallowed up.

The U.S. has no consistent policy of opposing communism wherever it shows itself in the free world. No amount of treaties and talks will make up for that deficiency or offset the explicit Red expansionist doctrine. It will be on Russia's list of nonnegotiables when Nixon comes calling.

#### S. 2221, S. 2222, AND S. 2223—INTRODUCTION OF BILLS ON OWNERSHIP OF CERTAIN LANDS IN RIVERSIDE COUNTY, CALIF., AND SUBMISSION OF COMPANION RESOLUTIONS, SENATE RESOLUTIONS 199, 200, AND 201

Mr. MURPHY. Mr. President, on two occasions earlier this session I submitted a series of bills and resolutions pertaining to the ownership of lands along the Colorado River. These were: On March 4—S. 1303 through S. 1360, and S. 1364, and Senate Resolution 103 through Senate Resolution 161, and on April 29—S. 2023 through S. 2028, and Senate Resolution 185 through Senate Resolution 190. On each of the occasions on which

I submitted these bills and resolutions, I pointed out that the bills involved the Secretary of the Interior and lands over which he claims control and that the resolutions, in turn, pertain directly to the bills. Then, on both occasions, I asked unanimous consent, which was granted, for all of the bills together with the accompanying resolutions to be referred to the Senate Committee on Interior and Insular Affairs. I now introduce three more bills and submit three more resolutions of the same type and again request unanimous consent that all of them be referred to the Senate Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The bills and resolutions will be received and, by unanimous consent, referred to the Committee on Interior and Insular Affairs.

The bills (S. 2221) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California; (S. 2222) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California; and (S. 2223) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California; to the Committee on Interior and Insular Affairs, introduced by Mr. MURPHY, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, by unanimous consent.

The resolutions (S. Res. 199) to refer the bill (S. 2221) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon; (S. Res. 200) to refer the bill (S. 2222) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon; and (S. Res. 201) to refer the bill (S. 2223) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon, which read as follows, were referred to the Committee on Interior and Insular Affairs, by unanimous consent:

#### S. RES. 199

Resolution to refer the bill (S. 2221) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon

Whereas there is pending in the Senate of the United States a bill designated as S. 2221 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title

it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto David E. and Janet L. Buskirk: It is hereby:

*Resolved*, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 200

Resolution to refer the bill (S. 2222) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon

Whereas there is pending in the Senate of the United States a bill designated as S. 2222 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, California, unto Alvine E. Johnson and Mary A. Johnson: it is hereby

*Resolved*, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 201

Resolution to refer the bill (S. 2223) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon.

Whereas there is pending in the Senate of the United States a bill designated as S. 2223 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto Jack and Myrtle Utz: It is hereby

*Resolved*, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and

the amount, if any, legally or equitably, due from the United States to the claimant.

A TRIBUTE TO THE OIL INDUSTRY

Mr. STEVENS. Mr. President, on Friday last, the distinguished Senator from Louisiana (Mr. LONG), made an extended statement on taxes which the oil companies pay.

I want to commend him for his comments, and particularly for the comments he made pertaining to the Alaskan oil discoveries.

I certainly want to go on record in support of his position that the incentives the American oil industry have today are absolutely responsible for the oil discoveries, in my State particularly. The discoveries of oil on the North Slope and the new vast reserves that we have up there would not have been discovered had it not been for the existing incentives open to the oil industry through the tax laws.

FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED—AMENDMENT

AMENDMENT NO. 22

Mr. STEVENS. Mr. President, today the Senator from Massachusetts (Mr. KENNEDY) and I have submitted an amendment critical in its need, addressed to an emergency health situation among the village people of Alaska—a situation which demands immediate action.

The needs and grievous conditions of existence in which many of my native people live in rural Alaska have recently been brought to the Nation's attention. And this was all for the good. An informed public, jarred into the realization of the incredible need which exists in Alaskan villages today, will, I feel, support programs designed to overcome and remedy the conditions with which these people find themselves burdened.

Our village people exist primarily on a subsistence derived from fishing and hunting, both seasonal and rural in nature. The villages in which they live are plagued by unsanitary water and waste disposal conditions, they lack sufficient educational opportunities and live in dilapidated or substandard housing. The Alaska native is currently locked into a cycle of poverty more severe than any in the country; a cycle I believe we can and must break.

The remote housing plan for Alaska native villages, authorized under the leadership of the late Senator Bob Bartlett, has received its initial appropriation. An interagency community development plan holds great promise for Bethel. And the Federal programs in the Departments of Interior and Health, Education, and Welfare, among others, continue their progress.

However, much remains to be done.

The amendment we submit today will alleviate, partially, the poor health conditions which exist in these villages. Good health is basic to the ability to perform well in other endeavors—be it a child's ability to attend and concentrate at school or a father's capability for ef-

fective work. Without good health the success of other undertakings is immeasurably lessened.

Our amendment's impact on health will be immediate. Today only 8 percent of the native homes in Alaska have adequate sanitation facilities. In village after village contaminated surface water or water from streams where the village wastes are dumped is used by the villagers for cooking and drinking. In a survey made of 28 Eskimo villages in 1965, 86 percent of the dwellings had only a bucket for sanitary facilities.

The indices of their living conditions are many and dramatic in their impact.

The following are facts which testify to the severity and depth of the problem which now challenges us:

In our State the expected lifespan of a native is less than half that of other Americans, reaching only 34 years. The death rates for influenza and pneumonia are 10 times that of other Alaskans. Native children have been estimated to suffer significant hearing loss from chronic inner ear infections up to the astounding rate of 38 percent. The infant mortality rate seems more like that of an underdeveloped country than one of our own United States. In 1966 more than one-fifth of all native deaths occurred in children under 1 year of age, and among native infants from 6 to 11 months old the death rate is more than 12 times that of white Alaskans.

Many, many more statistics could be quoted. But I believe the severity of this problem has reached us all.

We find ourselves now at the point of action.

Such action is occurring on a variety of fronts. The Indian land claims are moving toward a settlement.

The severe health problems of these people have a variety of causes, but clearly a fundamental reason is their utilization of polluted waters from these rivers and sloughs.

This presents us with an emergency situation. Access to safe cooking and drinking water and a means of safe waste disposal are clearly necessary.

To meet this emergency we have introduced the Alaska Village Safe Water Facilities Act.

This legislation will provide a source of safe water to villages in Alaska which presently have no adequate supply of such water. The Secretary is authorized to institute and carry out a program designed to provide for the installation of such safe water facilities in Alaskan villages as are necessary to provide at least one such facility in each village.

The facilities constructed under this act will be housed in a suitable structure to allow year-round use by all residents of the village and include a source of safe water for cooking and drinking. Example, a well with pumping facilities or surface water treated so it is safe for use. Each building will also have shower and washing facilities for men and women, toilet facilities, and equipment for the washing of clothes by the villagers.

Parenthetically, I state that it would cost about \$1.80 for one machinefull of water in many of our native villages. In

many of the villages the people cannot afford that kind of money.

When appropriate, a community health service office for the village may also be located in this building.

Further, to insure maximum utilization and understanding of the health benefits derived from the use of this safe water facility, this legislation authorizes an educational program on the use of these facilities, to be conducted by the health aide in the village, for its residents.

Because the lack of safe water in our villages poses an emergency situation, this bill envisages only 4 years to complete this program. The need is so critical that further time simply must not be allowed to pass. We estimate that in 4 years, 150 native villages will be reached by this program.

No facility will be built without close consultation with and prior approval of each village council. And, upon completion of the facility, the title of ownership will be transferred to the village council. The basic responsibility for maintenance and operation of the safe water facility will rest on the village. Where they find themselves without adequate financial resources to carry out this effort, grants by the Secretary are authorized in the amount necessary to insure full operation and maintenance of the facility.

Mr. President, this amendment meets a health need which is so basic to our native communities that its necessity speaks for itself. Alaskan village residents cannot continue to use and drink polluted water or to have such an abhorrent lack of sanitation facilities.

Years ago we had the Alaska public works legislation which extended to the urban communities of our State. We envision this amendment as another public-works-project act, but designed exclusively for the Alaskan native villages.

I ask unanimous consent that the full text of the amendment be printed in the RECORD at this point, and ask that the remarks that the Senator from Massachusetts will make at a later time be incorporated in the RECORD following my remarks.

The PRESIDING OFFICER. The amendment will be received, and without objection the amendment will be printed in the RECORD.

The amendment was referred to the Committee on Public Works as follows:

Amendment numbered 22 to S. 7, a bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes, viz: At the end of the bill insert a new section as follows:

"SEC. 8. The Federal Water Pollution Control Act is amended further by inserting at the end thereof a new section as follows:

"ALASKA VILLAGE SAFE WATER FACILITIES

"SHORT TITLE

"SEC. 21. (a) This section may be cited as the 'Alaska Safe Water Facilities Act'.

"FINDINGS OF FACT

"(b) The Congress hereby finds and declares that—

"(1) in numerous villages in the State of Alaska there are presently no facilities for the provision of safe water and hygienic sewage disposal;

"(2) because of the absence of such water

and sewage facilities in such villages and the attendant insanitary conditions stemming from such absence, there is a widespread incidence of sickness and disease which is responsible for serious, and in some instances, permanent impairment or even death to the residents of such villages; and

"(3) It is the responsibility of the Federal Government, in providing for the health and general welfare of Indian and native Alaskan citizens of the United States, to take appropriate measures to protect the lives and health of residents of such villages by enabling them to enjoy the benefits of safe water and hygienic sewage disposal facilities.

"DECLARATION OF POLICY

"(c) It is therefore the policy of this section to establish a special emergency program designed to provide safe water and hygienic sewage disposal facilities in Alaskan villages which presently do not have such facilities.

"PROVISION OF FACILITIES

"(d) (1) In order to provide safe water and hygienic sewage disposal facilities in villages in Alaska which presently do not have such facilities, the Secretary of the Interior (hereinafter in this section referred to as the "Secretary") is authorized to institute and carry out a program designed to provide for the installation of such safe water and hygienic sewage disposal facilities in Alaskan villages as are necessary to assure that there will be at least one facility for safe water and hygienic sewage disposal in each village.

"(2) (A) Any facility constructed under this subsection shall be available for use by the general public and be housed in a suitable structure, designed to assure year-round use of such facility, and shall include, at a minimum, a source of clean water (such as a well with pumping facilities or utilization of surface water treated so it is safe and healthy for use), shower bath facilities, an adequate means of hygienic sewage disposal, and facilities for the washing of clothes. The building housing any such facility shall, if the Secretary determines it to be feasible and appropriate, also contain suitable quarters to be used as a community health service office.

"(B) The location of any facility constructed under this subsection shall be determined after consultation with the village council (or other comparable governing body) of the village in which such facility is located, as well as with appropriate public agencies (such as, but not limited to, the Alaska State Housing Authority and the Federal Field Committee for Development Planning in Alaska), in order to achieve maximum coordination in public development plans and activities affecting the community in which the facility is to serve.

"(3) (A) The Secretary shall provide for the construction of facilities under this subsection in the most expeditious manner feasible, and is authorized to provide for such construction by contract or through grants to public agencies or private nonprofit organizations, or otherwise. No contribution toward the cost of the construction of a facility will be required from the users thereof.

"(B) Payments of any grants made under this subsection may be made in advance or by way of reimbursement and subject to such conditions as the Secretary may impose to assure that the purposes of this section will be properly carried out.

"(C) In the construction of any facility under this subsection, there shall be utilized to the maximum extent feasible workmen from the village in which such facility is being constructed.

"(4) It shall be the responsibility of the village council (or other comparable village governing body) to maintain and operate the safe water and hygienic sewage disposal facility constructed therein under this subsection, and, upon completion of such facil-

ity, the Secretary shall execute such transfers of title as may be necessary to vest complete ownership of such facility in such council or body. The Secretary shall not construct under this subsection any facility in any village unless he first receives satisfactory assurances from the village council (or other comparable governing body) thereof that such council or body will, upon completion of such facility, accept ownership thereof and will accept responsibility for the operation and maintenance thereof.

"(5) For purposes of carrying out the provisions of this subsection, there is authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1970, and such sums as may be necessary for each of the next three fiscal years thereafter. Funds appropriated for any fiscal year under this paragraph shall remain available until expended and be utilized for both construction of the facilities and for the engineering and administrative costs necessary to design and plan such construction.

"(e) (1) The Secretary shall conduct through the health aide, in each community wherein there is located a safe water and hygienic sewage disposal facility provided under subsection (d), an appropriate educational and informational program designed to familiarize the residents of such community as to the health advantages to be achieved by their full utilization of such facility.

"(2) Whenever the Secretary determines that the village council (or comparable governing body), which has accepted ownership and responsibility for operation and maintenance of a facility provided under subsection (d), has financial resources which (when combined with the financial assistance available to it from the village, State, or other sources) are less than the amount necessary to enable such council or body properly to operate and maintain such facility, then the Secretary may make grants to such council or body in amounts which (when combined with the amounts available from other sources) will be sufficient to enable such council or body properly to operate and maintain such facility.

"(f) The Secretary of the Department actually administering the provisions of this section shall for the fiscal year which ends June 30, 1970, and for each of the succeeding three fiscal years, submit to the Congress a full and complete report of the activities undertaken pursuant to the authority contained in this section, which report shall indicate each of the villages wherein safe water and hygienic sewage disposal facilities under subsection (d) have been established, the extent to which such facilities are being utilized and the contribution made toward such utilization by the educational and informational program established pursuant to subsection (e) (1). The report of such Secretary for the fiscal year ending June 30, 1970, shall be submitted not later than July 30, 1970, and the report for each of the three succeeding fiscal years shall be submitted not later than the July 30 which immediately follows the close of such fiscal year.

"(g) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1970, and for each succeeding fiscal year, such sums as may be necessary to carry out the provisions of subsections (e) and (f) of this section.

"(h) In order to prevent duplication of effort and to promote economy of administration, the Secretary shall to the maximum extent feasible utilize the facilities of the Department of Health, Education, and Welfare or the facilities of other appropriate public agencies in the administration of the provisions of this section."

Mr. KENNEDY. Mr. President, as chairman of the Senate Subcommittee on Indian Education, I recently spent 3

days in the State of Alaska investigating the quality and effectiveness of educational programs for Alaskan native children. In the course of our field investigation it became abundantly clear that one of the major factors causing the extremely low educational performance of native schoolchildren was the severe health problems afflicting the native population.

The health status of Alaskan natives is pointed up dramatically by the fact that, on the average, they live only half as long as the average American. It is shocking to discover that the average age at death of an Alaskan native is 34.5 years. It is even more shocking to discover that approximately 25 percent of the total native deaths occur in infants under 1 year of age.

Although the infant mortality rate has been reduced in recent years, it is still extremely severe and in any other part of our affluent Nation would be considered intolerable. During the period of time when a native infant is in the hospital following birth his mortality rate is only slightly greater than that of white Alaskans. When the infant returns to his village and home environment, during the next 20 days the mortality rate increase to 3 times that of white Alaskans. During the period from 1 to 5 months of age the mortality rate increases to 5 times that of whites, and among native infants age 6 months to 11 months the death rate exceeds more than 12 times that of white Alaskans. This is in itself a tragedy of major proportions—but it is only a part of the story.

In the course of our field investigation, we discovered that inner ear infections which cause broken ear drums and draining pus are practically universal among native children. It is obviously very difficult for a child with pus draining from his ear to function very well in school. Yet, we found these children in every village we visited and every teacher we spoke with complained of her students being hard of hearing. The long-range effect of this tragedy is borne out by a recent Public Health Service study in western Alaska which found that 38 percent of the children had significant hearing handicaps by the age of 4. There are presently over 2,000 children who have lost almost all of their hearing in one or both ears who are waiting their turn for surgical repair in Anchorage, Alaska.

It makes one angry to peer into a child's ear and find no ear drum left at all except for a rim. It makes one very angry to see children whose ears have been damaged to the extent that surgery will not help and the ear is simply sewn shut to prevent any further infections. In some cases the infection has eaten its way through to the brain causing an abscess and death or permanent brain damage.

Large numbers of Alaskan native children suffer from chronic upper respiratory infections. As a result, bronchiectasis, a very serious type of residual lung damage, is seen with frequency among native children and rarely, if ever, seen among children in any other part of our Nation. Despite a massive campaign over the last 14 years, tuber-

culosis continues at a rate 10 times the national average. During the early 1950's there was a TB epidemic in Alaska which many native children now in school grew up in the midst of. Many of the school population presently enrolled have, themselves, had long periods of hospitalization. Many have grown up with one or both parents dead or missing for long periods of time because of prolonged hospitalization. A recent study of a group of these children, aged 10-12, found that they cannot relate well to their families or other persons, are failing in school, and are also failing to grow in a normal fashion physically. This has occurred even though it was the parents, not the child, that was ill.

Infectious diseases such as impetigo and other skin infections are very common among native children. In one instance we were told of a child whose outer ear had been completely destroyed by impetigo. In many cases the skin infections result in permanent scarring. Infectious diarrhea and hepatitis afflict substantial numbers of native children and often lead to death or permanent brain damage. Even cases of dysentery and typhoid fever are not uncommon. There is a very high incidence of mental retardation among Alaskan native children, at least 50 percent of which was preventable. Most of this is due to acute infectious diseases suffered in early life.

Dr. Martha Wilson, of the Alaska Native Medical Center, has placed the overall severity of the problem in perspective for us in her testimony before the subcommittee. She stated:

The Alaska Native people have suffered epidemics of tuberculosis, pneumonia, influenza, otitis media, meningitis and bronchiectasis that have not to our knowledge been paralleled in any other population of the modern world!

All of the diseases I have mentioned and others combine to keep a large number of children sick a significant proportion of the time. Last year 3,000, or roughly 15 percent of the entire childhood population was hospitalized. And hospitalization itself is a very traumatic experience for native children. Imagine a child who becomes ill in a village, is taken perhaps 100 miles to a field hospital, often by someone other than his parents, transferred 400 to 600 miles to the referral hospital, spends 1 to 3 months, then returns home, again escorted by a stranger. During the period of time the child is in the hospital he more than likely does not see his parents or any relatives. The result of such an experience is often a severe emotional disturbance in the child.

In addition to disease, the Alaskan native child suffers from dietary deficiencies and general malnutrition which are, of course, debilitating in themselves as well as a significant factor in the high rate of sickness.

In summary, the health problems confronting Alaskan native children are horrendous and have a tremendous negative impact on their educational performance. Is it any wonder that up to 60 percent of the native students in rural Alaskan schools fall several years behind and drop out before completing elementary schools? Is it any wonder that

over 80 percent of native students drop out of high school before graduation? Is it any wonder that 24 out of 25 native students who enter college do not finish? In my judgment the waste of human resources, the extensive human suffering and pain and desperate poverty reflected in these figures is a national disgrace and an intolerable condition unbefitting this country. It must not be permitted to continue. The situation is an emergency and should be treated as such.

As a first step, Senator STEVENS, of Alaska, and I are jointly introducing a bill aimed at eliminating a major cause of the health problems—the widespread use of polluted and contaminated water by Alaskan native villages. I consider the matter of clean water supply and adequate waste disposal to be one of top priority and therefore one where emergency action must be taken.

In most villages water supply and waste disposal practices are primitive and unsanitary, and have important ill consequences for native health.

In a recent survey conducted in the villages of northwestern Alaska, it was found that 725 village households draw upon unsatisfactory surface waters for their total water supply. In all of northwest Alaska, there were only 19 toilets, and all but one of these were in a single village. Most of the households use pots or pails indoors for human waste, and deposit the waste later on the ground or sea ice. Water for domestic purposes in most villages is obtained from rivers and creeks near the villages. The water is hauled in buckets to oil drums in the homes. Ice is melted in winter for water, even in some BIA schools.

For the 58 villages in the western part of Alaska, conditions are equally bad and often worse. All four villages visited by the subcommittee in western Alaska were found to be using unsatisfactory or polluted water supplies. And, in all four villages there were serious health problems related to inadequate and unsanitary water supplies.

The legislation which we are introducing today contains provisions for a multipurpose facility which will provide clean water and a clean water distribution system; shower and hand washing facilities for both men and women; washing and drying facilities for clothes; toilet facilities for men and women and appropriate additional waste disposal facilities. In addition, the bill will provide space and training for the native health aide and provides for a health education program for each village where a new facility is constructed.

Consultation with native leaders in Alaska has indicated that the facilities contemplated will be exceedingly well received and utilized, and in short, will have a significant impact on the health, education and general welfare of the native population.

The legislation proposed is emergency legislation designed to solve long-standing deficiencies which have had a horrendous impact on the native population of Alaska. This Nation can no longer stand apathetically by while such conditions exist in our midst—and conditions for which the Federal Government

has a clear and longstanding responsibility. We must act now.

PERSONAL STATEMENT BY  
SENATOR COOPER

Mr. COOPER. Mr. President, the Washington Post of Monday, May 19, carried an article entitled "More Trouble in Paradise" by Mr. Nicholas Van Hoffman. In his article, Mr. Van Hoffman comments on the operations of the "Center for the Study of Democratic Institutions," a foundation located in Pasadena, Calif., and referred to Members of Congress, naming me as one who "gets fees and expenses for lectures and consultation" from the center.

While Mr. Van Hoffman may not have so intended, nevertheless it might be inferred from the language of his article that I have been, am now, or prospectively might be engaged and compensated by the center for lectures or consultations on a continuing basis. This is incorrect and I wish to set forth the facts for the record concerning the one honorarium I have received from the center.

Mr. President, I addressed to the editor of the Washington Post a letter dated May 19. I shall read the letter:

MAY 19, 1969.

The EDITOR,  
The Washington Post,  
Washington, D.C.

DEAR SIR: I have read the article by Mr. Nicholas Van Hoffman in The Washington Post of Monday, May 19th, entitled "More Trouble in Paradise", in which he comments on the "Center for the Study of Democratic Institutions", a foundation located in Pasadena, California.

In his article he stated that Members of the Congress, naming me as one, "gets fees and expenses for lectures and consultation" from the Center. As some might conclude that I have now, or have had some continuing association with the Center, for consultation or lectures, I should like to state the facts concerning my sole participation in one Conference held by the Center.

Last fall I was invited by Dr. Robert M. Hutchins, President of the Center, to participate in a Japanese-American Conference on China Policy, as viewed by Japanese and Americans, for which papers were to be prepared by participants, and on which a report was to be made. I prepared a paper, as did other members of the Conference, and the papers were used as a basis for discussion during the Conference.

The Conference was held January 24 and 25, 1969, and there were six panel discussions between the United States delegation and the Japanese delegation, in five of which I participated. I also participated in a public panel on the evening of January 26th, 1969, in Los Angeles, with members of the American and Japanese delegations.

I received an honorarium of \$2,000.00 for my participation in the meetings and preparation of my paper, and I paid my air line expenses, hotel expenses at Santa Barbara, and incidental expenses—totaling about \$500.00.

The above represents the only association I have ever had with the Center, and the only honorarium or payment of any kind I have ever received from the Center.

Yours very truly,

JOHN SHERMAN COOPER.

CHAIRMAN OF THE NATIONAL  
ENDOWMENT FOR THE ARTS

Mr. PELL. Mr. President, 2 months have passed since the present adminis-

tration declined to reappoint Roger Stevens as Chairman of the National Endowment for the Arts. At that time I spoke of our Nation's debt to Roger Stevens and my hope that the administration would act quickly to fill the vacancy so that the fine work and the momentum of the Endowment would not be allowed to falter.

As sponsor of the original authorizing act and chairman of the Special Senate Subcommittee on Arts and Humanities which has congressional oversight responsibility for this program, I have a particular concern in this body in this matter.

In the 2 months since the dropping of Mr. Stevens, there has been rumor and counter-rumor about a replacement for him. However, nothing definite has occurred. We have heard that it was to be a well-known museum director, newspaper publisher, former child star, businessman or other highly placed individual; however, their availability peters out with the increasing rumors.

It is interesting to note that the reason given for not reappointing Roger Stevens was that, once upon a time, some years before his appointment as Chairman, he had been a fund raiser for the Democratic Party. This profile as a Democrat is too high. Yet, evidently, the administration cannot find one of its own adherents who is interested in the more aesthetic areas of our national existence. This is truly a distressing void for it bespeaks of a lack of understanding and sympathy for this type of endeavor.

In the meantime the work of the Endowment for the Arts has been ongoing. I think the Senate should take notice of the fine work of Douglas G. MacAgy, Acting Chairman, who has very ably directed the Endowment in its continuing programs. However, on the 22d and 23d of this month the National Council on the Arts is meeting at one of its quarterly sessions, and unfortunately must meet without a chairman. And what is even sadder is that the National Council on the Arts is meeting for the first time in conjunction with its Canadian counterpart. I am afraid that the failure of the administration to fill the vacancy of chairman of the National Endowment for the Arts will put us in an ambiguous position at this international meeting.

It is my hope that this neglect of cultural activities is not indicative of the next 4 years.

To my mind, it is a sad reflection that our great Nation is unable to fill this void. Does it mean that no suitable Republican is interested? Or that there are no suitable Republicans? I would hope the answer is neither. But, then, the answer must be that the White House does not consider this a matter of priority, and that is pretty bad, too.

S. 2218—INTRODUCTION OF THE  
ELEMENTARY AND SECONDARY  
EDUCATION AMENDMENTS OF 1969

Mr. PELL. Mr. President, I introduce for myself and for Senators YARBOROUGH, RANDOLPH, WILLIAMS of New Jersey, KENNEDY, NELSON, MONDALE, EAGLETON, CRANSTON, and HUGHES, for appropriate reference, a bill to amend the Elementary and Secondary Education Act of 1965

and related acts, and for other purposes, which may be cited as the "Elementary and Secondary Education Amendments of 1969."

Mr. President, this bill would simply extend the programs authorized by the Elementary and Secondary Education Act of 1965, Public Law 874, 81st Congress, Public Law 815, 81st Congress, and the Adult Education Act of 1966, for 4 years. The extension would be without substantive change in present law and without changes from present authorizations of appropriations.

This bill is being introduced for the purpose of having hearings on elementary and secondary education which will be announced at a later date. When the hearings are held the subcommittee will consider this bill, together with other legislation affecting elementary and secondary education, which has been introduced.

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

The bill (S. 2218) to amend the Elementary and Secondary Education Act of 1965 and related acts, and for other purposes, introduced by Mr. PELL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

TRANSATLANTIC FLIGHT OF THE  
NC-4 IN MAY OF 1919

Mr. PELL. Mr. President, I should like to bring to the attention of my colleagues that five decades ago this month the first airplane crossed the Atlantic Ocean; and this historic occasion is being marked by the Rhode Island Heritage Month Committee, Inc., with the cooperation of the Public Affairs Office of the Newport Naval Base, by the display of exhibits recalling the flight of the NC-4 in May of 1919.

Rhode Island has much interest in this historic event. The hull of the flying boat was built by the Herreshoff Manufacturing Co., in Bristol. The commanding officer of the aircraft, Lt. Comdr. Albert C. Read, U.S. Navy, was on duty at Newport at the Naval Torpedo Station from 1913 to 1915. Among the crew of six officers and men who made the flight, one was a native of Newport, Lt. James L. Breese, Navy Reserve flyer.

The NC-4 was one of three aircraft which took off from Rockaway, Long Island, on May 8 for the first leg of their journey to Halifax, Nova Scotia. The aircraft passed over Block Island on their way northward from Halifax to Trespassey, Newfoundland, there was some mechanical trouble among the three planes. However, the three aircraft attempted the long stretch across the Atlantic to the Azores. Only one made it. From here the flight continued to Lisbon, Portugal, and Plymouth, England.

The NC-4 later that year was sent on a recruiting mission and flew up to Providence on October 1. The flyers were guests of the city overnight, and the next day visited Gov. R. Livingston Beekman at the State capitol. On the way up Narragansett Bay it was escorted by two other aircraft. The flight deviated from its course to Providence and flew over the

Herreshoff Manufacturing Co. buildings. All the workers waved at the NC-4 as it made its pass.

One man is still living who worked on the hull of the NC-4. He is Harry Town, who resides in Tiverton.

An exhibit of photographs and other material pertaining to this flight has been arranged by the Heritage Month Committee in the following libraries: Warwick Public Library; Newport Public Library; Providence Public Library; Westerly Public Library; Harris Institute, Woonsocket; Rogers Free Library, Bristol; North Kingstown Free Library, Wickford; and the station libraries of the Newport Naval Base and Quonset Naval Air Station.

#### DISPOSITION OF OBSOLETE LETHAL GASES

Mr. PELL. Mr. President, last week I remarked on some of the unresolved international legal and political aspects of the Army's plan to dispose of exceptionally large quantities of obsolete lethal gases at a point 250 miles off the coast of New Jersey; following up those remarks, I sent a letter to the Secretary of the Army asking for the legal basis of the disposal plan and requesting his comments as to the effects of the proposed action on the positions taken by the United States before both the United Nations Committee on the Peaceful Uses of the Seabed and the 18-Nation Disarmament Conference. I have received an interim reply from the Secretary. I ask unanimous consent that this correspondence be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. PELL. While awaiting the Secretary's full reply to the questions and issues which I have raised, and in view of the numerous other points of inquiry which have been brought to bear against the Army's disposal plan, I think it prudent to ask that the Army delay indefinitely its plan until the Congress and the Nation as a whole can agree on the optimum method of disposal. I, for one, do not feel that the 2- or 3-week postponement, as suggested by the Army pending a review of the scientific aspects by the National Academy of Sciences, is fully responsive to settling the present controversy, particularly in view of the doubts raised within the executive branch itself by the Departments of State and Interior. In addition to the NAS study, I would hope that these Departments will undertake investigations aimed at covering the full range of legal, political, scientific, and technical issues.

I know that my colleagues and I will want to review all such studies, as well as give careful attention to the hearings held before the House Subcommittee on International Organizations and Movements. I hope these studies and hearings will be made available as soon as possible.

Accordingly, Mr. President, I would ask that the Secretary of the Army delay indefinitely the gas disposal project until my colleagues and I have had an opportunity to study all of the pertinent facts.

#### EXHIBIT 1

MAY 12, 1969.

HON. STANLEY R. RESOR,  
Secretary of the Army,  
Washington, D.C.

DEAR MR. SECRETARY: In regard to the Army's reported plan to dispose of a very large quantity of lethal gases by dumping them 250 miles off the coast of Earle, New Jersey, I would appreciate a detailed summary of the legal principles which you and your Department feel would permit such disposal at the selected site. I would also appreciate having any comments or observations which you may care to make as to the effect of the contemplated action on the United States position before both the United Nations Committee on the Peaceful Uses of the Seabed and the Eighteen-Nation Disarmament Conference.

Sincerely yours,

CLAIBORNE PELL,  
Chairman, Subcommittee on Ocean Space.

MAY 14, 1969.

HON. CLAIBORNE PELL,  
Chairman, Subcommittee on Ocean Space,  
Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN: On behalf of the Secretary of the Army, receipt is acknowledged of your letter of May 12, 1969 pertaining to legal and international implications as to the Department of the Army's plans of disposing of certain chemical munitions and agents by dumping at sea.

Action has been taken to develop the information requested and you will be advised. Sincerely,

ROY H. STEELE,  
Chief, Investigations Division Office,  
Chief of Legislative Liaison.

#### THE PROPOSED EUROPEAN CONFERENCE ON SECURITY AND COEXISTENCE

Mr. PELL. Mr. President, the April 23 issue of *Le Monde* carries an article by Paul Auer and titled "Free Opinions—Budapest's Appeal and NATO's Reaction," commenting on the declaration issued by the members of the Warsaw Pact in mid-March proposing a European conference on security and coexistence. I have had the article translated by the Library of Congress because it seemed to me to be a most perceptive commentary on the motivations of the Soviet Union in making this proposal.

I ask unanimous consent that the full text of the translation of the article to which I have referred be printed in the RECORD at this point.

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

#### FREE OPINIONS: BUDAPEST'S APPEAL AND NATO'S REACTION

(By Paul Auer\*)

During their Budapest meeting of March 17, 1969, the signatory states of the Warsaw Pact proposed that the European states hold a "Pan-European Conference on Security and Coexistence."

This initiative was taken at a time when a very strict censorship was reestablished in Prague and when preparations for new shipments of Soviet troops into Czechoslovakia seemed to be in the offing.

But Budapest's appeal also coincided with the events that occurred on the Sino-Russian border.

\* Former minister of Hungary to Paris, honorary secretary general of the League for the Self-Determination of the Peoples.

What is all this about? What are the motives of the Russian initiative? It is obvious that the USSR tries to consolidate the present situation in the countries of Central and Eastern Europe. She would like to make sure that the NATO members, by signing a multilateral treaty, will accept the status quo as a final settlement in Central and Eastern Europe and thus indirectly be instrumental in that the happenings of 1956 in Hungary and those of 1968 in Czechoslovakia will not repeat themselves. She hopes that the signing of such a treaty will discourage the people of this area from doing something to obtain their right to self-determination.

The consolidation of the situation in Eastern Europe will become so much more important and even urgent to the USSR as China tries to organize herself politically and at the same time she prepares herself to become a nuclear power. The Kremlin knows very well of China's territorial claims against the USSR; the latter must thus concentrate more and more troops on the 6,000 km [appr. 3,720 miles] Sino-Russian border. She must therefore insure peace on her western borders and not run the risk of fighting on two fronts in case of a war with China or of being compelled to repress revolts in its own area.

It would be inadmissible to sign a treaty that would encourage the Kremlin to continue its policy of oppression of more than one hundred million Europeans and that would discourage these Europeans from even undertaking non-violent actions for the liberalization of the regime. We hoped very much that the evolution would lead to an effective liberalization in this part of the continent. Now, the events in Hungary and Czechoslovakia have, unfortunately, belied this hope. Soviet Russia's European policy will only change under Chinese pressure or under a pressure that will come from inside her own territory.

NATO's reply to Budapest's proposal, which was made when this organization celebrated its Twentieth Anniversary, testifies to wisdom. It would have been absurd to accept at this time the idea of holding a conference which would not have led to anything. On the other hand, contacts and soundings are certainly desirable, as we can hope that in the course of time the Kremlin will be obliged to revise its European policy and that the day will arrive when serious concessions can be obtained from Soviet Russia.

The leaders in the Kremlin know very well that if there were a neutralization combined with the presence of the U.N. and guaranteed by treaties and territories the USSR considers to belong to her sphere of influence, security and peaceful coexistence could be guaranteed by an international agreement. After having familiarized herself with this idea and once she will be obliged to accept this solution to the problem, the conference proposed by her can be held. Meanwhile, the list NATO intends to submit to the Eastern European governments and which shows the subject that could be discussed, should also contain disengagement and neutralization.

In their Potomac Declaration of June 30, 1944, the United States and Great Britain solemnly stated that they will never sign a treaty that "confirms or prolongs the involuntary subordination of sovereign states that have lost their freedom". The principle expressed in this declaration remains valid for all the big powers of the West and must be respected by them.

#### EXPLOITATION IN THE BIG THICKET—NATIONAL PARK NEEDED NOW

Mr. YARBOROUGH. Mr. President, Mr. C. L. Lundell, director of the Texas Research Foundation, has written an able but disturbing article on the exploi-

tation of the Big Thicket. He states flatly that "immediate action by the Federal Government is imperative if any of the remaining fragments of the east Texas Big Thicket are to be preserved under the park system of the U.S. Department of the Interior." He goes on to point out that Federal action is the "last hope, a slim hope" of saving the beautiful and unique Big Thicket.

Mr. President, I can only emphasize what Mr. Lundell has said, time is indeed running out. My bill, S. 4, to establish a Big Thicket National Park of not less than 100,000 acres, must receive immediate consideration by the Senate if we are to save some significant portion of this great wilderness area.

I ask unanimous consent that the article entitled "Big Thicket Almost Gone," appearing in the February 2, 1969, edition of the Dallas Times Herald, be printed at this point in the RECORD.

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

[From the Dallas Times Herald, Feb. 2, 1969]

#### BIG THICKET ALMOST GONE

(By C. L. Lundell)

Immediate action by the federal government is imperative if any of the remaining fragments of the East Texas Big Thicket are to be preserved under the park systems of the U.S. Department of the Interior.

Our state government has failed abysmally to preserve any significant portion of the Big Thicket. There is indeed a question as to whether the government of the State of Texas has ever even wished, much less tried to preserve the Big Thicket.

Federal action is the last hope, a slim hope at best. Time is running out.

The original Big Thicket, an isolated world of natural beauty and botanical wealth, covered more than 3 million acres on the southeast corner of Texas, a territory generally extending from Houston and Huntsville east to the Louisiana border.

Though the Big Thicket itself is unique and highly distinctive, its original boundaries have never been clearly drawn.

The most definitive area of the floral and the fauna that distinguish the Big Thicket ecology was an irregular stretch approximately 115 miles long and 60 miles wide that extended over eight present-day Texas counties—Montgomery, Harris, San Jacinto, Liberty, Polk, Hardin, Tyler and Jasper.

Often described as one of the last true wilderness areas of the United States, the Big Thicket within its original boundaries includes more different soil types and a greater variety of plant and animal species than any other region of comparable size in the United States. The counts stand at more than 100 species of trees and shrubs and at least 300 species of birds, including the rare ivory-billed woodpecker. Plants rare to other sections of the country are common to the area.

Botanically, the Big Thicket is the western extremity of the woodlands that cover the southeastern United States. Because of this western presence many of the Big Thicket species reveal variations in some of their characteristics from plants of the same species found farther east. The variations are so great in some instances that the Big Thicket specimens may be classified as new species. The East Texas area therefore offers evidence of being a region of speciation.

The Big Thicket, moreover, is far more important to Texas than its botanical and zoological values.

Its natural scenic beauty is without equal as a tourist attraction for Texas. Its culture,

which predates the Republic of Texas, has produced five state governors: George T. Wood (1847-49), Sam Houston (1859-61), Will P. Hobby (1917-21), Allan Shivers (1951-57) and Price Daniels (1957-63).

The area adjoins the Alabama-Coushatta Indian Reservation, the only Indian reservation in Texas. The colony is immediately north of the Big Thicket, on U.S. 190 about 17 miles east of Livingston and 16 miles west of Woodville.

Today, the Big Thicket is fast becoming a tattered memory of its pristine glory. Less than one-tenth remains of the original acreage. Fire, logging, oil production and other industrial activities—as well as vandalism—have reduced the forested area to about 300,000 acres, largely in Polk, Tyler, Hardin and Liberty counties.

Chain saws, defoliants, killer chemicals and, of course, fire and vandalism are decimating the remainder at an estimated rate of 50 acres a day. The attacks are disjointed and directed on many fronts, with the result that the remaining acreage is in scattered fragments of which none is the minimum size—at least 5,000 acres—required by the National Park Service for classification as a wilderness area.

Two years ago, after studies dating back to 1938, the National Park Service proposed a Big Thicket National Monument, "a string of pearls," that would consist of nine separate units covering approximately 35,500 acres. The acreage would lie almost entirely in Liberty, Polk, Hardin, Tyler and Jasper counties.

When the public learned of the plans to convert parts of the Big Thicket into parks, the ever present vandalistic really increased in fury. Beautiful magnolias, hundreds of years old, were cut and left to rot in the ditches of thicket roads.

One magnificent magnolia, 1,000 years old, which marked the boundary corner of Liberty, Polk and Hardin counties, was deliberately destroyed with injections of arsenate of lead.

No point of natural beauty that might enhance the formation of a park was safe from vandals' hands—nor is such safe today.

For more than 60 years, men have tried to convert various areas of the Big Thicket into parks and wilderness areas. The protagonists have included many local residents of the Big Thicket, a few state officials, even fewer national figures, and more popular national conservation organizations. All have failed.

Obviously, Green Hills cannot compete with greenbacks. In East Texas, man has run and is still running true to form: Though he is the only form of life endowed with intelligence, he also is the only form of life—with the possible exception of molds and fungi—that consistently and completely destroys his natural habitat.

Unless he reverses his course in East Texas, he is going to lose something of infinite beauty and value, something neither he nor his sons nor his sons' son will ever be able to replace.

#### FOLK SINGER PETE SEEGER LENDS SUPPORT TO AMERICAN FOLK LIFE BILL (S. 1591)

Mr. YARBOROUGH. Mr. President, Pete Seeger is one of the best known of American folk singers. He has spent a lifetime in the folk life field, and has worked diligently to preserve and develop the musical heritage of our people. Some of his own compositions such as "Where Have All the Flowers Gone?" "If I Had A Hammer," and "Turn, Turn, Turn," have become contemporary classics. Due to his knowledge and experience in the folk life field, I am especially grateful to receive Mr. Seeger's support

for my bill, S. 1591, to establish an American Folklife Foundation in the Smithsonian Institution.

I ask unanimous consent that the letter from Mr. Pete Seeger endorsing my bill, S. 1591, be printed at this point in the RECORD.

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

BEACON, N.Y.,

March 29, 1969.

DEAR SENATOR YARBOROUGH: I hope your bill (to give Federal support to the Smithsonian Folk Life Program) passes with flying colors.

They—Ralph Rinsler, and others at the Smithsonian—have proven that they can give responsible, far-sighted, imaginative, and honest direction in the field of bringing folk culture out of the corners of our country, and once again make it beloved by millions.

Sincerely,

PETER SEEGER.

#### THE DANGER OF CONTINGENT ELECTION: SENATE JOINT RESOLUTION 18 TO AMEND THE CONSTITUTION NEEDED NOW

Mr. YARBOROUGH. Mr. President, the election campaign of 1968 is now behind us and many Americans have already begun to forget the possibility of constitutional crisis which was so frighteningly clear less than a year ago. This crisis could have come about had the final choice of a President been forced into the House of Representatives.

To refresh my colleagues' memories, the Constitution provides that when the electoral college does not elect a President, then the choice devolves on the House of Representatives which chooses from among the three front runners. In balloting in the House, each State delegation has one vote.

If the electoral college fails to elect a Vice President, then the Senate has the responsibility of choosing a man to fill that office. The Senate selects one of the two men who have the most electoral votes and in this body, each Senator has one vote.

Mr. President, the October 11, 1968, edition of Time magazine contained an excellent essay on this potential for crisis, which should be read anew.

I should like to add, Mr. President, that I have introduced a proposal to remedy this situation. My proposal, Senate Joint Resolution 18, proposes an amendment to the Constitution to change the contingent election procedure in the House of Representatives from balloting on a one-State, one-vote basis to balloting on a one-man, one-vote basis. I believe that this very simple change in the Constitution would go far toward eliminating what Thomas Jefferson called "the most dangerous blot on our Constitution." I ask unanimous consent that the article "Allow If House Decides" be printed at this point in the RECORD.

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

#### WHAT IF THE HOUSE DECIDES?

Archaic laws and institutions are often dangerous—a truism that Americans are re-

discovering in a rather special sense during the 1968 presidential campaign. They are doing so with the help of George Wallace. The Alabamian is gaining so many votes, says one happy Southern Congressman, that he is now as strong as "50 acres of horseradish." Other Congressmen are appalled at the possible result: the Wallace phenomenon may throw the election into the House of Representatives. The outcome could foil most voters' wishes and upset the two-party system in Congress. To House Majority Whip Hale Boggs, "the idea is absolute anarchy."

The problem is that a presidential candidate needs more than a popular plurality to win the election—he must also gain a clear majority in the Electoral College, which now has 538 electors. The Twelfth Amendment (1804) requires separate electoral votes for President and Vice President. But this originally clarifying rule has long been a potential source of confusion. If the popular winners lack electoral majorities, the House selects a President from among the three candidates who have received the most votes in the Electoral College. The Senate picks a Vice President in the same fashion, but considers only the leading two candidates for that office. Deadlocks are less likely in the Senate, with only two men at issue, than in the House with three. Under the entire system, however, incredible deals and pressures become possible.

The decision has not been referred to Congress since 1824, when Andrew Jackson lost the presidency (he later won it twice) despite having collected 42.2% of the popular vote, against 31.9% for John Quincy Adams and 13% each for House Speaker Henry Clay and Georgia's William H. Crawford. In the Electoral College, Jackson's three opponents denied him a majority. In the House, Clay threw his support to Adams, who thus became President. Though Clay hotly denied Jacksonian charges that he had made a deal, he was soon appointed Secretary of State by Adams. Tempers ran so high that Clay fought a duel with John Randolph, who had publicly vilified the Clay-Adams alliance as "the combination of the Puritan and the blackleg."

#### UNEASY CONTROL

A similar set-to, if not a duel, could possibly recur this year if Wallace won, say, the 47 electoral votes of Alabama, Georgia, Louisiana, Mississippi and South Carolina. In that case, either Richard Nixon or Humphrey would need 55% of the remaining electoral votes to take the election. A popular-vote cliffhanger such as 1960 might well send the election to Capitol Hill—resulting in all sorts of weird possibilities and permutations.

In the House, each state's delegation in a presidential showdown has just one vote—to be determined by a simple majority of the delegation. There are now 29 Democratic-controlled delegations in the House, with 18 controlled by Republicans, and three evenly split (a tied vote in a delegation neutralizes it). Yet 30 delegations are so closely divided that the shift of a single seat in November could change their makeup to Democratic, Republican or neutral. With the votes of 26 of the 50 House delegations needed to choose a President, the G.O.P. could increase its present control from 18 delegations to the required majority by simply electing one new Congressman in each of seven close states and two in another state.

Predicting a House decision is obviously impossible at this point. Even if the Democrats retained control of a majority of the delegations, some individual Congressmen, under pressure from constituencies or conscience, might bolt the party. Many Southern Democrats, whether pro- or anti-Wallace, might turn against the Administration leadership and vote the way their districts did—presumably for the Alabamian.

Speaker John McCormack and Majority Leader Carl Albert insist that House Democrats must stick to the party line, and they

are preparing to discipline renegades severely by stripping them of seniority and desirable committee assignments if they fail to vote for Humphrey. House Republican Leader Jerry Ford has cannily avoided making any such threats to G.O.P. Congressmen. For one thing, he knows how much easier it will be for Republicans to pledge their support to Nixon than it will be for all Democrats—particularly Southerners—to promise in advance to back Humphrey. In fact, Ford is prepared to welcome defecting Democrats into the G.O.P. and assign them to new committee posts befitting their talents and seniority. If Ford gets many takers both liberal Democrats and liberal Republicans may face a new majority of G.O.P. conservatives, many of them Wallacites.

Democrats, Republicans and Wallace partisans are all thinking up speculative election scenarios. One possibility is that neither Nixon nor Humphrey might win an apparent majority of electoral votes in November. Then, between the election and the official balloting of the Electoral College on December 16, Wallace would try to bargain his electoral votes for such concessions as a voice in selecting Cabinet members or Supreme Court Justices. If that fell through, Wallace could still throw his electors to one of the candidates—and loudly claim to have elected that man President.

Another possibility is that Nixon or Humphrey might win the presidency in the House—and then find himself with a Vice President of the opposite party after the Senate has acted. One scenario now current in Washington:

On Nov. 5, Nixon emerges with the most votes, popular and electoral, in the three-man race. Humphrey follows, but Wallace has amassed enough electoral strength to deny both men the presidency. Nixon and Humphrey refuse to bargain for Wallace's electoral votes. The election therefore goes to the House, where the Democrats have retained control of 27 state delegations. At the same time, the Senate meets to name a Vice President. There, the Democrats have retained control, 53 to 47. The rules eliminates the No. 3 candidate, out goes Curtis LeMay, the Wallace running mate. And enough Southern Democrats follow party discipline to elect Edmund Muskie as Vice President. In the House, however, all three presidential candidates are eligible. Southern Democrats, enraged by Humphrey's attack on Wallace during the bitter campaign, refuse to fall in behind the Minnesotan. Some cross party lines to vote for Nixon, but for days the House remains deadlocked. Thus, in accordance with the 20th Amendment, Muskie is sworn in as Acting President on Jan. 20 and serves "until a President shall have qualified"—conceivably as long as four years, if the House impasse continues.

#### BIZARRE PLAUSIBILITY

There are other odd—and rather chilling—possibilities. A sample fantasy: The Wallace-LeMay ticket runs second in electoral votes behind Nixon-Agnew. On New Year's Day, the Communist Chinese strike the U.S. in Asia, perhaps in Viet Nam; a tide of reaction floods the nation. The House remains deadlocked on a presidential choice after days of belligerent debate. Wallace supporters scent victory and refuse to bolt to Nixon. The Senate, meantime, bows to the nation's angry mood and by two votes names Curtis LeMay to be Vice President. With the House still deadlocked on Jan. 20, LeMay becomes Acting President. (If the Senate tied before Jan. 20, Vice President Humphrey's vote would be decisive.)

Should both the House and the Senate remain deadlocked, of course, then, according to the rules of succession laid down in 1947, the Acting President would be 77-year-old John McCormack—assuming that he wins a fifth term as House Speaker.

One New York lawyer argues that even Nelson Rockefeller could wind up in the

White House. This theory has a bizarre plausibility. Assume that Wallace carries only four Deep South states with a combined total of less than 43 electoral votes. As one result, both Nixon and Humphrey fail to gain the needed 270 majority in the Electoral College. As another, New York's 43 electors—chosen under Nixon's G.O.P. banner but not constitutionally bound to vote for him—revive old loyalties, cast their ballots for Rockefeller. Heeding the Constitution, the Electoral College sends the names of Nixon, Humphrey and Rockefeller to the House as the three top electoral vote getters. The House, unable to resolve a deadlock between Nixon and Humphrey, turns to a compromise choice—President Nelson Rockefeller.

Impossible? No, but highly improbable. And yet there is an uneasy feeling that none of these speculations can be totally dismissed. The American electoral system is so archaic and complex that, in uncertain times, it is bound to stimulate fantasy and even fear.

#### PEACE IN VIETNAM—OUR FIRST PRIORITY

Mr. JAVITS. Mr. President, now that the traditional moratorium surrounding the first 100 days of a new administration has ended, public discussion of the Vietnam war has been resumed and the President has himself spoken most importantly on this subject. Indeed, the search for an end to the American combat role in that conflict is uppermost in the minds of the American people.

On May 9, I addressed the Commonwealth Club in San Francisco. The subject of my remarks was: "Peace in Vietnam: Our First Priority."

President Nixon gave his first major address to the Nation concerning his administration's Vietnam policy on May 14. In view of the substance of the President's remarks and my own, I ask unanimous consent that the text of my remarks be printed in the RECORD, and that the text of a statement I released just after the President spoke also be printed in the RECORD.

There being no objection, the speech and press statement were ordered to be printed in the RECORD, as follows:

#### PEACE IN VIETNAM: OUR FIRST PRIORITY

(An address by Senator JAVITS, prepared for delivery to the Commonwealth Club, San Francisco, May 9, 1969)

The traditional first One Hundred Days of the Nixon Administration are over and the moratorium on public discussion of Vietnam policy has ended. Last November, the voters gave President Nixon an unmistakable mandate to end the war in Vietnam. But so far the signs indicate only that the Johnson Administration's Vietnam policy, in its essentials, continues to be the policy now as well.

If the present approach—which follows so closely the course of the previous Administration—is maintained then it is most unlikely that the new Administration will be able to carry out the will of the people expressed so clearly, as I see it, in November, 1968. If a basic change of direction on Vietnam is not soon indicated the consequences could be very serious for the President and the nation.

The time has come for a major shift away from the sterile and unsuccessful approach of the last Administration. The essential first step for the Nixon Administration is to free itself from the Johnson Administration's grievously mistaken concept of what the Vietnam struggle is all about. It must avoid giving the nation reason to believe

that it has adopted the old concept as its own. Indeed, even the few months delay in making this clear has already limited the time available to the new Administration for transition to a new policy.

Even the rhetoric of the past keeps turning up in the statements of the new Administration's spokesmen—the old myths, the old self-delusions, and the old phraseology recur again and again. For instance, Secretary Rogers' statement of March 27 is replete with phrases so reminiscent of the statements of Dean Rusk—"honorable peace"; "external interference"; "test of good faith"; "President Thieu's announcement is an act of statesmanship"; "elements who are prepared to renounce violence"; and so on. Perhaps this unfortunate repetition is attributable to the new Administration's decision to retain in certain key policy positions experienced persons who served under President Johnson. Ambassador Bunker continues on in Saigon, while his predecessor, Ambassador Lodge, is now in Paris. General Abrams, General Westmoreland and General Wheeler continue to occupy the top military positions and key positions in the State Department are held by Alexis Johnson and William Bundy (now succeeded by his former Deputy, Marshall Green).

All of these men are able, distinguished and experienced public servants. But that is not the point. The point is that we pay a price for their experience. They all played significant roles in shaping the Johnson Administration's Vietnam policy and it is understandable that they should use the familiar idiom and not be as quick to discard the old theories.

But, President Nixon, Secretary Rogers and Secretary Laird are not under the same compulsions. They are free to benefit the most from the experience and the errors of the past. The nation is searching for indications that they will do so.

If a recurrence of the bitter and divisive passions of 1967 and 1968 with respect to the Vietnam War is to be avoided the Nixon Administration must make demonstrable progress toward a peace settlement in the near future. Whatever may be the advantages and conveniences to the Administration of a policy of "private negotiations", such a course of action is not compatible with the temper of the American people in 1969.

As the Johnson Administration discovered, any policy which depends upon an acquiescent complicity of silence on the part of the Congress, the press and the American public, is *prima facie* not a viable policy. President Nixon stated his policy in this regard very succinctly at his last press conference:

"I think that is where this war will be settled—in private rather than in public. This is in the best interest of both sides, but public discussion of what I think is significant progress which is being made along the lines of private talks, I will not indulge in."

Perhaps if the American people had not been misled by the previous Administration on Vietnam so often in the past, there would be a greater willingness to rely on the President's assurances that everything is progressing satisfactorily behind the scenes.

As to what he is attempting behind the scenes, we have only the public statements to go on. From these statements it seems that the Nixon Administration is pursuing largely the same negotiating position which failed the Johnson Administration so conspicuously. In a major speech on April 21, Secretary of State Rogers explicitly announced that:

"The United States is committed to achieving a peace in Viet-Nam which will permit the people of South Viet-Nam to determine their own future, free from outside interference by anyone. That is our objective. It has been stated many times. It is known to all concerned. It is not subject to change. (Emphasis added.)

When you analyze our negotiating position in detail it boils down to a set of objectives which may be highly desirable but are quite unrealistic. In effect, after announcing our willingness to work out a compromise settlement, we are asking Hanoi and the NLF to give in on the very things that the war is all about.

The U.S. position asks that U.S. and North Vietnamese troops mutually withdraw, with the Demilitarized Zone reestablished and infiltration routes sealed off. This would leave the South Vietnamese government and its army facing the NLF/Vietcong. The U.S. presumably would continue to equip and supply the South Vietnamese Forces while little outside help would be available to the NLF/Vietcong.

Also, we offer something equally unrealistic on the political side. To quote the words of President Thieu's speech of April 7 to the Joint Session of the National Assembly, the following political rights would be offered to the other side:

"Those now fighting against us, who renounce violence, respect the laws, and faithfully abide by the democratic processes, will be welcomed as fully members of the national community. As such, they will enjoy full political rights and assume the same obligations as other lawful citizens under the national Constitution."

Article IV of the Constitution states:

"(1) The Republic of Vietnam opposes Communism in all forms.

"(2) Every activity designed to propagate or implement Communism is prohibited."

Moreover, the South Vietnamese election law even prohibits the advocacy of "pro-Communist neutralism" and leading politicians have already gone to jail for advocating negotiations with the NLF.

In his statement of March 21 to the Senate Foreign Relations Committee, Secretary Rogers stated his belief that we "... are offering a reasonable and honorable outcome." He described our "combined position on military and political matters" as "clear and compelling."

The negotiating terms which Secretary Rogers has reiterated might be realistic and appropriate if we were dealing with a defeated enemy. But they hardly seem realistic as a basis for ending a stalemated war which is costing this nation in excess of \$30 billion and 10,000 lives annually. We are asking the NLF and Hanoi to stop fighting and accept the legitimacy and sovereignty of the Saigon government—the very thing they have fought to deny ever since 1956 when the Geneva Agreements which ended the 1954 war with the French, fell apart.

Perhaps because it does not have quite as much confidence that things are really progressing backstage, the Nixon Administration has suggested some unilateral steps which it may take that are not dependent on Hanoi's agreement. In his speech of April 21 Secretary Rogers stated it this way:

"We are not prepared to assume that the only alternative to early progress in the peace talks is an indefinite extension of our present role. That is why such high priority is being given to preparing South Vietnamese forces to assume a growing share of the combat burden and why the Government of South Viet-Nam is giving such high priority to developing the political unity of the country."

In private conversations and through press briefings, Administration officials have made it clear that they regard this "unilateral" course as a kind of veiled threat to the other side which is designed also as an inducement for it to negotiate a settlement along our lines.

Rephrased in a blunt way, the Administration is telling Hanoi and the NLF that they had better work out an agreed settlement with us while they have the chance because if they don't we are going to build up the Sai-

gon government into such a military and political power that they won't be able to get anything.

In my judgment, the new line of argument is double-edged at best. If President Thieu and Vice President Ky can maintain political control in South Vietnam and if the South Vietnamese forces prove able to hold their own militarily, the Government of South Vietnam would make a tougher party to make peace with on its own without the tempering influence of the United States. On the other hand, this argument could be unrealistic and unrewarding. However, United States disengagement from Vietnam could become conditional upon the Saigon Government becoming politically secure and militarily dominant before we phase out—further limiting U.S. freedom of action. It is good to keep the enemy guessing but it will take something more than this to make peace.

For fifteen years we have been trying—at great cost but with so little success—to make a going concern out of the military effort of the governments which have come to power in Saigon. Our efforts thus far have ended in disappointment. My doubts if present circumstances continue seem to be shared by two leading supporters of the war who are in a good position to know the facts.

Senator Stennis, the Chairman of the Senate Armed Services Committee, said in a public appearance on March 9 that the United States would be: "badly mistaken if we think we can depend too much upon this South Vietnamese Army winning this war or being able to hold the line. I don't believe they will be able to do it and I believe Hanoi knows this better than we do."

Defense Secretary Laird, in his testimony of March 19 to the Senate Armed Services Committee, said much the same thing:

"I regret to report, however, that I see no indication that we presently have a program adequate to bring about a significant reduction in the U.S. military contribution in South Vietnam. The current operating assumption as stated to me is that even the currently funded modernization program for the South Vietnamese forces will equip the South Vietnamese forces only to withstand the V.C. insurgents that would remain after all North Vietnamese forces had been withdrawn to North Vietnam."

The Nixon Administration has shown a genuine solicitude and responsiveness to the desires and sensibilities of the Saigon government and our other Southeast Asia allies. I hope very much that the United States can disengage from the Vietnam War in a manner which is satisfactory to them. But I am much more concerned that the Nixon Administration should proceed toward peace according to a plan which is responsive to the wishes of the American people and on a timetable which is compatible with the urgent and non-deferrable needs of our own severely strained society.

President Nixon's desire to deal with Vietnam in a quiet, orderly and unhurried manner is quite understandable. Under normal circumstances it would be entirely reasonable to do so. But these are not normal circumstances. This nation is under great pressure from the conjunction of a number of domestic and foreign crises, all of which have been intensified by the Vietnam War. The Vietnam War, as it was prosecuted under the Johnson Administration, resulted in a grave distortion of national priorities with respect to the allocation of national resources. For three years President Johnson attempted to assert his will concerning the Vietnam War—as it finally turned out over the will of the American people. This contest of wills became a crucible of pressures which was resolved only by the President's retirement from public life.

On May 3 the White House called the press in for a special briefing designed to counter-

act the speeches of Senator Aiken and Senator Scott advocating early withdrawal of some U.S. troops from Vietnam. The *New York Times* reports high White House sources as saying during this briefing:

"The President will not be deflected into hasty action by public or Congressional pressure."

This characterization, of course, relates to a peace plan by the President and to escalating the Vietnam war, yet, too great has been the communications gap with the people that even in the former context statements such as the one I have just quoted have an ominous ring to them. I hope—for the good of the nation and the success of the Nixon Administration—that the President does not in fact become impervious to the will of Congress and the people with respect to the Vietnam war.

In my judgment both the Congress and the general public want very much to support and assist the President in the execution of his awesome responsibilities—including the vital search for peace in Vietnam. He has great good will and understanding on his side with respect to this issue, which can be a source of the greatest strength to him, if he takes the nation into his confidence and uses its support in a creative way.

Our negotiating posture needs to be based upon the following four principles: 1) that we will accept the determination of the people of South Vietnam as to how and by whom they intend to be governed; 2) that such self-determination can best be manifested under transitional arrangements and under international auspices which assure both Saigon and the NLF a fair opportunity to persuade the people; 3) that we are determined to phase out of the combat responsibility in Vietnam and turn it over to the South Vietnamese on a timetable and under conditions which are congenial to us; and 4) that we intend to provide effective aid for the people of Vietnam and to participate in reconstruction at the conclusion of the war.

In concluding my remarks, I wish to express my belief that there are other incentives for Hanoi to work with us for a negotiated settlement of the Vietnam War.

I think a constructive inducement exists in the traditional American willingness to contribute generously to postwar reconstruction. It would certainly be in keeping with past practice for the United States to help in a major way to rebuild the war torn areas of Vietnam, and I do not think Hanoi would be wrong to assume that it, too, could share in regional reconstruction efforts if a negotiated peace is achieved. Indeed, President Johnson said as much in his Johns Hopkins speech in 1966!

I was very much encouraged in this line of thinking by something which Ambassador Averill Harriman said on January 26, in reply to a question on "Meet the Press." Ambassador Harriman was being questioned about his experiences as chief U.S. negotiator at the Paris peace talks. In response to a question about Hanoi's objectives, Ambassador Harriman said:

"They want to be independent of Peking. They want to have contacts with the West. They want to get technical assistance from the West. They are very interested in getting miracle rice, you know. They want to be independent of China for their rice supply. There are issues of that kind which are not normally considered. . . ."

In my judgment, these are just the kind of issues which should be given the highest priority and I urge the Administration to do so. I believe that our negotiating position can and should be reordered in a positive and creative manner. I am confident that the President would receive strong public support for an effort of this kind, and I believe the chances of reaching a negotiated peace settlement would be significantly enhanced in the process.

#### SENATOR JAVITS' STATEMENT REGARDING PRESIDENT NIXON'S VIETNAM SPEECH

The President's address was restrained, and properly recognized that the American people expect from this Administration an end to the Vietnam war. The specification of conditions was a suitable response to the ten-point plan of the NLF. The major new point was that international auspices must be provided when the people of South Vietnam exercise their right of self-determination under a peace arrangement as to who will govern them. But, what we are still up against is the question of a de facto veto by the government in Saigon as to when and how we can end our involvement in the Vietnam war. That Rubicon must still be crossed. This address is a real step on the road to peace, but we are not yet within sight of the end.

#### PRESIDENT NIXON'S POLICY ON THE VIETNAM WAR

Mr. GORE. Mr. President, President Richard Nixon has now spoken to the American people and stated his policy on the Vietnam war. I have made a careful examination of the President's speech, and I have, with some diligence and staff help, compared the President's statements and the points he made with statements of position by the previous administration and with previous statements of position by President Nixon, both before and since his election.

Moreover, Mr. President, I have undertaken to examine the speech for what the President did not say, particularly in comparison with what the President, both before and since election, has said, and with what the previous administration said.

I hope that I can make this comparison and draw certain deductions without the slightest tinge of partisanship. Certainly such is not intended. I seek rather to examine this as an historic example of subtle change—or subtle development—in the President's Vietnam war policy.

I would like first to examine the President's statements. Later I will allude to the omissions of points and to statements from the speech.

Early in the speech, the President said:

The time has come for new initiatives. Repeating the old formulas and the tired rhetoric of the past is not enough. While Americans are risking their lives in war, it is the responsibility of their leaders to take some risks for peace.

This was a hopeful beginning. After this hopeful beginning, there followed, in softened rhetoric, essentially the policy outlines of the last administration. However, the President omitted from his remarks certain important matters on which both he and the former administration had placed emphasis.

It may be, Mr. President, that we shall see that what the President did not say may be a better guide to the new negotiating position and may constitute the reasons why Mr. Thieu of the Saigon government insists upon a personal conference with the President. But first let me proceed with a comparison of what the President said last week with what he had previously said and with what the administration had previously said.

When the President spoke, I listened intently and my mind turned back to an event that occurred over 3 years ago when former Secretary of State Rusk was appearing before the Senate Foreign Relations Committee.

The then Secretary Rusk—and this was on February 18, 1966—presented the points constituting the Johnson administration's "elements for an honorable peace."

Beginning with this and with the statement of former President Johnson I would like to cite certain quotations from these distinguished Americans.

President Nixon said:

We seek no bases in Vietnam.

Secretary Rusk said:

We want no bases in Southeast Asia.

President Nixon said:

We insist on no military ties. We are willing to agree to neutrality if that is what the South Vietnamese people freely choose.

Mr. Rusk phrased it this way:

The countries of Southeast Asia can be non-aligned or neutral if that be their option.

President Nixon said:

We believe there should be an opportunity for full participation in the political life of South Vietnam by all political elements that are prepared to do so without use of force or intimidation.

We are prepared to accept any government in South Vietnam that results from the free choice of the South Vietnamese people themselves.

Secretary Rusk said:

We support free elections in South Vietnam to give the South Vietnamese a government of their own choice.

President Nixon said:

We have no intention of imposing any form of government upon the people of South Vietnam, nor will we be a party to such coercion.

Secretary Rusk did not address himself to this point that day—but President Johnson in a speech to the Tennessee State Legislature on March 15, 1967, said:

We do not seek to impose our political beliefs upon South Vietnam. Our republic rests upon a brisk commerce in ideas. We will be happy to see free competition in the intellectual marketplace whenever North Vietnam is willing to shift the conflict from the battlefield to the ballot box.

President Nixon said:

We have no objection to reunification if that turns out to be what the people of South Vietnam and the people of North Vietnam want; we ask only that the decision reflect the free choice of the people concerned.

Secretary Rusk said:

The question of reunification of Viet-Nam should be determined by the Vietnamese through their own free decision.

Then the President went on to propose specific measures as a negotiating position. But before I proceed to that, Mr. President, I ask if any essential difference emerges thus far from a comparison of these statements? The senior Senator from Tennessee is unable to detect any.

President Nixon said, on the withdrawal of troops:

As soon as agreement can be reached all non-South Vietnamese forces would begin withdrawals from South Vietnam.

President Johnson told members of my State's Legislature 2 years ago:

We will begin with the withdrawal of our troops on a reasonable schedule whenever reciprocal concessions are forthcoming from our adversary.

Secretary of Defense Clifford said on November 12, 1968, that, even without approval by the South Vietnamese Government, "we can sit down with Hanoi and begin to work out programs that would call for the withdrawal, both of North Vietnamese forces and of American forces."

President Nixon said:

An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.

Mr. President, here is where I wish to call to the attention of the Senate the development of a divergence. Let me repeat this sentence and call attention by way of emphasis to the last clause of the sentence:

An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.

The Manila declaration of October 24, 1966, states that "any negotiations leading to the end of hostilities incorporate effective international guaranties. They are open-minded as to how such guaranties can be applied and made effective."

President Nixon said:

As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.

I call to the attention of the Senate that insofar as I can now recall—and I believe it is correct—this particular sentence is the first reference that President Nixon made in his speech to elections. And I reread the sentence in order to emphasize that the elections to which the President makes reference are to be under the supervision of an international body rather than under and by the terms of the constitution of South Vietnam.

Mr. President, before going further, I wish to emphasize that I am not attempting to be critical. I do not desire so to be. In the hope of adding to the information of the Senate and, possibly, of the American people, I wish to analyze this subtle, possibly major and historic, change in policy.

If my view of the speech is correct, President Nixon must have reached a decision to extricate the United States from the Vietnam war as quickly as he can, as best as he can, as honorably as he can. I believe this to be the case. I wish him well in that endeavor. I have some apprehension to which I will refer later. But I wish to proceed at this point in trying to understand what has been proposed.

Let me reread this sentence. President Nixon said:

As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.

I have already quoted President Johnson's views in support of elections. President Nixon said:

Arrangements would be made for the earliest possible release of prisoners of war on both sides.

The Manila declaration stated the United States' "willingness to meet under the auspices of the ICRC—International Committee of the Red Cross—or in any appropriate forum to discuss the immediate exchange of prisoners."

President Nixon said:

All parties would agree to observe the Geneva Accords of 1954 regarding Vietnam and Cambodia and the Laos Accords of 1962.

President Johnson said many times, as he told the Tennessee legislators in 1967:

We believe that the Geneva Accords of 1954 and 1962 could serve as the central elements of a peaceful settlement.

Finally, President Nixon said that he was "quite willing to consider other approaches," and that "we are willing to talk about anybody's program. Hanoi's four points, the NLF's 10 points—provided it can be made consistent with a few basic principles I have set forth here."

Point No. 6 of Secretary Rusk's 14-point peace package contained in his statement to the Foreign Relations Committee on February 18, 1966, was that at a peace conference, "Hanoi's four points could be discussed along with other points which others might wish to propose."

So there you have it: The new initiatives, formulas, and rhetoric look suspiciously like "more of the same," amounting to a plea for time and patience at home. For years the American people have been subjected to pleas for a little more time. All the while the killing has continued, with the American losses now surpassing the total in the Korean war. Since President Johnson's decision on March 31, 1968, that a military victory was not in the cards, nearly 14,000 American boys have made the final sacrifice for their country in Vietnam and many, many more have been crippled for life.

While Americans are risking their lives in war—

The President said Wednesday night—

It is the responsibility of their leaders to take some risks for peace.

The risks which the President took are difficult to find. The killing of Vietnamese and Americans continues on Hamburger Hill and elsewhere—I think inexcusably so. Yet, Mr. President, I do take some heart from the President's speech, particularly in what he did not say. A careful examination of what President Nixon did not say may, in fact, as I have said, be a better key to his present negotiating position. For example, he did not refer to victory, not once. Indeed, he eschewed a military settlement of the issue in Vietnam.

Then, again, he did not refer to a coalition government of South Vietnam, as

both he and the previous administration have heretofore done.

When a coalition government was proposed by the late Senator Robert Kennedy, former Vice President Humphrey denounced it as "letting the fox into the chicken coop."

Just a little more than 1 year ago, President Nixon said:

A coalition with the Communists is like putting a cobra and a mongoose together. They try to eat each other.

However, from the speech last Wednesday, it is plain that the President would be satisfied, if not downright pleased, with a "self-determination" process through negotiation instead of election. Indeed, as I have pointed out, he only referred to an "election" after an "international control commission" is agreed upon, and that the election be held under the supervision of that international control commission, not under the South Vietnamese constitution, which would surely contemplate a temporary coalition or a temporary agreement upon some kind of transitional regime satisfactory to both sides.

President Johnson had called for elections—"one man, one vote." Mr. Nixon avoided this term altogether, or any other reference to a popular election, until after an election control commission should be in charge. As far as President Nixon went in this regard was that a settlement should include "a guarantee that this process of self-determination" would be fair.

Mr. President, election fairness is a Western value which we hold precious. But the Vietnamese people have had but scarce experience with fairness in elections.

I must acknowledge that as I listened to the President's speech on the radio, I was impressed that there was very little difference, if any, in what he had said from what he had previously said or from what former President Johnson or his Secretary of State had said.

It was only when I started examining what he had not repeated and what he did not say that it began to occur to me that a decided change had been made, but made very subtly, and that perhaps the President was speaking the Johnson-like hard rhetoric largely for home consumption, while the message to both Hanoi and Saigon was to be found in the omissions from the speech or, in other words, from what he did not say. Perhaps that is an explanation as to why our distinguished Secretary of State, Mr. Rogers, was dispatched to be in Saigon at the time of the President's speech, and perhaps there to explain and, if possible, to placate the Saigon generals. Apparently he was not too successful because President Thieu has demanded a personal meeting with President Nixon which, according to the announcement today, is soon to occur.

I cite this without criticism, but in the hope to bring public understanding of the developments which are now occurring and for which I wish the greatest good fortune.

One deep apprehension I have is that out of an inability to achieve a peaceful settlement, or out of an unwillingness to

accept the kind of peaceful settlement that may be available, President Nixon might turn to the alternative that I believe has been already prepared, which is a phased withdrawal of troops with a commitment that sufficient American troops would remain to maintain the Saigon regime in power. In my view, this would not be a formula for peace but, instead, for prolonged war and long term commitment on the order of South Korea, a costly client state.

In 1964 the American people voted against involvement in a land war in Asia. In 1968 they rejected the policies of the Johnson administration which brought on the very war they had voted against—a war in which their President had plunged them without the authorization of their elected representatives, brought our Nation to the brink of civil war, the dollar close to collapse, and the revulsion of much of mankind.

President Nixon was elected on a pledge to end this tragedy which has so sapped our Nation's spirit, our young men, and our treasure. I have waited for 4 months for a change in policy. I had hoped that on Wednesday night the President would turn away from the discredited and rejected policies of the past and reveal bold new initiatives for peace.

As I said, the bold new initiatives were hard to find, but a careful examination, in my opinion, does reveal a change, subtle though it may be, obscure though the sentences and omissions may appear.

This is a delicate and difficult political operation which the President of our country now undertakes.

Let us acknowledge that politics make wars and wars make politics, bitter and tragic politics, and that men's lives are lost while politicians avoid losing political face. This, too, is said in no criticism, but in order that we may understand or attempt to understand the difficulty of settling a war, particularly in a democracy, without victory. It will try the patience of our country and test the talents of our leaders.

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

Mr. GORE. I yield.

Mr. MURPHY. Mr. President, I wish to thank the distinguished Senator from Tennessee for a most enlightening analysis of the past history of the attempts of the former administration and the former Secretary of State, and efforts up to the present time to find a solution to the unfortunate problems in Southeast Asia.

Last year at the request of the President I did go to South Vietnam as one of those persons selected to observe the election. I did make a report when I came back that would indicate that the people of South Vietnam have had experience because I witnessed what I believe to be the freest and most carefully guaranteed election I had ever seen. I believe I recounted the story of some people who came to vote in a little town called Tilly Wah. I was supposed to be at that polling place. The head man had invited me to have a cup of tea. On the way into this little village, I had stopped to thank him for his courtesy, during

which time two plastic bombs went off, which had been set, I imagine, to get me. Two people were killed and 37 were injured badly. Of the 37 people who were injured, 36 went to the hospital and had their wounds treated, and they then walked back to vote. I have never witnessed a greater determination for democracy than I witnessed in that small country.

I sincerely hope, and I know the distinguished Senator from Tennessee joins me, that the time will come when these people will be given the chance to express their wishes and desires with respect to their own system of government, that all foreign governments can be taken away from the country, and that they can get back to living their own lives as they did for so many hundreds of years in the past. I hope that this can be accomplished as a result of the efforts of the former administration, added to by the efforts of the present administration.

Mr. GORE. Mr. President, I thank the able Senator for his generous remarks. I do recall his eloquent report after his visit to Vietnam. I point out that this election and all elections for a long while now, have been under the military protection of U.S. Armed Forces, and that the particular election to which he referred was held under the Vietnamese Constitution, which forbids certain of its citizens to vote or run for office. Indeed, a goodly number of political and religious leaders, even editors of newspapers, who have dared to suggest a peaceful settlement, a coalition government, or even neutrality of the area, have been thrown into jail. Only today the Associated Press publishes a story that two or three more newspapers have been suspended. That is why I took some encouragement from President Nixon's reference to elections under the supervision of an international control commission.

It seems to me that we must move in the direction of the Geneva accords, and that this is a step in that direction, the Geneva accords having been endorsed in principle by the leaders of all sides of this tragic contest.

I thank the able Senator from California for his generous references.

#### THE ABM SAFEGUARD SYSTEM

Mr. MURPHY. Mr. President, as with many of the proposed deterrent weapons systems in the past, a great furor has been raised lately throughout the country, and in the press and communications media, over the President's decision to begin construction of the Safeguard ABM missile system. The confusion caused by sudden, supposedly knowledgeable persons, including highly publicized scientists with impressive credentials, I think has done a great injustice to those charged with military decisions and those charged with our national security. It has caused anxiety and confusion among our people and in general has been a disservice to the peace and tranquility of this country.

Mr. President, we have listened at great length to the arguments against development and deployment of the Safeguard system. Clearly, and on close

inspection, I, for one, have heard nothing to dissuade me in my belief that this system is not only badly needed but should also be deployed without question as quickly and as successfully as possible.

In fact, it is time, I believe, to ask the question whether this is a move against the ABM system alone or is it really a move by some of the leaders of the opposition to continue unilateral disarmament of the United States?

The most important factor in all the debate which I have heard to date is to decide: Who sees the world as it is today, and who is seeing it as they wish it to be? Whether we deal in fact and reality, or in fantasy and fiction on great questions such as this, it becomes necessary, I believe, to view the facts as pragmatically as possible. I, for one, am most wary of those who would have us accept the view that this planet is one where we are so civilized that war cannot be possible, especially when it is widely acknowledged that one monolithic, political system has announced and continues to announce that it intends to dominate a free people by whatever means are available to it.

Some of those who oppose the ABM system have the advantage of having no responsibility for the security of this Nation. They are usually private citizens whose views on national defense are well known and who do not have to bear the consequences, should our country not be able to defend itself, should, pray God, it ever be needed. Many of these historic hysterical "pacifists" who seem to be affected only by obvious Soviet propaganda—who are now being joined by some of their frantic "peace at any price" brethren, backed up by some "international appeasers" who are mainly responsible, I believe, for our present dilemma because of their bad judgment in the past—are now suggesting that we walk into the four-power meeting, with nothing to trade, and attempt to bargain for the future security of our Nation from a position of extreme weakness.

Mr. President, this makes absolutely no sense to me. There are some who traditionally question all statements and policies made on our side and continue to rate credible all statements made on the side of the Soviets, a great deal of which is known to be pure propaganda. We know from history that attack is most surely invited by weakness. I sense from every corner of the Nation that the majority of Americans are steadfastly opposed to any further reduction in our military deterrent strength, as they know all too well that such reduction would invite aggression and further trouble where there is already too much trouble existing. Yet the appeasers would have us believe that the Soviet nations would rather have a cup of tea, so to speak, and not necessarily tea brewed in China.

Mr. President, I think it is important for us to examine the past records of some of those who oppose the ABM. One well-known scientist has a history of opposition to the development, for instance, of the Polaris submarine. He said the problems of guidance were so nearly insoluble that it won't work. Before that, this same gentleman opposed the

ICBM as being complete folly. Surely, it is now realized that had we heeded his advice, we would now be armed to fight our enemies—unfortunately, if we had to defend ourselves—possibly with slingshots, were there still any of us left alive or unenslaved to go to the defense of our country.

I have heard another, with supposedly distinguished credentials, say that we have no defense against Soviet attack and that it is not possible to build one. If he is right, if there is no defense, then I would suggest that we might immediately turn our country over to those who have insisted they will dominate us eventually. Then we would have the great privilege of enjoying the kind of freedom we have seen lately imposed upon the great people of Czechoslovakia and, before that, the people of Hungary, who wish to be free.

Certainly, the American people are not fooled by these bursts of quasi-scientific rhetoric, since they know well that had we not been able to defend ourselves since World War II, we would quite possibly now be even in worse condition than we find ourselves.

Mr. President, some have said that the Soviets have stopped deployment of their ABM for various reasons, including the one, "maybe it does not work," or the "Soviets do not want to contribute to the arms race."

I heard one distinguished expert witness say with great authority that the Soviet ABM system would not work. I asked him whether that was from exact, scientific knowledge, or merely opinion. He agreed that it was merely opinion. I pointed out that was a dangerous statement to make, and might confuse people as between his scientific background and credentials and the mere expression of his personal opinion.

Their basic thesis that the Soviets have slowed down or stopped deployment may or may not be correct. I am inclined to believe that it is not correct. But they have missed one very important possibility, and that is that if they were the Premier of Russia and observed the United States agonizing over whether to deploy the ABM—a weapon that the Soviets had already deployed and had already tested—what would they do? The Premier would hear the voices of those who would advise the American President not to build an ABM, appear to abandon his own system, placing his bet on the possibility that perhaps the United States might misread his reasons, and might not proceed in matters concerning its own defense.

Some scientists who oppose an ABM do so for technical reasons. They say it will not work. Some of these same scientists in years past said that jet aircraft would not work; that we could not break the sound barrier; that supersonic aircraft were not acceptable to the scientific world. All material was supposed to disintegrate from the impact on approaching the sound barrier. They said that nuclear weapons and ICBM's were not possible, either. Yet when American ingenuity, inventiveness, industry, and determination were turned to these problems, they worked beyond our wildest expectations.

I would compliment the Senator from Rhode Island, who recently quoted from a letter he received from Adm. H. G. Rickover, who said:

As for the assertion that the ABM cannot be made to work, I must disagree. If there is one lesson I have learned in the many years I have devoted to the development of nuclear powerplants, it is that, given the soundness of a theoretical concept, it can, with drive and imaginative engineering, be made to work.

Mr. President, some note must be made at this point of the status of Soviet preparedness and its so-called first-strike capability. It was only a short time ago that there was no necessity for concern about the Soviet capability. Now the question arises and there are some who are concerned that possibly the seat of power has changed from the United States and resides in the Soviet Union. We have heard much lately of the very powerful and versatile new Soviet weapon, the SS-9. The Soviets also have in their ICBM nuclear inventory the SS-7, SS-8, SS-11, and SS-13. The SS-13 is the Soviet mobile ICBM, which is difficult to locate, extremely difficult to destroy, and has not yet been shown publicly.

I call to the attention of this distinguished body that just on last May Day, for the first time in 23 years, the Soviet Union did not display any of its armaments. It had them. Its increase in deployment and manufacture has gone beyond our expectations, and the armaments were in the area of Moscow. It is believed by some persons that the decision not to display them was made at the very last minute. But they were there. They were present. We know that the Soviets can launch 2,450 warheads as soon as 1971, or 1,905 warheads by early next year. It is not a comfortable position, and I cannot understand those who say it is foolhardy for us to do everything possible to defend this great Nation.

What about the technical story of the Russian ABM? The Soviets began deployment in 1963, and its development was based on an organization founded as far back as 1954. This organization enjoys equal importance and status with the Russian Army, Navy, and Air Force. The Soviets are well aware of the value of their system, and they have obviously given it great emphasis. In fact, the ABM's deployed around Moscow are now, we believe, in operational status.

It is important for us to realize, as we proceed in consideration of the President's request for funds to begin the deployment of the Safeguard, that some of those who oppose the program do so with good intentions and honest intentions, but some of them would misguide us as to its technical capabilities, the status of Soviet armaments, and our position as a strong and free nation.

They represent some of those who have made mistakes in judgment before, who are overtrusting of our enemy, and who come from a group which seems to want our Nation to be run by a staff of self-selected intellectuals in residence rather than by the elected representatives of the people who meet in the Congress under the Constitution and the democratic

processes which have made our country so great.

As the distinguished minority leader in the House of Representatives has said, those who oppose the deployment of an ABM are often the same people who would unilaterally disarm the United States. They do our country a disservice and, if acceded to, they may place us in great peril.

Mr. President, I would, after careful consideration, suggest that the ultimate safety of our people and our Nation must not be neglected in these matters. It demands the most careful scrutiny and study of all possibilities. As the highly publicized scientists admit, insofar as I am able to ascertain, there is no other system available. There are highly publicized scientists whose reputation in the past, I am sure, is as great as that of those who oppose, who urge with all enthusiasm that we should proceed with deployment of the ABM, proceed with research and development, and do everything possible to make certain that this great Nation not become a second-rate nation simply because we have neglected our duties to our people.

Mr. President, I look forward to an extended debate here in this Chamber on this most important matter, and I sincerely hope that the entire debate will be carried by the communications media to our people, so that all may understand all of the conditions, all may understand the necessity, all may understand the true figures and the facts.

In closing, I would hope, as sincerely as anyone here, that, at long last, in the coming meetings which our President is preparing to attend, we may find some other solution than the need of great armaments and great deterrents, at tremendous cost to our already overtaxed people. But until such agreements, with safeguards and guarantees, are arrived at, I recommend that the President's request for the ABM be acceded to and that the Members of this body stand firmly in his position, in his corner, so that the security of this country may be as safe as it is possible for scientific achievement and for the will and wishes of the men representing our people in this Chamber to achieve.

I thank the Senator, and I yield the floor.

#### MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 104) to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

#### THE DOUGLAS RETAINER

Mr. CURTIS. Mr. President, a second shock and a second wave of sadness has struck the American people in connection with the Supreme Court of the United States. It was but a few days

ago that an Associate Justice of the Court resigned because of circumstances growing out of the receiving of money from a foundation which had a connection with a defendant who had been indicted and convicted.

Now the people are confronted with a new account which recites that between the years 1962 and 1968 Supreme Court Justice William O. Douglas was paid \$72,000 by the Parvin Foundation, a tax-exempt institution which has ownership in several gambling hotels and casinos in Las Vegas.

Back in 1965 I spoke against the confirmation of Mr. Abe Fortas for an Associate Justice of the Supreme Court. At that time I called the attention of the Senate to Mr. Fortas' role in the Bobby Baker and Walter Jenkins cases. I said then and I repeat now that I do not hold a lawyer guilty of any offense by reason of the fact that he represents clients who have violated the law. My objection to Mr. Fortas was that in many instances he practiced fixing and did not practice law.

On October 22, 1965, I opposed the confirmation of another Bobby Baker lawyer for U.S. attorney in the District of Columbia. The record will show that my objection was based upon the fact that the nominee issued a statement, which was never repudiated, to the effect that he did not know that Bobby Baker was connected with the Serv-U Corp. At that time I expressed my disapproval of the fact that the Bobby Baker gang was taking over our Government.

Now, Mr. President, we again find traces of Bobby Baker in the Justice Douglas matter. The article by Mr. Dan Thomasson in the Washington Daily News for May 19, 1969, reports the recent developments in the Douglas matter. Among other things it says that in 1965 when the Fremont Casino was purchased by Parvin-Dohrmann that there was an agreement that Edward Levinson, then an officer of the Fremont Casino, was to be paid \$100,000 a year for 5 years. The Mr. Parvin of the Parvin-Dohrmann Co. is the Mr. Parvin of the Parvin Foundation from which Mr. Douglas was paid his money.

The Washington Daily News item further points out that the Mr. Levinson, who was so generously treated by the Parvin interests, invoked the fifth amendment against possible self-incrimination when called before the Senate committee investigating Bobby Baker.

Mr. President, this whole story is a sad one. How can we have a return to morality, honesty, and law obedience on the part of all Americans until those individuals in high places of authority in our Government possess an integrity that is beyond reproach? High Government officials are leaders of the Government and leaders of the Nation and they should be the type of individuals who the entire Nation can look up to.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from the Washington Daily News for May 19, 1969, to which I have referred.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

FOUNDATION TO DOUGLAS: \$72,000 FOR ADVICE  
(By Dan Thomasson)

Between 1962 and 1968, Supreme Court Justice William O. Douglas was paid \$72,000 for his advice on how to spend about \$450,000 in charitable contributions made by the Parvin Foundation, a tax-exempt institution partially financed by an interest in a Las Vegas gambling hotel.

Justice Douglas' association with the foundation, which ignited a flurry of controversy when first revealed two years ago, has come under renewed public and congressional attack in the wake of the resignation from the Supreme Court of his fellow associate justice and protege, Abe Fortas.

In Congress the question is being asked whether Mr. Fortas' acceptance, but later return, of a \$20,000 fee from the family foundation of jailed financier Louis E. Wolfson is much different from the \$12,000 a year Justice Douglas earns as president of another foundation created by a man once named by the government as an alleged co-conspirator with Wolfson in a stock manipulation case.

That man is Albert Parvin, former president of the Parvin-Dohrmann Co., a firm that originally supplied equipment for hospitals and other businesses but later acquired interests on the Las Vegas gambling strip. Mr. Parvin set up the foundation—principally supported by an interest in the Flamingo Hotel in Las Vegas—in 1960 after reading a book by Justice Douglas.

#### NAMED PRESIDENT

He asked Justice Douglas to serve as president and director and Justice Douglas, according to another director, ex-newspaper editor Harry S. Ashmore, named a board to guide the foundation's activities.

Most of the activity over the last six years has centered on Justice Douglas' own pet project of stimulating the understanding of Western culture in Latin America's underdeveloped nations through granting fellowships to promising young scholars from "emerging nations."

Besides the original Flamingo Hotel interest, the foundation owns shares of Parvin-Dohrmann which, in turn, owns the Alladin, Fremont and Stardust hotels' casinos in Las Vegas.

#### BAKER LINKS

In 1965 when the Fremont casino was purchased by Parvin-Dohrmann the agreement stipulated that Edward Levinson, then an officer of the Fremont casino, was to be paid \$100,000-a-year for five years. Mr. Levinson invoked the Fifth Amendment against possible self-incrimination when called before a Senate Committee Investigating the dealings of Robert G. (Bobby) Baker, former secretary of the Senate who later was convicted on several criminal counts.

Mr. Levinson was a co-stockholder with Baker in the Serv-U Corp., a vending machine firm from which some of Baker's troubles stemmed. The firm's counsel during part of the Serv-U case was Mr. Fortas.

The Parvin Foundation, it was learned, also hired Mr. Fortas wife, attorney Carolyn Agger, in 1966 to look at his tax situation at a time when the IRS had begun an investigation of the foundation.

Mr. Ashmore said Mrs. Fortas employed the services of an independent auditing firm which proved nothing was wrong in the foundation's tax returns. Mr. Ashmore said he believes the IRS was satisfied because no action against the foundation ever was taken.

He said the difficulties with IRS apparently stemmed from the foundation's stock portfolio, which was being managed by a finance committee headed by Mr. Parvin. It was about this time that the foundation, in its 1966 returns, finally reported to IRS a transaction which took place in 1961.

In the 1961 deal, Mr. Parvin sold the foundation 95,000 shares of Webb and Knapp, Inc., a real estate and construction firm now in receivership at market value.

Mr. Ashmore said he believes this transaction and the general management of the portfolio had caused IRS concern. Since then the foundation's stock inventory has been managed by an independent brokerage firm, he said.

Mr. Parvin himself was named by a Federal grand jury in a bill of particulars as an alleged co-conspirator with Wolfson in the Merritt-Chapman Scott stock manipulation case. Mr. Parvin never was indicted.

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

Mr. CURTIS. I yield.

Mr. MURPHY. The Senator referred in his speech to the purchase by Parvin-Dohrmann of the Fremont Casino in Las Vegas.

Mr. CURTIS. I quoted the Washington Daily News.

Mr. MURPHY. This Senator would inquire, what is the Fremont Casino?

Mr. CURTIS. I would yield to the distinguished Senator from California to describe it. I understand it is a hotel.

Mr. MURPHY. A hotel?

Mr. CURTIS. Yes.

Mr. MURPHY. Does the hotel contain a gambling house?

Mr. CURTIS. There again, I would have to rely upon someone else to tell me.

Mr. MURPHY. It is located, to the best of the Senator's knowledge, in Las Vegas; is that not true?

Mr. CURTIS. That is right. It is generally reported by the newspapers as being a part of the gambling apparatus.

Mr. MURPHY. Here again, as is often the case, this is not the type of establishment that used to be familiar to the Senator from California as a casino. Mrs. Murphy and I danced, years ago, in a place in New York, in Central Park, which was known as the Central Park Casino—a place where they had music and dancing, and served food, but there was no gambling. This is, I believe, a different type of casino, where they serve food, and it is also basically a gambling casino, is that correct?

Mr. CURTIS. That is my understanding from the press descriptions, yes.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CURTIS. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I might add to the Senator's comments that there is no question as to where the money comes from or their source of revenue. It is well known that the major part of the assets of the Dohrmann Co. is derived from gambling activities. As I understand, the only two agreements for payments were made to Mr. Levinson and Justice Douglas. So here we have a member of the Supreme Court and a man who takes the fifth amendment to avoid self-incrimination, both planning to get on the payroll of the same group of Las Vegas gambling interests.

I think that is not the type of person we should have on the Supreme Court. I must say I have been very much concerned that the bar association itself has not paid more attention to the Douglas

transaction. I expressed concern in this body 3 or 4 years ago about Justice Douglas' being on the payroll of this foundation.

I think that the bar association has a responsibility when it recommends all these people who have been referred to as Bobby Baker's friends. It recommended them most enthusiastically, including Mr. Fortas, Justice Douglas, Mr. Bress—all of them. They supported all of them when their nominations were before the Senate. I think the bar association has a duty to investigate the conduct and character of those it recommends a little bit more carefully than it has been doing.

Mr. CURTIS. I thank the Senator. I think, in fairness to some of the members of the American Bar Association, many of them have expressed regret and chagrin at the bar association's endorsement, for instance, of Mr. Abe Fortas for Chief Justice. Later on, those responsible for the endorsement seemed to contend they were speaking only as to legal ability.

Mr. President, that should not be. The selection of a Supreme Court Justice is a very serious and far-reaching matter. Anybody can turn to Martindale and find out how someone is rated as a lawyer.

No individual, no organization, or no committee should recommend to the U.S. Senate that an individual be elevated to the Supreme Court of the United States without knowing what they are talking about, after having made a thorough investigation as to the man's total background and his total competence to serve in that capacity.

I am sure that this ill-advised action of a committee of the American Bar Association was disapproved by many members of that organization.

Mr. WILLIAMS of Delaware. There is no question about that; it is a matter of record. Many members of the bar did oppose their confirmation, and I think the bar association has learned its lesson not to conduct just a preliminary telephone conversation with a few members just to approve someone when the President is trying to get one of his cronies on the bench. I believe that in the future we will get a little more careful study from the bar association; at least I hope so.

Mr. CURTIS. Mr. President, I agree with the Senator completely. It is also my opinion that no President should send to the Senate a nomination of any person for the Supreme Court who is not recognized by everyone as an eminent lawyer or an eminent judge. Otherwise, I cannot see much good service in a bar association's recommendations with respect to the Supreme Court.

I would not apply that rule to other courts, to specialized courts, tax courts, and the like, because it would not be infrequent that we would have a nominee unfamiliar to many Senators. Their professional organizations, if they do a thorough job and examine their total qualifications, can render a service. But it is inconceivable that any President of the

United States should send to the Senate the name of someone for a lifetime appointment to the Supreme Court of the United States unless that individual had established his preeminence as a lawyer and a judge in the eyes of the general public before such nomination was made.

#### THE AMERICAN BAR ASSOCIATION CONDEMNNS FORTAS

Mr. WILLIAMS of Delaware. Mr. President, under date of May 7, 1969, I addressed a letter to Mr. William T. Gossett, the president of the American Bar Association in Chicago.

I read the letter:

U.S. SENATE,  
Washington, D.C., May 7, 1969.

Mr. WILLIAM T. GOSSETT,  
President, American Bar Association,  
Chicago, Ill.

DEAR MR. GOSSETT: Canons 4 and 24 of the Judicial Ethics of the American Bar Association read as follows:

"Canon 4: A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

"Canon 24: A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

In this week's Life magazine Justice Fortas is charged with having accepted a \$20,000 fee from a private foundation controlled by Louis Wolfson, who at the time was under investigation by various agencies of the United States Government, including the Department of Justice.

I am sure that the American Bar Association has read both the charges as outlined in Life as well as Justice Fortas' answer thereto; therefore, I am asking the question: Does Justice Fortas' acceptance of this fee under circumstances as outlined violate the Canons of Judicial Ethics of the American Bar Association?

Yours sincerely,

JOHN J. WILLIAMS.

This letter was mailed on May 7. I have just received a letter from Mr. Gossett which was hand delivered about 3 minutes ago. It is a copy of the letter as that contained in the press release which was released by their office 2 hours ago downtown.

It reads:

MAY 20, 1969.

Senator JOHN J. WILLIAMS,  
New Senate Office Building,  
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in response to your letter of May 7, requesting an interpretation of Canons 4 and 24 of the American Bar Association Canons of Judicial Ethics.

The ABA Standing Committee on Professional Ethics, having considered the matter at my request, has issued a Formal Opinion and an Informal Opinion, a copy of each of which is enclosed.

Both Opinions are being released to the news media today.

Sincerely yours,

WILLIAM T. GOSSETT.

I will read the enclosures. The first one is signed by the committee. It reads:

AMERICAN BAR ASSOCIATION,  
STANDING COMMITTEE ON PROFESSIONAL ETHICS,

Chicago, Ill., May 18, 1969.

HON. WILLIAM T. GOSSETT,  
President of the American Bar Association,  
Chicago, Ill.

In re informal opinion No. 1114 former Associate Justice Abe Fortas.

DEAR MR. GOSSETT: The Standing Committee on Professional Ethics of the American Bar Association, whose jurisdiction includes both professional ethics and judicial ethics, in view of the importance to the profession and in recognition of the public interest in the controversy, is submitting to you as President of the Association the Committee's opinion on this question: Did former Justice Abe Fortas' conduct and relationship with Louis E. Wolfson and the Wolfson Family Foundation violate the Canons of Judicial Ethics?

The Committee is aware that during the pendency of the controversy, Mr. Justice Fortas resigned from the Supreme Court of the United States. Nevertheless, it is the Committee's judgement that the circumstances require that its opinion be submitted to you so that, to the extent possible, the ethical issues shall be made clear for the legal profession, for members of the judiciary, and for the public.

#### STATEMENT OF FACTS

The Committee is not and has no means of acting as a fact-finding body. Therefore, we have assumed the essential accuracy of the following statement of facts taken from then Justice Fortas' letter, in connection with his resignation, to Chief Justice Warren, of which a copy is attached. Any substantial difference between these stated facts and any facts that may be subsequently disclosed might change our conclusions.

1. Prior to his appointment and confirmation as an Associate Justice of the Supreme Court of the United States, former Justice Fortas was engaged in the private practice of law as a senior partner in a prominent law firm, and the firm represented certain corporations, in which financier Louis E. Wolfson and his associates held high office or had substantial investments, in connection with securities law problems. Mr. Fortas became acquainted with Mr. Wolfson, and they discussed the program of the Wolfson Family Foundation, established by Mr. Wolfson and his family, for improvement of community relations and the promotion of racial and religious cooperation, which were of special interest to Mr. Fortas, as well as the legal matters being handled by Mr. Fortas' law firm.

2. In the fall of 1965, after he became a member of the Supreme Court, Justice Fortas indicated to Mr. Wolfson his continuing interest in the Foundation's program, and they discussed the participation of Justice Fortas in the project on a long-term basis, for which he would receive \$20,000 per year for his life, with arrangements for payments to his wife if she survived him. Pursuant to the agreement, the Foundation paid \$20,000 to Justice Fortas in January of 1966. In June of 1966, Justice Fortas attended a meeting of the trustees of the Wolfson Family Foundation in Jacksonville, Florida. Louis Wolfson may not have been present at the meeting. After the meeting, Justice Fortas visited with Mr. Wolfson at his farm residence near Ocala, Florida, apparently staying overnight.

3. During this period (fall of 1965-June of 1966), federal authorities were conducting intensive investigations of Mr. Wolfson and his associates, for possible criminal violation of federal security laws. Justice Fortas was aware of the investigation, and Mr. Wolfson talked and wrote to Justice Fortas about the problems.

4. Some time during June, or perhaps earlier in 1966, Justice Fortas learned that Mr. Wolfson's file had been referred to the Department of Justice for consideration as to criminal prosecution. In the latter part of June of 1966, Justice Fortas wrote a letter to the Wolfson Family Foundations' general counsel, cancelling the \$20,000 per year agreement subject to completing projects for the year and reciting only the burden of Supreme Court work as the reason for the cancellation.

5. In September and October of 1966, Mr. Wolfson was indicted on separate federal charges stemming from stock transactions. In December of 1966, Justice Fortas returned to the Foundation the entire \$20,000 which it had paid to him the preceding January.

#### SUPPLEMENTAL FACTS

Mr. Wolfson, in 1967, was convicted of at least one of the charges for which he had been indicted in the fall of 1966, and in April of 1969, the Supreme Court with Justice Fortas announced as not participating, refused to review the conviction.

The relationship between Mr. Fortas and Mr. Wolfson was the subject of an extensive article, signed by William Lambert, in the issue of Life Magazine released on or about May 4, 1969, which immediately resulted in wide publicity and discussion. Mr. Fortas stated in his letter to the Chief Justice that he did not, while a member of the Court, intercede or take part in any legal, administrative or judicial matter affecting Mr. Wolfson or anyone associated with him.

On May 14, 1969, Mr. Fortas submitted his resignation as Associate Justice to the President, and it was accepted. The resignation was made public on May 15, 1969.

#### ETHICAL CONSIDERATIONS

In 1924, the American Bar Association promulgated its Canons of Judicial Ethics, stating in the preamble, "... the American Bar Association, mindful that the character and conduct of a judge should never be objects of indifference, and that declared ethical standards tend to become habits of life . . . adopts the following Canons, the spirit of which it suggests as a proper guide and reminder for judges, and as indicating what the people have a right to expect from them."

The following provisions of the Canons of Judicial Ethics bear upon the Fortas question:

Canon 1. "The assumption of the office of judge casts upon the incumbent duties in respect to his personal conduct which concern his relation to the state and its inhabitants . . ."

Canon 4. "A judge's official conduct should be free from impropriety and the appearance of impropriety; . . . and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

Canon 13. "A judge, . . . should not suffer his conduct to justify the impression that any person can improperly influence him or unduly enjoy his favor, or that he is affected by the kinship, rank, position or influence of any party or other person."

Canon 24: "A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

Canon 25: "A judge . . . he should not . . . enter into any business relation which in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties."

Canon 26: "A judge . . . should, so far as reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial

attitude of mind in the administration of his judicial duties."

Canon 31: ". . . He may properly act as arbitrator or lecturer upon or instruct in law, or write upon the subject and accept compensation therefore, if such course does not interfere with the due performance of his judicial duties, and is not forbidden by some positive provision of law."

Canon 34: "In every particular his conduct should be above reproach. He should be . . . indifferent to private political or partisan influences; he should . . . deal with his appointments as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity."

Viewed in the light of the foregoing provision, it is our opinion that the conduct of Mr. Fortas, while a Supreme Court Justice, described in his statement of the facts, was clearly contrary to the Canons of Judicial Ethics, even if he did not and never intended to intercede or take part in any legal, administrative or judicial matters affecting Mr. Wolfson.

The Chairman of the Committee having recused himself did not participate in the deliberations leading up to or the action approving this opinion.

The opinion of the committee is unanimous.

Respectfully submitted,

THOMAS J. BOODELL,  
C. A. CARSON III,  
CHARLES W. JOINER,  
KIRK M. McALPIN,  
SAMUEL P. MYERS,  
FLOYD B. SPERRY,  
BENTON E. GATES,  
*Acting Chairman.*

I ask unanimous consent that the enclosed formal opinion, No. 322, accompanying this letter be printed at this point in the RECORD.

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

#### FORMAL OPINION 322

All judges, of the lowest as well as the highest courts, must in all their personal business and social intercourse act not only in a manner that is lawful and proper but one which gives the impression and appearance to the public that it is proper. Appearance of impropriety is to be determined from all facts and circumstances and will vary depending on all facts, including matters beyond the judge's control. A judge must order his life so as to avoid the appearance of impropriety.

Canons Interpreted: Judicial Ethics 1, 4, 13, 24, 25, 26, 31, 32, 33, 34.

In view of the current public interest in the conduct of judges, the Committee on Professional Ethics has formulated this opinion as to the ethical propriety related to personal, social and business activities of judges.

The Canons of Judicial Ethics that may have some bearing on this matter are as follows:

#### CANON 1. RELATIONS OF THE JUDICIARY

The assumption of the office of judge casts upon the incumbent duties in respect to his personal conduct which concern his relation to the state and its inhabitants, the litigants before him, the principles of law, the practitioners of law in his court, and the witnesses, jurors and attendants who aid him in the administration of its functions.

#### CANON 4. AVOIDANCE OF IMPROPRIETY

A judge's official conduct should be free from impropriety and the appearance of im-

propriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.

#### CANON 13. KINSHIP OR INFLUENCE

A judge should not act in a controversy where a near relative is a party; he should not suffer his conduct to justify the impression that any person can improperly influence him or unduly enjoy his favor, or that he is affected by the kinship, rank, position or influence of any party or other person.

#### CANON 24. INCONSISTENT OBLIGATIONS

A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions.

#### CANON 25. BUSINESS PROMOTIONS AND SOLICITATIONS FOR CHARITY

A judge should avoid giving ground for any reasonable suspicion that he is utilizing the power or prestige of his office to persuade or coerce others to patronize or contribute, either to the success of private business ventures, or to charitable enterprises. He should, therefore, not enter into such private business, or pursue such a course of conduct, as would justify such suspicion, nor use the power of his office or the influence of his name to promote the business interests of others; he should not solicit for charities, nor should he enter into any business relation which, in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties.

#### CANON 26. PERSONAL INVESTMENTS AND RELATIONS

A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court; and after his accession to the Bench he should not retain such investments previously made, longer than a period sufficient to enable him to dispose of them without serious loss. It is desirable that he should, so far as is reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial attitude of mind in the administration of his judicial duties.

He should not utilize information, coming to him in a judicial capacity, for purposes of speculation; and it detracts from the public confidence in his integrity and the soundness of his judicial judgment for him at any time to become a speculative investor upon the hazard of a margin.

#### CANON 31. PRIVATE LAW PRACTICE

In many states the practice of law by one holding judicial position is forbidden. In superior courts of general jurisdiction, it should never be permitted. In inferior courts in some states, it is permitted because the county or municipality is not able to pay adequate living compensation for a competent judge. In such cases one who practices law is in a position of great delicacy and must be scrupulously careful to avoid conduct in his practice whereby he utilizes or seems to utilize his judicial position to further his professional success.

He should not practice in the court in which he is a judge, even when presided over by another judge, or appear therein for himself in any controversy. If forbidden to practice law, he should refrain from accepting any professional employment while in office.

He may properly act as arbitrator or lecturer upon or instruct in law, or write upon the subject, and accept compensation therefor, if such course does not interfere with the due performance of his judicial duties.

and is not forbidden by some positive provision of law.

#### CANON 32. GIFTS AND FAVORS

A judge should not accept any presents or favors from litigants, or from lawyers practicing before him or from others whose interests are likely to be submitted to him for judgment.

#### CANON 33. SOCIAL RELATIONS

It is not necessary to the proper performance of judicial duty that a judge should live in retirement or seclusion; it is desirable that, so far as reasonable attention to the completion of his work will permit, he continue to mingle in social intercourse, and that he should not discontinue his interest in or appearance at meetings of members of the Bar. He should, however, in pending or prospective litigation before him be particularly careful to avoid such action as may reasonably tend to awaken the suspicion that his social or business relations or friendships, constitute an element in influencing his judicial conduct.

#### CANON 34. A SUMMARY OF JUDICIAL OBLIGATION

In every particular his conduct should be above reproach. He should be conscientious, studious, thorough, courteous, patient, punctual, just, impartial, fearless of public clamor, regardless of public praise and indifferent to private, political or partisan influences; he should administer justice according to the law, and deal with his appointments as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity.

At the outset, attention should be called to a limitation of the jurisdiction of this Committee pertaining to questions of law. Rule 1 of the Committee provides that it shall not render opinions on questions of law and the Association's By-Laws giving rise to the Committee prohibit the Committee from dealing "with questions of judicial decisions or judicial discretion". The Committee at all times has refused to become involved in any questions about what is or what is not legal. Its function is to determine the ethical propriety of actions as prescribed by the Canons of Professional and Judicial Ethics of the American Bar Association. Therefore, any statement contained herein is not to be construed as dealing with the lawfulness of actions.

The Canons also make a careful effort to deal directly with some of the activities of judges that may give the appearance of impropriety even though no impropriety may actually exist. For example, Canon 32 prohibits a judge from accepting presents or favors from litigants or from lawyers. Canon 31 prohibits a judge of a superior court from practicing law. Canon 25, specifically grounded on avoidance of suspicion that a judge is utilizing the power or prestige of his office, enjoins him from persuading others to patronize or contribute to private business ventures or charitable enterprises and specifically states that he should not enter into private business or pursue any course of conduct that would justify such a suspicion, nor use the power of his office or the influence of his name to promote the business interest of others. He should not solicit charities nor enter into any business relationship which in the normal course of events could be reasonably expected to bring his personal interests into conflict with the impartial performance of his official duties. Canon 24 deals with the problem of inconsistent duties and states that he should not incur obligations, pecuniary or otherwise, that would interfere with the devotion to the expeditious and proper administration

of his official function. Canon 13 specifically enjoins the judge from acting in controversies in which there might be the impression that he could be improperly influenced because of rank or kinship or position or influence of a party or other person. Canon 4 deals specifically with the broad problem, stating that the judge's conduct should remain free from impropriety and the appearance of impropriety. It enjoins him to keep not only his official but his everyday life beyond reproach.

The thrust of all this is that although the judge may continue to mingle in social intercourse and is not to be deprived of the everyday enjoyments of living, he is and should be very much circumscribed in what he can do appropriately, and the lines are drawn not only as to what is lawful and what is proper, but as to what appears to be lawful and what appears to be proper. Because of the position of the courts and because of the needs of the citizens to understand that the courts are above reproach, the lives of our judges are far more circumscribed than the rest of us.

Most of the opinions interpreting the Canons of Judicial Ethics deal with actions of judges of inferior courts and courts of general jurisdiction. There are very few opinions involving judges of courts of review. The reason for this is obvious for there are many fewer judges of courts of review and as a matter of course they are farther removed from the ordinary activities of the ordinary lawyer. However, it should be clear that these Canons of Ethics apply to judges at all levels and probably, as they relate to appearances of impropriety, apply with greater strictness to the judges of higher courts, for the conduct of judges of higher courts sets the tone for the whole judiciary.

The opinions rendered by this Committee have made clear that the philosophy enunciated in the Canons has been carried forward in the opinions and that appearances of impropriety are equally as important as improper actions themselves.

Early in the history of this Committee it was asked to render an opinion upon the action of a judge in testifying as to the good character of a defendant in a criminal case; and although the Committee could find no inherent impropriety in giving such testimony and although the Committee recognized that there could be cases in which such testimony would be appropriate, the judge was cautioned that in so testifying he must give serious thought to the weight of his judicial position and dignity. He was specifically cautioned against "attempts of the defense to throw into the scales the weight of his judicial position." Formal Opinion 15. The Committee on two separate occasions has proscribed a judge from appearing on commercial radio broadcasts. Formal Opinions 166 and 298. It has also prohibited judges from accepting loans from lawyers. Formal Opinion 89. It has prohibited judges from becoming involved in solicitation of funds for charitable purposes. Formal Opinion 238 and Informal Opinion 390.

The Committee on one occasion, Formal Opinion 52, wrote that a judge who was writing a column for a newspaper on matters involving political and controversial subjects for which he should receive substantial remuneration, was not acting in accord with the standards prescribed by the Canons of Judiciary Ethics. The Committee pointed out that there "are many things which involve no wrong doing and which would not be considered as subject to criticism in the case of a lawyer, but are derogatory to the dignity of a judge". It specifically cited Canon 4 pertaining to the avoidance of impropriety and Canon 24 involving inconsistent duties, as well as Canon 34 pertaining to conduct above reproach. The Committee believed that although Canon 31 specifically permits a judge to lecture and instruct in law, this did

not permit him to write in the form of specific articles for the paper for extra compensation, because of the possibility of bringing the judicial system into disrepute, because of the fact that the outside activity might lead to the impairment of judicial efficiency and because of the public expression of views might influence the judge's decision on the bench. It is clear that this Committee has been consistent throughout its history in giving as much attention to the appearance of impropriety as to the question of impropriety.

It is therefore the opinion of the Committee there is nothing wrong with a judge maintaining his friendship with individuals with whom he had had social contact prior to going on the bench or with whom he had done business prior to this time. However, he must be careful to avoid action that may reasonably tend to awaken suspicion that his social or business relations or friendships constitute an element in influencing his judicial conduct. The kind of activity that may involve appearances of impropriety, of course, will vary from case to case and will depend in part upon matters beyond the judge's control. Efforts on the part of persons suggesting that they have special influence should alert the judge to the problems of propriety in connection with his personal affairs and to the appearance of impropriety in continuance of a relationship with such a person. The kind of relationship also will be of significance.

The thrust of the Canons and the opinions under the Canons make it clear that while few single acts of conduct in this area are specifically to be condemned, in each instance the judge is commanded to order his life in such a way that there are no appearances of impropriety and admonished that these can come from a combination of circumstances, some within and some without the judge's control. When the appearance of impropriety comes from beyond the judge's control, his obligation is greater to do, or refrain from doing, acts contributing to that appearance.

The right of the judge to disqualify himself on matters before the court does not answer all questions of impropriety of individual relationship to a judge for the Canon specifically proscribes actions by a judge that creates the appearance of impropriety. Friendship alone, prior representation alone, acceptance of fees alone might not be enough to make impropriety, but the Canons direct that the total appearance of the transactions be weighed. Although there may be no inherent impropriety in any specific act performed by a judge, a person in his position must give serious thought to the weight of his judicial position and dignity and is cautioned against permitting any person to throw onto the scales of justice the weight of his judicial position. See Formal Opinion 15. These principles apply to all judges, including the judges of the highest as well as the lowest courts of the land; and the reasons therefor are that the public must have absolute faith in the competence and the integrity of the courts and must have complete belief that the places of justice are wholly untainted and untarnished by scandal or suspicion of scandal.

The public is conscious of problems of possible conflicts of interest at the present time. The public is rightfully concerned with the interests of legislators, of lawyers, of businessmen and the basis on which their decisions are made. The public rightfully is interested in the appearance of impropriety on the part of its judges, and the public's judges should conform to the standards set forth many years ago by the thoughtful members of the legal profession and codified in the Canons of Judicial Ethics.

In view of the Judicial Canons and the opinions herein referred to, the Committee feels that a judge or justice should not undertake any obligations or enter into any

relationship of any kind or nature whatsoever which might in any way be inconsistent with his duties and obligations as a judge or which in any way might point to impropriety on the part of a judge.

Mr. WILLIAMS of Delaware. I ask unanimous consent to have printed in the RECORD the press release of the American Bar Association in connection with the same series of correspondence.

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

AMERICAN BAR COMMITTEE SAYS FORTAS VIOLATED JUDICIAL ETHICS CANONS

WASHINGTON, May 20.—The American Bar Association Committee on Professional Ethics held in an informal opinion made public today that the relationship of former Supreme Court Justice Abe Fortas with Louis E. Wolfson and the Wolfson Family Foundation was "clearly contrary" to the Canons of Judicial Ethics.

The opinion was transmitted by ABA President William T. Gossett to Senator John J. Williams (R-Del.) in response to the Senator's request for an interpretation of the Canons as they applied in the Fortas case. It was made public simultaneously by the bar association.

The ABA ethics panel said it reached its conclusion unanimously on the basis of statements made by Justice Fortas in the letter he wrote to Chief Justice Warren when he resigned from the Supreme Court last week.

The committee cited eight separate Canons of Judicial Ethics as "bearing on the Fortas question," including several which stress the duty of a judge not only to avoid improprieties in his official conduct, but also any acts which might in any way give the appearance of improprieties.

"Viewed in the light of the foregoing provision, it is our opinion that the conduct of Mr. Fortas, while a Supreme Court Justice, described in his statement of the facts, was clearly contrary to the Canons of Judicial Ethics, even if he did not and never intended to intercede or take part in any legal, administrative or judicial matters affecting Mr. Wolfson," the opinion said.

The ethics committee said it was submitting the "informal opinion" (one given in response to a specific inquiry) in view of its "importance to the legal profession and in recognition of the public interest in the controversy" surrounding the case. The committee's statement to President Gossett added:

"The Committee is aware that during the pendency of the controversy Mr. Fortas resigned from the Supreme Court. Nevertheless, it is the Committee's judgment that the circumstances require that the opinion be submitted to you so that, to the extent possible, the ethical issues shall be made clear for the legal profession, for members of the judiciary, and for the public."

The committee said it addressed itself only to the question: "Did former Justice Fortas' conduct and relationship with Louis E. Wolfson and the Wolfson Family Foundation violate the Canons of Judicial Ethics?" Since the opinion was limited to ethical considerations, it should "not be construed as dealing with the lawfulness of actions" involved, the committee made clear.

The opinion said the committee "assumed the essential accuracy" of statements made by Justice Fortas in his letter to the Chief Justice, including the assertion by the former justice that he did not while a member of the Court intercede or take part in "any legal, administrative or judicial matter affecting Mr. Wolfson or anyone associated with him". In relying on the Fortas communication, the committee explained that it is not a fact-finding body, its function being solely

to interpret the Canons of Professional Ethics (applicable to lawyers) and the Canons of Judiciary Ethics.

At the same time it rendered its informal opinion, the ABA Committee also released a separate "formal opinion" (a general interpretive discussion of specific Canons) holding that all judges—"of the lowest as well as the highest courts"—must in their public and private lives "act not only in a manner that is lawful and proper, but (in a manner) that gives the impression and appearance to the public that it is proper".

The formal opinion cited ten Canons which have to do with propriety in judicial conduct. "The Canons make a careful effort to deal directly with some of the activities of judges that may give the appearance of impropriety even though no impropriety may actually exist", the formal opinion said.

"For example, Canon 32 prohibits a judge from accepting presents or favors from litigants or from lawyers. Canon 31 prohibits a judge of a superior court from practicing law. Canon 25 . . . enjoins him from persuading others to patronize or contribute to private business ventures or charitable enterprises, and specifically states that he should not enter into private business or pursue any course of conduct that would justify such a suspicion.

"Canon 24 deals with the problem of inconsistent duties and states that he should not incur obligations, pecuniary or otherwise, that would interfere with his devotion to the expeditious and proper administration of his official functions . . .

"The thrust of all this is that the judge . . . is and should be very much circumscribed in what he can do appropriately. The Canons of Ethics apply to judges at all levels, and probably, as they relate to appearances of impropriety, apply with greater strictness to the judges of the higher courts, for the conduct of judges of higher courts sets the tone for the whole judiciary".

The committee announced that all of its seven members joined in the formal opinion, but that Chairman Walter P. Armstrong, Jr., of Memphis, had not participated in the informal finding with respect to Justice Fortas. Justice Fortas is a former resident of Memphis.

Committee members in addition to Armstrong are Thomas J. Boodell, Chicago; C. A. Carson III, Phoenix, Ariz.; Benton E. Gates, Columbia City, Ind.; Charles W. Joiner, Detroit; Kirk M. McAlpin, Atlanta; Samuel P. Myers, Racine, Wis.; and Floyd B. Sperry, Bismarck, N.D.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the fact that the American Bar Association has ruled on the propriety of the conduct of Justice Fortas. Certainly, as they state in their letter, not only the American people but also Congress has a right to know the position of this organization, whose recommendations are sought and very properly given consideration at the time these appointments are made.

However, at the same time, I feel it incumbent upon the American Bar Association to follow the activities of these men and to render its opinion when we find something wrong, as it has in this instance involving Justice Fortas.

Therefore, I am most respectfully asking that they expedite a reply to my next letter, raising the same questions as to the propriety of Justice Douglas being on the payroll of the Parvin Foundation, whose sponsors likewise have been questioned by various agencies of the Government as to some of their activities. I am asking the Bar Association

for a similar ruling as to whether or not Justice Douglas' being on the payroll of that foundation violates their canon of ethics.

Mr. President, I ask unanimous consent that the text of my letter to the American Bar Association relating to the inquiry with respect to Justice Douglas be printed at this point in the RECORD.

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

U.S. SENATE,

Washington, D.C., May 20, 1969.

Mr. WILLIAM T. GOSSETT,  
President, American Bar Association, Washington, D.C.

DEAR MR. GOSSETT: Canons of the Judicial Ethics of the American Bar Association read as follows:

"Canon 1: The assumption of the office of judge casts upon the incumbent duties in respect to his personal conduct which concern his relation to the state and its inhabitants. . . ."

"Canon 4: A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

"Canon 13: A judge . . . should not suffer his conduct to justify the impression that any person can improperly influence him or unduly enjoy his favor, or that he is affected by the kinship, rank, position or influence of any party or other person."

"Canon 24: A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

"Canon 25: A judge . . . should not . . . enter into any business relation which in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties."

"Canon 26: A judge . . . should, so far as reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial attitude of mind in the administration of his judicial duties."

"Canon 31: . . . He may properly act as arbitrator or lecturer upon or instruct in law, or write upon the subject and accept compensation therefore, if such course does not interfere with the due performance of his judicial duties, and is not forbidden by some positive provision of law."

"Canon 34: In every particular his conduct should be above reproach. He should be . . . indifferent to private political or partisan influences; he should . . . deal with his appointments as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity."

I have your letter of May 20, 1969, stating that the conduct of Mr. Fortas in accepting a \$20,000 fee from the Wolfson Foundation while a Supreme Court Justice was "clearly contrary to the Canons of Judicial Ethics."

It is also a matter of public record that Justice Douglas has been on the payroll of the Parvin Foundation at a salary of \$12,000 per year, and the principals behind this tax-exempt foundation have likewise been the subject of investigation by various agencies of the Government, including the Department of Justice.

I am sure that the American Bar Association is familiar with Justice Douglas' arrangements for accepting fees from this foundation, whose members have close relationship with the Las Vegas gambling industry; therefore, I am asking the question: Does Justice Douglas' acceptance of this \$12,000 annual retainer from the Parvin Foundation violate the Canons of Judicial Ethics of the American Bar Association?

Yours sincerely,

JOHN J. WILLIAMS.

#### ORDER FOR ADJOURNMENT UNTIL FRIDAY, MAY 23, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Friday next.

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

#### AUTHORITY TO RECEIVE MESSAGES, FILE REPORTS, AND SIGN DULY ENROLLED BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate from today until noon on Friday next, all committees be authorized to file their reports, including any minority, individual or additional views; and that during the same period, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives and that they may be appropriately referred; and that the Vice President be authorized to sign duly enrolled bills and joint resolutions.

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

#### "MAJORITY AND MINORITY LEADERS OF THE SENATE"—A COMPILATION

Mr. MANSFIELD. Mr. President, I send to the desk an original resolution, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

S. Res. 198

Resolved, That a compilation entitled "Majority and Minority Leaders of the Senate", prepared under the direction of the Secretary of the Senate, Francis R. Valeo, by the Senate Parliamentarian, Floyd M. Riddick, shall be printed with certain tables as a Senate document, and that an additional 2,000 copies be printed for distribution by the Secretary of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

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

Mr. MANSFIELD. Mr. President, this meets with the approval of the distinguished minority leader. I know of no opposition to it. I understand it comprises less than 30 pages and is within the rules.

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

The resolution (S. Res. 198) was agreed to.

#### THE NATIONAL COMMITMENT RESOLUTION

Mr. MANSFIELD. Mr. President, earlier, today, the majority conference met in the Old Supreme Court Chamber. At the opening of the meeting I made a statement to the conference. I ask unanimous consent that this statement be printed at this point.

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

STATEMENT OF MIKE MANSFIELD, MAJORITY LEADER, BEFORE THE DEMOCRATIC CONFERENCE, TUESDAY, MAY 20, 1969

This conference has been called, principally, to report to you on certain procedural matters. These matters have been under intense and, heretofore, confidential consideration in the Democratic Policy Committee. Since the beginning of the session, we have been examining in that Committee the situation of the Democratic Majority in the Senate in the light of the Republican occupancy of the Presidency.

For eight years, Democrats in the Senate looked to Democratic Presidents—to Presidents Kennedy and Johnson—for political as well as national leadership. In that same period, the strength of the national Democratic Party was measurable in major parts by the barometric readings which the people took of the efforts of the two Democratic Presidents. Democrats in the Senate could let the lead, so to speak, come from the White House. That is, obviously, no longer the case.

In present circumstances, as we examined them in the Policy Committee, a new approach by the Party in the Senate was indicated. We found, for example, that Democratic Senators were asking from time to time for a statement of the position of the Leadership on national issues before the Senate. Heretofore, Democratic Presidents had largely supplied that yardstick.

We felt, too, that the manner in which Senate Democrats lived among themselves—so to speak—and the ways in which Democrats responded to a Republican administration and to their Republican colleagues in the Senate would be closely watched for the next several years by the people of the nation. What was involved in what we did and how we did it in the Senate, it seemed to us, was not only the future of the Democratic Majority in the Senate but also, in significant degree, that of the Democratic Party in the nation.

Above all else, there was the question of how to evoke the largest possible contribution from the Democratic Majority in the Senate to the welfare of the nation, during a Republican administration.

In the light of considerations such as these, it was agreed that an effort should be made to delineate Democratic positions in the Senate on certain issues of significance in which there existed a substantial degree of unity among members of the Party.

This responsibility is assumed reluctantly by the Policy Committee. We are—all of us—aware of the difficulties which are inherent in trying to find common ground amidst our diversities. Yet, we believe the effort must be made. The Policy Committee is the political arm of the Democratic Conference of the Senate and it has a basis in law for the performance of the function. In addition, as presently constituted—that is, combined with the Legislative Review Committee—the Committee is accurately representative of the principal philosophical inclinations and the geographic derivations of the party in the Senate.

Lest there be any doubt, I want to make it very plain that the Committee will not in-

trude, in any way, upon the functions of any of the Legislative Committees. On the contrary, it will continue to follow its customary practice with regard to the regular scheduling of legislation for floor action. There will be no disposition now, anymore than in the past, to hold any legislation of significance from the floor. On the contrary, matters of prime importance to the nation, whether of Republican or Democratic origin, will receive every consideration and prompt scheduling. Routine legislation will continue to be scheduled by the Committee and disposed of by the Leadership—as in the past—on the basis of consultation, with as much accommodation as possible to the needs and wishes of individual members, both Republicans and Democrats.

What is additionally contemplated in the way of new procedures is for the Policy Committee to act on a special agenda. This agenda will be selected from issues submitted by members of the Committee itself or the Legislative Committees. The Committee will take a policy position on those issues which, in its judgment, lend themselves to broad support by Democratic members of the Senate. When the Policy Committee has agreed upon a position of this kind, the Leadership will then identify that position to the Democratic members, either in a Democratic Conference or by other means.

May I stress here the point that the Legislative Committee will, as always, delineate the legislation for floor consideration. What we are suggesting is in the nature of a political supplement to that responsibility.

In a similar fashion, the Committee has not the slightest intention of presuming to replace a Senator's individual judgment with a Party judgment. We may offer a Committee view, but members will continue to vote on the issues on the basis of their conscience and wisdom. Indeed, even when a position has been delineated by the Policy Committee, its individual members will still vote as they see fit when the issue reaches the Senate floor.

In sum, the new procedures are designed simply to re-introduce among the Democratic members of the Senate some of the unifying party cement which was formerly supplied by a Democrat President in the White House. Admittedly, it is not the equal. Equally, however, the arrangement can do much to insure that Senate Democrats will make, as a group, the maximum possible contribution to the nation in present circumstances.

May I say that the new approach will produce on occasion, differences with the Republican minority. That is to be expected, even as we have had differences in the past. On other occasions, however, the general position of the Republicans is likely to be similar or identical to that which may be taken by the Majority Policy Committee. In any event, it would be my hope and expectation that the two leaderships in the Senate will continue to work together for the benefit of the nation.

There is no predisposition whatsoever in this new approach to oppose for the sake of opposition. The Leadership will continue to give the President whatever support can be given in good conscience. He is the President, not of the Republican Party or of the Democratic Party. He is the President of the United States and he will be treated in that light.

In conclusion, I would point out that in addition to the unanimous endorsement of this new approach by the members of the Policy Committee, the chairman of the Legislative Committees with whom I met on May 7, also agreed, without objection, to this proposed course. I ask the Conference, now, as the organization of the Democratic Party in the Senate—not for votes—but for your confidence and cooperation in this effort.

Mr. MANSFIELD. The statement is self-explanatory. The new approach of the majority policy committee which is outlined therein received the unanimous vote of the Democratic conference.

Subsequent to the adoption of that policy statement, the conference was advised of the first formal action of the majority policy committee under the new approach. It pertained to Senate Resolution 85, the so-called "national commitment resolution." The policy committee had agreed unanimously to support this resolution. This fact was communicated to the majority conference in a statement which I now ask unanimous consent be printed at this point in the RECORD.

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

STATEMENT BY SENATOR MIKE MANSFIELD, CHAIRMAN OF THE MAJORITY POLICY COMMITTEE, BEFORE THE DEMOCRATIC CONFERENCE ON SENATE RESOLUTION 85, MAY 20, 1969

In the near future, the Senate will consider Senate Resolution 85, the so-called "National Commitment Resolution." It was ordered reported from the Committee on Foreign Relations on March 12, 1969. The resolution has to do with emphasizing anew the constitutional functions of the Senate and the Congress in certain aspects of foreign policy, notably the commitment of the armed forces of this nation abroad. It is a measure which should help to strengthen the President no less than the Congress in the responsible management of the foreign affairs of this Government.

The substance of this resolution is, in no sense, partisan in nature. A similar resolution was reported out unanimously last year under a Democratic Administration. This year I believe the only Committee opposition is that of a Democratic Member.

It would be my hope that Members on the Republican side of the aisle would give the resolution their support on the floor, as was done by the Republican Members in the Committee on Foreign Relations. May I say that I have already notified the Minority Leader of my intention of bringing this matter before the Majority Conference.

Members of the Majority Conference are now advised that the Policy Committee has considered S. Res. 85. In that connection, the Policy Committee has had the advice and cooperation of the Chairman of the Committee on Foreign Relations. On May 13, 1969, the Democratic Policy Committee adopted the following resolution:

"Whereas, the Senate Majority Policy Committee has met and considered S. Res. 85, a resolution reported from the Committee on Foreign Relations, expressing the sense of the Senate relative to commitments to foreign powers;

"Resolved, that the members of the Democratic Policy Committee agree that S. Res. 85 should be adopted in the Senate since it is of constructive significance to the nation in its restatement of the Constitutional function of the Senate relative to the foreign relations of the United States."

Mr. MANSFIELD. The conference was not asked, as a caucus, to endorse the position of the policy committee as set forth in the statement. A vote was not sought. Democratic Members will be expected, on the national commitment resolution, as on any other, to vote not a party position but a personal conviction when the question reaches the floor.

The national commitment resolution is in no sense a partisan matter. It is

a Senate matter and a national matter. In my personal judgment, it will strengthen the capacity of the President no less than the Senate and Congress in asserting responsive and responsible control over the far-flung activities of this Government abroad. To emphasize the complete absence of partisanship, may I say to the Senate, that I notified the distinguished Republican leader, the Senator from Illinois (Mr. DIRKSEN), in advance, of my intention of bringing up the matter in the Democratic conference, and requested that he consider doing the same with the Republican Members of the Senate. I ask unanimous consent that my letter to the minority leader with respect to the national commitment resolution be printed at this point in the RECORD.

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

MAY 20, 1969.

HON. EVERETT DIRKSEN,  
Minority Leader,  
U.S. Senate.

DEAR EV: I thought it proper and appropriate that I call to your attention the fact that I am today bringing up before the Democratic Conference S. 85, the so-called National Commitment Resolution.

This resolution was reported out of the Foreign Relations Committee unanimously last year, but was never called up. This year it was reported out of the Foreign Relations Committee with one Member, a Democrat, dissenting. This resolution has been discussed in the Democratic Policy Committee, and on the basis of its instructions, I am taking it up with the Democratic Conference today.

The point I want to emphasize, this is not—I repeat—this is not a Partisan proposal; nor is there anything personal or political behind it. It is a reassertion of the Senate's responsibilities, and, it is my belief, concurred in by my colleagues on the Policy Committee, that a resolution of this sort will not only be helpful to the Senate as an institution, but will be very helpful to the President, whoever he may be, at any given time. It does not take away any of the President's powers, rather it brings the Senate into a form of partnership arrangement, and does not preclude the President from acting instantly under extraordinary circumstances. It is not binding on the President; it is an indication of the Senate's interest as an institution, and regardless of Party, in the field of Foreign Affairs and overseas commitments; it is an indication of desire for more intensive collaboration and discussion; and a decided lessening of the policy of jumping into a situation before we think the matter through.

I would appreciate very much your bringing this to the attention of the Republican Conference, which is meeting today. I am asking for no assurances whatsoever, nor am I asking for any assurances or commitments from the Democrats in conference assembled. It will be called to their attention in the hope that if they see fit to do so, they will support it. It is being called to your attention so that you and your colleagues will be aware of what I am doing, and it is done so on the basis of seeking no assurances and no commitments, but only calling an important topic of prime interest to the Senate to your consideration.

With best personal wishes to you and your colleagues in conference assembled, I am

Most sincerely,

MIKE MANSFIELD.

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

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

ADJOURNMENT UNTIL FRIDAY,  
MAY 23, 1969

Mr. KENNEDY. 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 on Friday next.

The motion was agreed to; and (at 4 o'clock and 16 minutes p.m.) the Senate adjourned until Friday, May 23, 1969, at 12 o'clock noon.

#### NOMINATIONS

Executive nominations received by the Senate May 19, 1969, under authority of the order of May 14, 1969:

DIRECTOR OF THE GEOLOGICAL SURVEY

William T. Pecora, of New Jersey, to be Director of the Geological Survey.

IN THE AIR FORCE

Spencer J. Schedler, of New York, to be an Assistant Secretary of the Air Force.

TENNESSEE VALLEY AUTHORITY

Aubrey J. Wagner, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1978, (reappointment).

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

Major to Lieutenant colonel

LINE

Abbey, Charles E., [REDACTED]  
Abbott, John K., [REDACTED]  
Abbott, John R., [REDACTED]  
Abrams, Carl R., [REDACTED]  
Abrams, Harold R., [REDACTED]  
Acker, Jack E., [REDACTED]  
Acock, Benny E., [REDACTED]  
Adam, Donald A., [REDACTED]  
Aderhoit, Warren F., [REDACTED]  
Agnew, Malcolm J., [REDACTED]  
Ahern, Edward J., Jr., [REDACTED]  
Ahlf, Burkhardt C., [REDACTED]  
Ahlstedt, Harry P., [REDACTED]  
Ainslie, Robert E., [REDACTED]  
Akard, Charles E., [REDACTED]  
Albers, Edgar H., Jr., [REDACTED]  
Albert, John G., [REDACTED]  
Alderson, Jerry D., Jr., [REDACTED]  
Alexander, Ellis J., [REDACTED]  
Allard, Thomas L., [REDACTED]  
Allen, Jack K., [REDACTED]  
Allen, James J., [REDACTED]  
Allen, John L., [REDACTED]  
Allen, Joseph B., [REDACTED]  
Allen, Joseph W., [REDACTED]  
Allshouse, Herman D., [REDACTED]  
Allsop, Lloyd A., [REDACTED]  
Almquist, Adolph S., [REDACTED]  
Altemose, Lawrence J., [REDACTED]  
Alter, James R., [REDACTED]  
Altman, Donald M., [REDACTED]  
Amaral, James P., [REDACTED]  
Ambrose, David E., [REDACTED]  
Ambrosia, Harry C., [REDACTED]  
Amerine, Ernest M., [REDACTED]  
Ames, Melvin S., [REDACTED]  
Amidon, John W., [REDACTED]  
Amos, James H., [REDACTED]

Andersen, Arne, XXXXXXX  
 Anderson, Charles F., XXXXXXX  
 Anderson, Charles R., XXXXXXX  
 Anderson, Charles W., Jr., XXXXXXX  
 Anderson, Clarence R., XXXXXXX  
 Anderson, Donald F., XXXXXXX  
 Anderson, Duane S., XXXXXXX  
 Anderson, Earl W., XXXXXXX  
 Anderson, James C., XXXXXXX  
 Anderson, Roy, XXXXXXX  
 Anderson, William C., XXXXXXX  
 Anderson, Willis S., XXXXXXX  
 Andrus, John S., XXXXXXX  
 Andrus, Robert E., XXXXXXX  
 Angelus, Ellis W., XXXXXXX  
 Ansbro, Mathew J., XXXXXXX  
 Anthony, Shelton J., Jr., XXXXXXX  
 Apgar, William C., XXXXXXX  
 Arantz, Carl F., Jr., XXXXXXX  
 Archer, Earl J., Jr., XXXXXXX  
 Armstrong, Ben L., XXXXXXX  
 Armstrong, Charles L., XXXXXXX  
 Armstrong, Harry L., XXXXXXX  
 Armstrong, John W., XXXXXXX  
 Armstrong, Richard C., XXXXXXX  
 Armstrong, Richard K., XXXXXXX  
 Arnberg, George C., Jr., XXXXXXX  
 Arneson, Milton A., XXXXXXX  
 Arno, David H., XXXXXXX  
 Arnold, David L., XXXXXXX  
 Arnold, Lacy H., XXXXXXX  
 Arnold, Tom M., Jr., XXXXXXX  
 Arnstein, Walter H., XXXXXXX  
 Arrington, Curtis H., Jr., XXXXXXX  
 Asay, Chester H., XXXXXXX  
 Asire, Donald H., XXXXXXX  
 Atkinson, James W., XXXXXXX  
 Atkinson, Richard H., XXXXXXX  
 Auld, David H., Jr., XXXXXXX  
 Austin, William F., XXXXXXX  
 Axelsen, Max M., XXXXXXX  
 Axt, Richard C., XXXXXXX  
 Ayotte, Austin C., XXXXXXX  
 Babcock, Dan E., XXXXXXX  
 Bacha, Theodore, XXXXXXX  
 Bachelder, Donald R., XXXXXXX  
 Back, Doyle R., XXXXXXX  
 Backes, Ralph G., XXXXXXX  
 Badgett, John N., Jr., XXXXXXX  
 Bagnard, Donald, XXXXXXX  
 Bahr, Lester M., XXXXXXX  
 Baler, Joseph F., Jr., XXXXXXX  
 Bailey, Frank D., XXXXXXX  
 Bailey, Kenneth F., XXXXXXX  
 Bailey, William M., Jr., XXXXXXX  
 Baird, Ora J., Jr., XXXXXXX  
 Baker, Alfred C., Jr., XXXXXXX  
 Baker, Charles M., XXXXXXX  
 Baker, Forest E., XXXXXXX  
 Baker, Gerald C., XXXXXXX  
 Baldes, Theodore, XXXXXXX  
 Ball, Francis W., XXXXXXX  
 Ballard, Wallace B., XXXXXXX  
 Banister, Arthur W., XXXXXXX  
 Banks, Robert K., XXXXXXX  
 Bannan, Richard J., XXXXXXX  
 Barbee, Bud., XXXXXXX  
 Barber, Donald C., XXXXXXX  
 Barker, George F., XXXXXXX  
 Barkley, Richard M., XXXXXXX  
 Barlow, John W. B., XXXXXXX  
 Barmettler, Robert S., XXXXXXX  
 Barnard, Hage N., XXXXXXX  
 Barnes, Frank G., XXXXXXX  
 Barnes, Robert A., XXXXXXX  
 Barnes, Rufus E., Jr., XXXXXXX  
 Barnes, Willard A., XXXXXXX  
 Barnett, Charles W., XXXXXXX  
 Barney, Russell D., XXXXXXX  
 Barnhill, Loy J., XXXXXXX  
 Baron, Robert L., XXXXXXX  
 Barrett, Francis E., XXXXXXX  
 Barrett, Franklin, XXXXXXX  
 Barrow, Sterling E., XXXXXXX  
 Barrows, Malcolm C., XXXXXXX  
 Barry, Henry A., XXXXXXX  
 Bartalsky, Steven L., XXXXXXX  
 Bartholomew, Robert R., XXXXXXX  
 Bartolomei, Frank, XXXXXXX  
 Batchelder, Robert E., XXXXXXX  
 Bates, Randolph C., Jr., XXXXXXX  
 Battershell, Byron E., XXXXXXX  
 Bauer, George M., Jr., XXXXXXX  
 Baumgarten, Harry E., Jr., XXXXXXX  
 Baxter, Walter L., Jr., XXXXXXX  
 Beach, Fred D., XXXXXXX  
 Beaucond, Maurice J., XXXXXXX  
 Beaulieu, Norman H., XXXXXXX  
 Becker, Marlon C., XXXXXXX  
 Bedford, James R., Jr., XXXXXXX  
 Beebe, Frederick A., XXXXXXX  
 Beebe, Robert H., XXXXXXX  
 Beeley, John C., XXXXXXX  
 Beez, William J., XXXXXXX  
 Bell, Elbridge T., XXXXXXX  
 Bell, Lloyd E., XXXXXXX  
 Benagh, Thomas M., XXXXXXX  
 Bench, Eugene D., Jr., XXXXXXX  
 Bennet, Mortimer F., XXXXXXX  
 Bennett, George F., XXXXXXX  
 Bensun, Otis O., XXXXXXX  
 Bentley, Wilbur C., XXXXXXX  
 Berg, Robert L., XXXXXXX  
 Berg, Robert S., XXXXX  
 Berger Loyd D., XXXXXXX  
 Bergerut, Paul A., XXXXXXX  
 Bergquist, Carl G., XXXXXXX  
 Bergstrom, Airus E., XXXXXXX  
 Berner, Benjamin P., XXXXXXX  
 Besaw, William J., XXXXXXX  
 Beyers, Robert L., XXXXXXX  
 Bigge, Louis G., XXXXXXX  
 Billar, William L., XXXXXXX  
 Billington, Robert J., XXXXXXX  
 Billups, Rufus L., XXXXXXX  
 Binder, Edwin M., XXXXXXX  
 Bird, John A., XXXXXXX  
 Bird, Robert F., XXXXXXX  
 Black, Lloyd H., Jr., XXXXXXX  
 Blackwell, Ralph C., XXXXXXX  
 Bladergroen, Herman, XXXXXXX  
 Blair, James H., XXXXXXX  
 Blake, Thomas F., Jr., XXXXXXX  
 Blakely, Jack A., XXXXXXX  
 Blakely, Sylvester F., XXXXXXX  
 Blankenbecler, Raymond M., XXXXXXX  
 Blankinship, William J., XXXXXXX  
 Blanton, Auty D., Jr., XXXXXXX  
 Blanz, Clarence E., Jr., XXXXXXX  
 Blauw, Robert E., XXXXXXX  
 Billie, James L., XXXXXXX  
 Blomberg, Richard T., Jr., XXXXXXX  
 Blood, Gordon L., XXXXXXX  
 Blow, James M., XXXXXXX  
 Bocquin, Victor E., XXXXXXX  
 Bodager, Bill W., XXXXXXX  
 Boden, Dale P., XXXXXXX  
 Boeman, John S., XXXXXXX  
 Bohn, Frank L., XXXXXXX  
 Bohnhoff, Edward S., XXXXX  
 Bonin, Bernard O., XXXXXXX  
 Bonner, M. M., XXXXXXX  
 Bonney, Charles A., Jr., XXXXXXX  
 Borden, Thomas G., XXXXXXX  
 Borgert, Robert O., XXXXXXX  
 Borovilos, James, XXXXXXX  
 Boswell, Sherwin W., XXXXXXX  
 Bottom, Richard D., XXXXXXX  
 Boughton, William S., XXXXXXX  
 Bounds, Lee E., XXXXXXX  
 Bowen, Myron A., XXXXXXX  
 Bowers, Charles L., Jr., XXXXXXX  
 Bowman, Richard C., XXXXXXX  
 Box, Tommy, XXXXXXX  
 Bracewell, U. C., XXXXXXX  
 Brady, Eugene L., XXXXXXX  
 Branan, William C., XXXXXXX  
 Brannan, Charles E., XXXXXXX  
 Brantley, Marvin E., Jr., XXXXXXX  
 Breighner, Jesse V., XXXXXXX  
 Breckman, Emil K., XXXXXXX  
 Brewer, George W., XXXXXXX  
 Brewer, William C., XXXXXXX  
 Brewis, Randa M., XXXXXXX  
 Bricka, Hays, XXXXXXX  
 Bricker, Jerome G., XXXXXXX  
 Bridges, Albert C., XXXX  
 Briggs, Charles C., Jr., XXXXXXX  
 Brockett, David H., XXXXXXX  
 Brooke, John E., XXXXXXX  
 Brooks, Eugene F., XXXXXXX  
 Brooksher, Dan A., XXXXXXX  
 Brower, James M., XXXXXXX  
 Brown, Charles H., Jr., XXXXXXX  
 Brown, Conrad M., XXXXXXX  
 Brown, Everett C., XXXXXXX  
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 Bruflat, Leroy A., XXXXXXX  
 Brundage, Lew D., XXXXXXX  
 Brunette, William T., XXXXXXX  
 Brunhart, Ruy C., XXXXXXX  
 Bruns, Wayne H., XXXXXXX  
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 Bryder, Paul W., XXXXXXX  
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 Bundy, Haskell L., XXXXXXX  
 Burden, George R., XXXXXXX  
 Burger, Earl W., XXXXXXX  
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 Bushong, Richard B., XXXXXXX  
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 Button, Richard F., XXXXXXX  
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 Caswell, Roger W., XXXXXXX  
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 Cellick, Arnold J., XXXXXXX  
 Chadeayne, Robert F., XXXXXXX  
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 Chandler, Reuben V., XXXXXXX  
 Chaney, Newton C., Jr., XXXXXXX

Chaney, Rondal L., XXXXXXX  
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 Chapman, Harold E., XXXXXXX  
 Chapman, Leonard L., XXXXXXX  
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 Chenault, William I., XXXXXXX  
 Cheney, Laverne L., XXXXXXX  
 Childre, Robert D., XXXXXXX  
 Chritzberg, Keith D., XXXXXXX  
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 Christie, William J., XXXXXXX  
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 Clyburn, Robert E., XXXXXXX  
 Coates, Charles O., Jr., XXXXXXX  
 Cobb, Tommy, XXXXXXX  
 Cobbs, Robert H., XXXXXXX  
 Coddington, Walter E., XXXXXXX  
 Coffee, Harold B., XXXXXXX  
 Coffey, Stephen J., XXXXXXX  
 Cohen, Marx, Jr., XXXXXXX  
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 Compton, Henry W., XXXXXXX  
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 Connor, Bryce C., XXXXXXX  
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 Conway, Robert C., XXXXXXX  
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 Cowles, Gene G., XXXXXXX  
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 Crane, Jean M., XXXXXXX  
 Crawford, Thom M., Jr., XXXXXXX  
 Crech, Wilbur L., XXXXXXX  
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 Currier, Donald R., XXXXXXX  
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 Dahl, Perry J., XXXXXXX  
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 Dallas, Alvin H., XXXXXXX  
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 Day, Howard F., XXXXXXX  
 Day, William A., XXXXXXX  
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 Decker, William C., XXXXXXX  
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 Deering, Thomas W., XXXXXXX  
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 Demont, Ralph W., XXXXXXX  
 Demotta, Alexander R., XXXXXXX  
 Demuro, Theodore F., XXXXXXX  
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 Detrick, Hal A., XXXXXXX  
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 Dibble, Robert M., XXXXXXX  
 Dickman, Calvin H., XXXXXXX  
 Dickson, Enos J., XXXXXXX  
 Dietz, Glenn E., XXXXXXX  
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 Dipalma, Felix C., XXXXXXX  
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 Dishman, Durer, XXXXXXX  
 Dittmer, Karl K., XXXXXXX  
 Dixon, Billy V., XXXXXXX  
 Dixon, William G., XXXXXXX  
 Doan, Lewis A., XXXXXXX  
 Doby, Robert E., XXXXXXX  
 Doctor, Bernard J., XXXXXXX  
 Dodds, Joseph B., XXXXXXX  
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 Doeherty, Eddie, XXXXXXX  
 Dole, Winston R., XXXXXXX  
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 Donohue, Robert F., XXXXXXX  
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 Doughty, Herbert H., XXXXXXX  
 Douglas, Jackie R., XXXXXXX  
 Douthit, Thomas D. N., XXXXXXX  
 Dowdy, Bert E., XXXXXXX  
 Dowling, John M., XXXXXXX  
 Dozet, Mitchell, XXXXXXX  
 Drage, Donald D., XXXXXXX  
 Drake, Norman S., XXXXXXX  
 Drenth, Ben E., XXXXXXX  
 Driskell, Jess W., XXXXXXX  
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 Dubose, Bernard A., XXXXXXX  
 Duclos, Bernard V., XXXXXXX  
 Dugan, Obadiah A., XXXXXXX  
 Dunagan, Lewis H., XXXXXXX  
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 Dunks, Kenneth, Jr., XXXXXXX  
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 Durkee, Richard T., XXXXXXX  
 Dusenberry, Francis C., XXXXXXX  
 Duval, John B., XXXXXXX  
 Dwyer, Gerald L., XXXXXXX  
 Dykes, Marion A., Sr., XXXXXXX  
 Eaton, Norman D., XXXXXXX  
 Eckert, Robert K., XXXXXXX  
 Edgington, James D., XXXXXXX  
 Edwards, Thomas P., Jr., XXXXXXX  
 Effinger, Clinton W., III, XXXXXXX  
 Eggleston, Ogden C., XXXXXXX  
 Ego, Donald U., XXXXXXX  
 Ehmann, Leo J., XXXXXXX  
 Ehrich, Herbert C., Jr., XXXXXXX  
 Ehrman, William C., XXXXXXX  
 Eisemann, Ewald F. W., XXXXXXX  
 Ekblad, Charles L., XXXXXXX  
 Elbracht, William A., XXXXXXX  
 Elder, Wayne T., XXXXXXX  
 Eldridge, William W., XXXXXXX  
 Elliott, Felix E., Jr., XXXXXXX  
 Elliott, Louie C., Jr., XXXXXXX  
 Ellis, Alston R., XXXXXXX  
 Ellis, Atlee R., XXXXXXX  
 Ellsworth, Robert I., XXXXXXX  
 Elmo, Angelo F., XXXXXXX  
 Ely, James J., XXXXXXX  
 Elzey, Norman J., XXXXXXX  
 Emery, Morley L., XXXXXXX  
 Emrick, Billy D., XXXXXXX  
 Encinas, Miguel, XXXXXXX  
 English, Henry H., XXXXXXX  
 Ennis, Robert B., XXXXXXX  
 Erbe, Robert H., XXXXXXX  
 Erich, Theodore E., XXXXXXX  
 Erickson, Robert D., XXXXXXX  
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 Evans, Paul S., XXXXXXX  
 Evans, Ralph C., Jr., XXXXXXX  
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 Everett, Wilbur R., Jr., XXXXXXX  
 Eydenberg, Monte, Jr., XXXXXXX  
 Eyres, Thomas L., XXXXXXX  
 Faber, Eugene M., XXXXXXX  
 Fagner, J. Logan, XXXXXXX  
 Falls, Johnie W., XXXXXXX  
 Farlow, Allan W., XXXXXXX  
 Farmer, Howard L., Jr., XXXXXXX  
 Farrell, Francis P., XXXXXXX  
 Faughn, John H., XXXXXXX  
 Faulise, Vincent P., XXXXXXX  
 Faulk, John D., XXXXXXX  
 Faustman, Donald M., XXXXXXX  
 Fay, John H., XXXXXXX  
 Feigenbaum, Jean P., XXXXXXX  
 Felch, Leon J., XXXXXXX  
 Feltham, Kenneth W. F., XXXXXXX  
 Fiden, Thomas J., XXXXXXX  
 Fiedler, Arthur C., XXXXXXX  
 Fields, Milo H., Jr., XXXXXXX

Fierro, Vito J., XXXXXXX  
 Fink, Garvie S., XXXXXXX  
 Finlay, John S., III, XXXXXXX  
 Finnegan, Robert J., XXXXXXX  
 Finnern, Frank R., XXXXXXX  
 Finney, Arthur T., XXXXXXX  
 Fippen, John W., XXXXXXX  
 Fischer, Harold E., XXXXXXX  
 Fisher, Clarence W., XXXXXXX  
 Fisher, Samuel N., XXXXXXX  
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 Fitzhugh, Steve, XXXXXXX  
 Flaa, Richard N., XXXXXXX  
 Flagg, Walter L., XXXXXXX  
 Fleenor, Charles M., XXXXXXX  
 Fletcher, Eugene C., XXXXXXX  
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 Fling, Graham J., Jr., XXXXXXX  
 Flood, Donald L., XXXXXXX  
 Flynn, Alfred I., XXXXXXX  
 Foley, John C., XXXXXXX  
 Ford, Donald F., XXXXXXX  
 Ford, Erle L., XXXXXXX  
 Ford, Thomas S., XXXXXXX  
 Forster, Francis X., XXXXXXX  
 Foss, Warren, XXXXXXX  
 Fowler, Jack A., XXXXXXX  
 Fowler, Lester A., XXXXXXX  
 Fox, Carlos L., XXXXXXX  
 Fox, Ray H., XXXXXXX  
 Fox, Thomas R., XXXXXXX  
 Francey, Richard G., XXXXXXX  
 Franklin, Bobby G., XXXXXXX  
 Fraser, Elwood S., Jr., XXXXXXX  
 Frazier, Euell, XXXXXXX  
 Frederick, Calvin L., XXXXXXX  
 Freeland, Troit D., XXXXXXX  
 Freeman, George P., Jr., XXXXXXX  
 Freeman, James D., XXXXXXX  
 Freese, Karl A., XXXXXXX  
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 Friedrich, Paul S., Jr., XXXXXXX  
 Friesz, Richard L., XXXXXXX  
 Fry, David M., XXXXXXX  
 Fudge, Royce W., XXXXXXX  
 Funk, Harry M., XXXXXXX  
 Furlong, Raymond B., XXXXXXX  
 Gallagher, Kenneth H., XXXXXXX  
 Galligan, Thomas H., XXXXXXX  
 Gallup, William H., Jr., XXXXXXX  
 Gamble, Leslie E., XXXXXXX  
 Gamm, Thomas J., XXXXXXX  
 Gannon, Vincent D., XXXXXXX  
 Gardina, Verne D., XXXXXXX  
 Garlock, Carlton F., XXXXXXX  
 Garvey, William B., XXXXXXX  
 Gatewood, Jack E., XXXXXXX  
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 Gaudin, Edmund P., XXXXXXX  
 Gaus, Bernard C., XXXXXXX  
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 Giesler, Wilbur J., XXXXXXX  
 Gilbert, Chester C., XXXXXXX  
 Gilbert, Robert N., XXXXXXX  
 Gilchrist, Robert C., XXXXXXX  
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 Gillard, James H., XXXXXXX  
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 Gonzales, Phillip R., XXXXXXX

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 Goodwin, Jack E., XXXXXXX  
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 Gordon, Kenneth F., XXXXXXX  
 Gore, William J., XXXXXXX  
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 Gould, Max E., XXXXXXX  
 Graham, Eugene W., Jr., XXXXXXX  
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 Granheim, Arni Jot J., XXXXXXX  
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 Graves, Orville K., XXXXXXX  
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 Greenspan, Frankl R., XXXXXXX  
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 Hart, Melville D., Jr., XXXXXXX  
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 Howard, Ulysses J., XXXXXXX  
 Howe, John P., XXXXXXX  
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 Hughes, Frank T., XXXXXXX

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 Ireland, Roy E., XXXXXXX  
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 Irwin, Walter W., XXXXXXX  
 Ivy, Edward W., XXXXXXX  
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 Jackson, Ralph, XXXXXXX  
 Jackson, Roy H., XXXXXXX  
 Jacobs, Sidney M., XXXXXXX  
 Jacobson, Charles A., XXXXXXX  
 James, Donald R., XXXXXXX  
 James James W., XXXXXXX  
 Jamison, Lewis M., XXXXXXX  
 Jarvis James E., XXXXXXX  
 Jasen, Frank S., XXXXXXX  
 Jeff, John L., XXXXXXX  
 Jeffers, Thomas F., XXXXXXX  
 Jeffreys, Alfred R., XXXXXXX  
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 Jenkins, Charles H., XXXXXXX  
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 Kasdan, Nell, XXXXXXX  
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 McKee, Thomas M., Jr., XXXXXXX  
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 McKenna, Michael J., XXXXXXX  
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 McKinney, Victor M., XXXXXXX  
 McKinny, Alexander, XXXXXXX  
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 McMullen, Philip C., XXXXXXX  
 McMullin, Chester C., XXXXXXX  
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 McNamara, Francis J., Jr., XXXXXXX  
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 McSorley, Edward C., Jr., XXXXXXX  
 McVay, William D., XXXXXXX  
 Meade, Donald J., XXXXXXX  
 Meahl, Starling, Jr., XXXXXXX  
 Mechling, Eugene B., Jr., XXXXXXX  
 Meierding, Stanley R., XXXXXXX  
 Melerovich, Edward A., XXXXXXX  
 Melo, Emidio A., Jr., XXXXXXX  
 Mercer, Harold E., XXXXXXX  
 Mercer, Roger N., XXXXXXX  
 Merjanian, Paul E., XXXXXXX

Merrick, Stanley J., XXXXXXX  
 Merritt, Walter A., XXXXXXX  
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 Messinger, Clyde L., XXXXXXX  
 Metzger, Donald J., XXXXXXX  
 Metzler, Charles A., XXXXXXX  
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 Meux, William L., Jr., XXXXXXX  
 Michel, David E., XXXXXXX  
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 Millwee, Robert A., XXXXXXX  
 Milner Barney J., XXXXXXX  
 Milner, John C., XXXXXXX  
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 Minnick, Harold E., XXXXXXX  
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 Mitchell, Loren C., XXXXXXX  
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 Montgomery, Clarence J., Jr., XXXXXXX  
 Montgomery, Jack E., XXXXXXX  
 Montgomery, William C., XXXXXXX  
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 Monts, Rufus M., III, XXXXXXX  
 Moore, Courtland C., XXXXXXX  
 Moore, Edward D., XXXXXXX  
 Moore, Harold W., XXXXXXX  
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 Morris, Herbert R., Jr., XXXXXXX  
 Morrison, Harold O., XXXXXXX  
 Morrow, Stanley A., XXXXXXX  
 Mosley, Robert L., XXXXXXX  
 Moss, Raymond, XXXXXXX  
 Mueller, Kenneth E., XXXXXXX  
 Muirhead, Cecil N., Jr., XXXXXXX  
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 Mullaney, Kevin C., XXXXXXX  
 Mullen, Maurice L., XXXXXXX  
 Mulligan, James L., XXXXXXX  
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 Murph, Benjamin C., XXXXXXX  
 Murphy, Arthur W., XXXXXXX  
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 Musterspaw, Emmett E., Jr., XXXXXXX  
 Myers, Edward J., XXXXXXX  
 Myers, Stewart E., XXXXXXX  
 Myller, Allen L., XXXXXXX  
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 Napier, John H., III, XXXXXXX  
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 Nash, Merle W., XXXXXXX

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 Paper, Harry W., XXXXXXX  
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 Potts, James E., XXXXXXX  
 Poulson, John A., XXXXXXX  
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 Rosser, Edward J., XXXXXXX  
 Roth, Jerome R., XXXXXXX  
 Rottman, Robert J., XXXXXXX  
 Rout, Clyde B., XXXXXXX  
 Rowden, Richard A., Jr., XXXXXXX  
 Rowe, Berry W., XXXXXXX  
 Rubenstein, Morris B., XXXXXXX  
 Rubino, John A., Jr., XXXXXXX  
 Rubner, Chester H., Jr., XXXXXXX  
 Ruddock, William O., XXXXXXX  
 Rudloff, Paul W., XXXXXXX  
 Rumney, Richard G., XXXXXXX  
 Rutherford, Robert S., XXXXXXX  
 Rutherford, William F., XXXXXXX  
 Ryall, Zacheus W., Jr., XXXXXXX  
 Ryan, James W., XXXXXXX  
 Ryan, William B., XXXXXXX  
 Ryder, Dale D., XXXXXXX  
 Saavedra, Joaquin A., XXXXXXX  
 Sadler, Thomas M., XXXXXXX  
 Sage, Hubert F., Jr., XXXXXXX  
 Salisbury, Robert L., XXXXXXX  
 Salmeler, Dean E., XXXXXXX  
 Sandoval, John V., XXXXXXX  
 Saulsbury, Jack L., XXXXXXX  
 Saunders, Floyd E., XXXXXXX  
 Savidge, William, Jr., XXXXXXX  
 Sawyer, Julian D., XXXXXXX  
 Sayers, Rubert O., XXXXXXX  
 Sayre, Robert H., XXXXXXX  
 Scarboro, William E., XXXXXXX  
 Scharling, Stanley V., XXXXXXX  
 Scharmen, Merrill E., XXXXXXX  
 Scheuer, James C., XXXXXXX  
 Schindler, Hallman W., XXXXXXX  
 Schlusser, William L., XXXXXXX  
 Schmitt, Edward J., XXXXXXX  
 Schmitt, John G., Jr., XXXXXXX  
 Schnebelen, Arthur A., Jr., XXXXXXX  
 Schneider, Carl G., XXXXXXX  
 Schneider, George J., XXXXXXX  
 Schoen, Donald W., XXXXXXX  
 Schoenborn, Robert L., XXXXXXX  
 Schoeneman, Richard H., XXXXXXX  
 Schoenemann, Leroy J., XXXXXXX  
 Scholtz, John C., Jr., XXXXXXX  
 Schoning, William M., XXXXXXX  
 School, Jerome A., XXXXXXX  
 Schuett, Carl A., XXXXXXX  
 Schuler, James W., XXXXXXX  
 Schultz, Charles M., XXXXXXX  
 Schurr, Harry W., XXXXXXX  
 Schutt, Carlton E., XXXXXXX  
 Schwarzrock, Charles R., XXXXXXX  
 Scott, Benjamin A., Jr., XXXXXXX  
 Scott, Cassius C., XXXXXXX  
 Scott, Lloyd M., XXXXXXX  
 Scurlock, Robert, XXXXXXX  
 Seale, James E., XXXXXXX  
 Sebring, William L., XXXXXXX  
 Seebers, Richard H., XXXXXXX  
 Sellers, Benjamin F., Jr., XXXXXXX  
 Senio, Walter P., XXXXXXX  
 Senter, Lewis B., XXXXXXX  
 Serangeli, Giuseppe, XXXXXXX  
 Setter, Louis C., XXXXXXX  
 Sexton, Richard W., XXXXXXX  
 Shabsin, Edward, XXXXXXX  
 Shacklette, Elijah W., Jr., XXXXXXX  
 Shannon, Richard L., XXXXXXX  
 Shapiro, Alvin M., XXXXXXX  
 Sharp, David W., XXXXXXX  
 Sharp, Homer W., XXXXXXX  
 Sharpless, Leslie H., XXXXXXX  
 Shaulis, Elwood M., XXXXXXX  
 Shaw, Charles W., XXXXXXX  
 Shaw, William S., XXXXXXX  
 Shea, Richard H., XXXXXXX  
 Sheeley, James D., XXXXXXX  
 Shepherd, William F., Jr., XXXXXXX  
 Sherlock, William H., XXXXXXX  
 Sherrill, Guy J., XXXXXXX  
 Shinault, Thomas W., XXXXXXX  
 Shipley, Billy S., XXXXXXX  
 Shirley, Harold J., XXXXXXX  
 Short, James F., XXXXXXX  
 Showers, Clarence E., XXXXXXX  
 Siano, Thomas F., XXXXXXX  
 Sibrel, John R., XXXXXXX  
 Siczynski, Ervin E., XXXXXXX  
 Sienkiewicz, Henry V., XXXXXXX  
 Siglin, Paul F., XXXXXXX  
 Silliman, Clayton, XXXXXXX  
 Silva, Bertram A., Jr., XXXXXXX  
 Simone, Thomas, XXXXXXX  
 Simpson, Edgar H., XXXXXXX  
 Simpson, Jefferson A., XXXXXXX  
 Sisley, George J., XXXXXXX  
 Skinner, Elton A., XXXXXXX  
 Sklar, William L., XXXXXXX  
 Skoog, Robert E., XXXXXXX  
 Skuby, Vladimir W., XXXXXXX  
 Slater, Harry E., XXXXXXX  
 Slaybaugh, Thomas J., XXXXXXX  
 Slizeski, Robert S., XXXXXXX  
 Sluter, Robert S., XXXXXXX  
 Smart, Curtis L., XXXXXXX  
 Smigelski, Richard J., XXXXXXX  
 Smith, Arthur C., Jr., XXXXXXX  
 Smith, Billy D., XXXXXXX  
 Smith, Bobbie L., XXXXXXX  
 Smith, Charles A., XXXXXXX  
 Smith, Clyde O., Jr., XXXXXXX  
 Smith, Edmund G., XXXXXXX  
 Smith, Eugene G., XXXXXXX  
 Smith, Frederick H., XXXXXXX  
 Smith, George W., Jr., XXXXXXX  
 Smith, Gilbert E., XXXXXXX  
 Smith, Harding E., Sr., XXXXXXX  
 Smith, Henry R., XXXXXXX  
 Smith, Jack M., XXXXXXX  
 Smith, James W., XXXXXXX  
 Smith, James W., XXXXXXX  
 Smith, John R., XXXXXXX  
 Smith, John R., XXXXXXX  
 Smith, Philip F., XXXXXXX  
 Smith, Russell H., XXXXXXX  
 Smith, Samuel R., XXXXXXX  
 Smith, Theron A., XXXXXXX  
 Smith, Thomas H., XXXXXXX  
 Smith, William F., III, XXXXXXX  
 Smith, William L., XXXXXXX  
 Smith, William R., XXXXXXX  
 Smith, William R., XXXXXXX  
 Smith, William R., XXXXXXX  
 Smittle, Ray T., Jr., XXXXXXX  
 Smoak, Daniel B., XXXXXXX  
 Smothers, Robert W., XXXXXXX  
 Snipes, William R., XXXXXXX  
 Snook, Keo L., XXXXXXX  
 Snow, Harold S., XXXXXXX  
 Soltesz, William R., XXXXXXX

Sotomayor, Juan B., XXXXXXX  
 Spalding, John H., XXXXXXX  
 Sparks, Robert O., XXXXXXX  
 Spaulding, J. E., XXXXXXX  
 Speckman, Roland E., XXXXXXX  
 Spector, Milton N., XXXXXXX  
 Spence, Jack L., XXXXXXX  
 Spencer, Earl F., Jr., XXXXXXX  
 Spencer, Robert M., XXXXXXX  
 Sperry, Edward G., XXXXXXX  
 Spillers, Willum H., Jr., XXXXXXX  
 Spitzbarth, Charles A., XXXXXXX  
 Sponaugle, Troy G., XXXXXXX  
 Spragins, Stewart V., XXXXXXX  
 Sprecher, Arnold F., XXXXXXX  
 Stahl, Melvin R., XXXXXXX  
 Stanley, Ellis E., XXXXXXX  
 Stansberry, Darrell D., XXXXXXX  
 Stansberry, James W., XXXXXXX  
 Stark, John T., Jr., XXXXXXX  
 St. Clare, Donald E., XXXXXXX  
 Stefanik, Robert A., XXXXXXX  
 Steffens, Randall L., XXXXXXX  
 Steger, Michael J., XXXXXXX  
 Steiger, Arthur R., XXXXXXX  
 Steiner, Harold A., XXXXXXX  
 Stephens, Edward W., XXXXXXX  
 Stephenson, Howard H., XXXXXXX  
 Sterne, Kenneth L., XXXXXXX  
 Stevens, Kenneth H., XXXXXXX  
 Stevenson, Everett E., XXXXXXX  
 Stewart Laslie M., XXXXXXX  
 Stewart Martin V., XXXXXXX  
 Stillson, James R., XXXXXXX  
 Stine, Robert M., XXXXXXX  
 Stockton, Lloyd, XXXXXXX  
 Stockwell, John H., XXXXXXX  
 Stodghill, Clifford A., XXXXXXX  
 Stoehrer, Frank A., XXXXXXX  
 Stokes, Quentin C., XXXXXXX  
 Stone, Robert J., XXXXXXX  
 Stone, Robert N., XXXXXXX  
 Stoufer, Roy D., XXXXXXX  
 Stout, Richard G., XXXXXXX  
 Stout, Robert G., XXXXXXX  
 Stout, Robert W., XXXXXXX  
 Straight Danley E., XXXXXXX  
 Strong, Curtis T., Jr., XXXXXXX  
 Strong, Helen E., XXXXXXX  
 Strong, James M., II, XXXXXXX  
 Strube, Delbert H., XXXXXXX  
 Stubbs, Harold T., XXXXXXX  
 Subr, Robert J., XXXXXXX  
 Sullivan, John H., XXXXXXX  
 Sullivan, Joseph V., Jr., XXXXXXX  
 Sumner, Thomas M., XXXXXXX  
 Sunderman, James F., XXXXXXX  
 Svendsen, Leroy W., Jr., XXXXXXX  
 Swantz, Robert F., XXXXXXX  
 Swift, Henry L., XXXXXXX  
 Swigart, William J., XXXXXXX  
 Swihart, Freddie L., XXXXXXX  
 Swindle, Elro M. Jr., XXXXXXX  
 Swindle, Norris R., XXXXXXX  
 Sylvester, George H., XXXXXXX  
 Taff, Angus B., XXXXXXX  
 Tarbox, Luther A., XXXXXXX  
 Tarter, Bill, XXXXXXX  
 Taylor, Abbott L., XXXXXXX  
 Taylor, Chester D., Jr., XXXXXXX  
 Taylor, Clifford V., XXXXXXX  
 Taylor, Harry W., Jr., XXXXXXX  
 Taylor, Julius H., XXXXXXX  
 Taylor, Leroy J., XXXXXXX  
 Taylor, William P., XXXXXXX  
 Tefas, Steve G., XXXXXXX  
 Terrell, William B., Jr., XXXXXXX  
 Terry, Bobby E., XXXXXXX  
 Thomas, Clyde M., XXXXXXX  
 Thomas, David F., XXXXXXX  
 Thomas, David W., XXXXXXX  
 Thomas, Edward C., XXXXXXX  
 Thompson, Arby J., XXXXXXX  
 Thompson, Donald P., XXXXXXX  
 Thompson, Forrest G., XXXXXXX  
 Thompson, Joseph J., XXXXXXX  
 Thompson, Richard G., XXXXXXX  
 Thomson, Cecil M., Jr., XXXXXXX  
 Thornton, Robert O., XXXXXXX  
 Tibbs, Harold A. W., XXXXXXX  
 Timmermans, Anthony J. G., Jr., XXXXXXX

Titorchook, Walter H., XXXXXXX  
 Titus, Robert F., XXXXXXX  
 Tolbert, Joseph S., XXXXXXX  
 Tolbert, Raymond W., XXXXXXX  
 Tom, Hunter, XXXXXXX  
 Tomasini, Dante H., XXXXXXX  
 Totten, Jess R., XXXXXXX  
 Touby, Robert H., XXXXXXX  
 Tracy, Donald J., XXXXXXX  
 Travers, Medford J., XXXXXXX  
 Tremblay, Roger J., XXXXXXX  
 Trent, Clyde B., Jr., XXXXXXX  
 Treyz, Fred A., XXXXXXX  
 Tripp, Howard G., XXXXXXX  
 Trousdale, Ralph W., XXXXXXX  
 Trusty, George D., XXXXXXX  
 Tuck, George R., XXXXXXX  
 Tucker, Archie W., XXXXXXX  
 Tucker, Kiefer G., Jr., XXXXXXX  
 Tullar, Allan S., XXXXXXX  
 Turner, Claude H., Jr., XXXXXXX  
 Turner, Claude W., XXXXXXX  
 Turner, William S., XXXXXXX  
 Turoff, Christopher G., XXXXXXX  
 Tuttle, Harold E., XXXXXXX  
 Tuxworth, William J., XXXXXXX  
 Twombly, Donald J., XXXXXXX  
 Tye, Joe B., Jr., XXXXXXX  
 Ulreich, Alexander Jr., XXXXXXX  
 Unverzagt, William C., XXXXXXX  
 Urankar, John S., XXXXXXX  
 Valenta, Louis E., XXXXXXX  
 Valentine, George B., XXXXXXX  
 Vanbrussel, Peter B., Jr., XXXXXXX  
 Vance, John G., XXXXXXX  
 Vancleef, Jay, XXXXXXX  
 Vandelune, Gerritt R., XXXXXXX  
 Vanderhel, Vivian S., XXXXXXX  
 Vanderkarr, Donal I., XXXXXXX  
 Vandervoort, John M., Jr., XXXXXXX  
 Vanmeter, Clarence M., XXXXXXX  
 Vannoppen, Vern F., XXXXXXX  
 Vanreenen, Neil D., XXXXXXX  
 Vanvleck, John F., XXXXXXX  
 Vaughan, Joseph A., Jr., XXXXXXX  
 Vavrinek, Raymond H., XXXXXXX  
 Verndoy, Russell A., XXXXXXX  
 Viall, Harold S., XXXXXXX  
 Vitko, James D., XXXXXXX  
 Vogl, John J., XXXXXXX  
 Vogt, William J., XXXXXXX  
 Volk, James P., XXXXXXX  
 Vonwiedenfeld, Paul W., XXXXXXX  
 Vosper, Howard A., XXXXXXX  
 Vrstil, Robert C., XXXXXXX  
 Waaland, Arthur T., XXXXXXX  
 Wade, Charles H., Jr., XXXXXXX  
 Wadsworth, Robert E., XXXXXXX  
 Wagener, Raymond E., XXXXXXX  
 Wagner, William L., XXXXXXX  
 Wahab, Thomas W., XXXXXXX  
 Wakefield, Victor R., XXXXXXX  
 Walker, Charles E., XXXXXXX  
 Walker, Charles F., XXXX  
 Walker, Henry L., XXXXXXX  
 Walker, Henry M. G., Jr., XXXXXXX  
 Walker, Ira E., XXXXXXX  
 Walker, Leonard N., XXXXXXX  
 Wall, James S., XXXXXXX  
 Wall, Orlando A., XXXXXXX  
 Wallace, Jay R., XXXXXXX  
 Wallace, John T., XXXXXXX  
 Wallace, Richard B., XXXXXXX  
 Walser, Roy S., XXXXXXX  
 Walter, Alfonso J., Jr., XXXXXXX  
 Walter, John A. III, XXXXXXX  
 Wampler, Roy W., XXXXXXX  
 Wantz, Sherman P., XXXXXXX  
 Ward, Morris J., XXXXXXX  
 Warden, Murray L., XXXXXXX  
 Ware, Gordon F., XXXXXXX  
 Warner, Marshall R., XXXXXXX  
 Wasemiller, Marlon D., XXXXXXX  
 Wason, Charles P., XXXXXXX  
 Waterman, Gerald L., XXXXXXX  
 Waters, Jack W., XXXXXXX  
 Watson, Billy G., XXXXXXX  
 Watson, Robert T., XXXXXXX  
 Watson, William J. H., XXXXXXX  
 Way, Thomas Z., XXXXXXX  
 Weart, Douglas S., XXXXXXX

Weathersby, Earl E., Jr., XXXXXXX  
 Weaver, Lem J., Jr., XXXXXXX  
 Weaver, Robert B., XXXXXXX  
 Weaver, Robert T., XXXXXXX  
 Weber, Louis W., XXXXXXX  
 Weber, Richard G., XXXXXXX  
 Weedman, Freeman J., XXXXXXX  
 Weeks, James L., XXXXXXX  
 Weeks, John M., Jr., XXXXXXX  
 Weeks, Thomas J., Jr., XXXXXXX  
 Weimer, Franklin E., XXXXXXX  
 Weinberg, Bernard B., XXXXXXX  
 Weinberg, Sidney, XXXXXXX  
 Welch, Gordon M., XXXXXXX  
 Wells, William D., XXXXXXX  
 Wentsch, George M., XXXXXXX  
 West, Frank J., Jr., XXXXXXX  
 Wessel, John A., XXXXXXX  
 West, Roy L., XXXXXXX  
 Westfall, Frederick R., XXXXXXX  
 Weston, Frank H., XXXXXXX  
 Weston, Ralph A., XXXXXXX  
 Weston, William A., Jr., XXXXXXX  
 Wheat, James W., XXXXXXX  
 Wheeler, Herbert K., XXXXXXX  
 Wheeler, Richard K., XXXXXXX  
 White, Donald S., XXXXXXX  
 White, Ralph W., XXXXXXX  
 Whitehead, Asa S., XXXXXXX  
 Whiteside, John J., XXXXXXX  
 Whitlock, Thomas W., XXXXXXX  
 Wicker, Irving B., Jr., XXXXXXX  
 Wilcox, Andrew R., XXXXXXX  
 Wilcox, Floyd J., XXXXXXX  
 Wilde, Lawrence D., Jr., XXXXXXX  
 Wilkins, Alfred J., XXXXXXX  
 Willard, Ernest N., III, XXXXXXX  
 Willcox, Tilton L., XXXXXXX  
 Williams, Harland D., XXXXXXX  
 Williams, Harley R., XXXXXXX  
 Williams, James A., XXXXXXX  
 Williams, James M., XXXXXXX  
 Williams, Joe J., Jr., XXXXXXX  
 Williams, Richard L., XXXXXXX  
 Williams, Warren H., XXXXXXX  
 Wilson, Carol D., XXXXXXX  
 Wilson, Charles G., XXXXXXX  
 Wilson, Charles L., XXXXXXX  
 Wilson, Frederick L., XXXXXXX  
 Wilson, Jack E., XXXXXXX  
 Wilson, John H., XXXXXXX  
 Wilson, Marion P., XXXXXXX  
 Wilson, Talmadge A., XXXXXXX  
 Wilsted, Leroy M., XXXXXXX  
 Winn, George C., XXXXXXX  
 Winter, Clifford M., Jr., XXXXXXX  
 Wintersole, Lloyd E., XXXXXXX  
 Wirth, James W., XXXXXXX  
 Wise, John Q., XXXXXXX  
 Wiswall, Clifton E., XXXXXXX  
 Withrow, Stanton R., XXXXXXX  
 Wittbrodt, Glennon H., XXXXXXX  
 Wofford, James D., XXXXXXX  
 Woford, Charles B., XXXXXXX  
 Wolot, Willard E., XXXXXXX  
 Wolgemuth, Clarence E., XXXXXXX  
 Wolter, John E., XXXXXXX  
 Woods, Donald R., XXXXXXX  
 Woodward, Robert A., XXXXXXX  
 Woolley, Jed B., XXXXXXX  
 Word, Charles E., XXXXXXX  
 Workinger, William C., Jr., XXXXXXX  
 Worms, Delmar A., XXXXXXX  
 Worrall, Robert L., XXXXXXX  
 Worrell, William C., XXXXXXX  
 Worsley, Wion W., XXXXXXX  
 Wright, Robert C., XXXXXXX  
 Wright, Thomas B., XXXXXXX  
 Wronski, William R., XXXXXXX  
 Wroot, Wallace K., XXXXXXX  
 Wyman, Rankin D., XXXXXXX  
 Wynne, Hugh, XXXXXXX  
 Yary, William W., XXXXXXX  
 Yates, Bernard J., XXXXXXX  
 Yates, Murray M., XXXXXXX  
 Yopp, Ivan, XXXXXXX  
 Young, Braxton L., XXXXXXX  
 Young, Charles A., XXXXXXX  
 Young, Marvin, XXXXXXX  
 Young, Raymond D., XXXXXXX  
 Zebarth, Orrin G., XXXXXXX

Zimmer, Arnold E., XXXXXX  
 Zimmer, Charles E., XXXXXX  
 Zimmerman, Elsworth J., XXXXXX

## Chaplains

Ansted, Harry B., XXXXXX  
 Bean, Curtis M., XXXXXX  
 Beckley, Robert H., XXXXXX  
 Brewer, Charles D., XXXXXX  
 Davis, James W., XXXXXX  
 Deming, Robert T., XXXXXX  
 Eardley, Edward L., XXXXXX  
 Eastland, James H., XXXXXX  
 Ellis, Frederick J., Jr., XXXXXX  
 Engstrom, Leonard M., XXXXXX  
 Esch, George L., XXXXXX  
 Fader, John J., XXXXXX  
 Gallen, Francis H., XXXXXX  
 Haney, Paul S., XXXXXX  
 Harkness, Allen J., XXXXXX  
 Hays, James L., XXXXXX  
 Holland, Harvey C., XXXXXX  
 Holler, Adlai C., Jr., XXXXXX  
 Israel, Kenneth R., XXXXXX  
 Jeffery, Francis E., XXXXXX  
 Johnson, Mervin R., XXXXXX  
 Johnston, Roy B., XXXXXX  
 Kilde, Paul R., XXXXXX  
 Lewis, Leroy H., XXXXXX  
 Mann, Glenn M., XXXXXX  
 Metsy, Norman G., XXXX  
 Meyer, Daryl G., XXXXXX  
 Monsen, Ralph R., XXXXXX  
 Montgomery, William F., XXXXXX  
 Moore, Robert M., XXXXXX  
 Nelson, Elmore P., XXXXXX  
 O'Brien, Joseph T., XXXX  
 Pegues, David K., XXXXXX  
 Poorman, J. W., XXXXXX  
 Porter, Edwin A., XXXXXX  
 Posey, Charles R., XXXXXX  
 Powell, Omer T., XXXXXX  
 Rowland, Wayne E., XXXXXX  
 Schoewe, Theodore M., XXXXXX  
 Smart, John L., XXXXXX  
 Sundlof, Frederick D., XXXXXX  
 Swaffar, Ersmund, XXXXXX  
 Walters, Benjamin H., XXXXXX  
 Webster, Stanley B., XXXXXX  
 Williams, James L., XXXXXX  
 Wojtanowski, Elmer J., XXXXXX

## DENTAL CORPS

Baker, Bill R., XXXXXX  
 Dickman, Wilbur J., XXXXXX  
 Hall, Gaylord L., XXXXXX  
 Hanson, Harold O., XXXXXX  
 Johnson, Carl E., XXXXXX  
 Karr, Robert A., XXXXXX  
 MacDonald, Charles I., XXXXXX  
 Maybury, Joseph E., XXXXXX  
 Muns, Herman R., XXXXXX  
 Pedersen, Robert E., XXXXXX  
 Quesinberry, Bursleigh W., XXXXXX  
 Ratney, Bernard L., XXXXXX  
 Seamons, Dick C., XXXXXX  
 Tindall, Leroy E., XXXXXX  
 Wilson, Maurice R., Jr., XXXXXX

## MEDICAL CORPS

Amdall, Robert O., XXXXXX  
 Antonelli, John H., XXXXXX  
 Barrett, John A., Jr., XXXXXX  
 Batson, Andrew P., XXXXXX  
 Dean, Robert M., XXXXXX  
 Earle, Jack L., XXXXXX  
 Edwards, Robert H., XXXXXX  
 Holt, Clinton L., XXXXXX  
 Houle, Dudley B., XXXXXX  
 Jarvie, Thomas A., XXXXXX  
 Kent, James R., XXXXXX  
 Lang, Robert H., XXXXXX  
 Lindall, Dale R., XXXXXX  
 Lumpkin, Lee R., XXXXXX  
 Mahan, Frank L., XXXXXX  
 McGuire, Terence F., XXXXXX  
 McIver, Robert G., XXXXXX  
 Michels, Max I., XXXXXX  
 Moore, John A., XXXXXX  
 Ohern, Thomas M., XXXXXX  
 Redmond, William M., XXXXXX  
 Rice, Donald E., XXXX

Smith, Robert E., XXXXXX  
 Sparks, John C., XXXXXX  
 Stagg, Paul A., XXXXXX  
 Swaim, Terry J., XXXXXX  
 Taylor, Ellis R., XXXXXX  
 Thorpe, James H., XXXXXX  
 Vandenbos, Kermit O., XXXXXX  
 Williams, Marion, J., XXXXXX  
 Wing, Morgan E., XXXXXX  
 Wolff, Richard C., XXXXXX  
 Wolst, Mack D., Jr., XXXXXX

## NURSE CORPS

Cole, Margaret J., XXXXXX  
 Combes, Mary A., XXXXXX  
 Elser, Florence F., XXXXXX  
 Garrecht, Claire M., XXXXXX  
 Gerlack, Rachel M., XXXXXX  
 Goodard, Mary A., XXXXXX  
 Masten, Billye, XXXXXX  
 Miedwig, Ruth C., XXXXXX  
 Shifflett, Billie L., XXXXXX  
 Wilson, Dorothy J., XXXXXX

## MEDICAL SERVICE CORPS

Ashlin, Clarence L., XXXXXX  
 Boruff, Marilyn W., XXXXXX  
 Cox, Paul S., XXXXXX  
 Frentress, Marvin I., XXXXXX  
 George, John J., XXXXXX  
 Harper, Oliver F., Jr., XXXXXX  
 Kelley, Robert G., XXXXXX  
 McCullough, Frederick, XXXXXX  
 McHugh, Walter P., XXXXXX  
 Sagner, Charles E., Jr., XXXXXX  
 Short, Hassell, M., XXXXXX

## VETERINARY CORPS

Collins, Warren E., XXXXXX  
 Hanson, Roland L., XXXXXX  
 Massie, Erby L., XXXXXX  
 Verplank, Maurice S., XXXXXX

## BIOMEDICAL SCIENCES CORPS

Davis, Irving, XXXXXX  
 Fesenmyer, Mary K., XXXXXX  
 Houpt, Frank R., XXXXXX  
 Kislin, Benjamin, XXXXXX  
 Moore, Carl B., XXXXXX  
 Potts, Pauline, XXXXXX  
 Schwartz, Norman H., XXXXXX

## Second lieutenant to first lieutenant

## LINE

Abbes, Douglas C., XXXX  
 Abbott, Wayne R., XXXX  
 Abel, Raymond E., Jr., XXXX  
 Abel, Thomas R., XXXX  
 Abels, J. Arthur, XXXX  
 Acher, Robert P., Jr., XXXX  
 Adams, David J., XXXX  
 Adams, Jim D., Jr., XXXX  
 Adams, Walton F., Jr., XXXX  
 Adler, John W., XXXX  
 Ahern, John J., Jr., XXXX  
 Ainsworth, James S., IV, XXXX  
 Alber, Antone F., XXXX  
 Albertson, Fred W., Jr., XXXX  
 Alexander, John R., XXXX  
 Allan, Douglas B., XXXX  
 Allen, Jerrold P., XXXX  
 Allen, John D., XXXX  
 Allen, John J., XXXX  
 Allen, Robert E., XXXX  
 Allen, Stanley M., XXXX  
 Alphin, Robert C., Jr., XXXX  
 Almand, Larry M., XXXX  
 Almquist, Tommy B., XXXX  
 Amels, Bernard J., XXXX  
 Amundson, Robert C., XXXXXX  
 Andersen, Richard D., XXXX  
 Andersen, Robert N., XXXX  
 Anderson, James R., XXXX  
 Anderson, John R., XXXX  
 Anderson, John F., XXXX  
 Anderson, Lynn R., XXXX  
 Anderson, Martin G., XXXX  
 Anderson, Parker J., XXXX  
 Andrade, Martin G., XXXX  
 Andrews, Franklin J., XXXX  
 Andrews, Victor C., XXXX  
 Andrlk, Jerry E., XXXX

Anthony, Ron A., XXXX  
 Aoki, Jerald K., XXXX  
 Apgar, Robert C., XXXX  
 Apple, Robert C., XXXX  
 Arceneaux, Ronald J., XXXX  
 Armentrout, Alden H., XXXX  
 Ash, Robert K., Jr., XXXX  
 Ashton, William B., XXXX  
 Ast, Daniel A., XXXX  
 Atchley, Lonnie S., XXXX  
 Aten, Ronald B., XXXX  
 Atkins, William D., Jr., XXXX  
 Atkinson, David E., XXXX  
 Aykroyd, Geoffrey B., XXXX  
 Baarstad, Roger A., XXXX  
 Badgwell, Don H., XXXX  
 Bagley, Larry C., XXXX  
 Bailey, Edward P., Jr., XXXX  
 Baker, Bob L., XXXX  
 Baker, Carl L., XXXX  
 Baker, Joseph D., XXXX  
 Baker, Robert W., XXXX  
 Baldwin, Charles A., II, XXXX  
 Baldy, Paul J., XXXX  
 Ballester, Jon G., XXXX  
 Bancale, Michael A., XXXX  
 Bandy, John L., XXXX  
 Bane, David C., Jr., XXXX  
 Bangert, Robert W., Jr., XXXX  
 Banmiller, Brian F., XXXX  
 Barber, Raymond E., XXXX  
 Barber, Thomas J., XXXX  
 Barber, William D., XXXX  
 Barclay, Victor W., XXXX  
 Barksdale, David W., XXXX  
 Barksdale, Ronald D., XXXX  
 Barnard, Milton C., III, XXXX  
 Barnes, Burdette J., Jr., XXXX  
 Barnhart, Eugene L., XXXX  
 Barnhart, Peter W. C., XXXX  
 Barrera, Arturo, XXXX  
 Barrett, William H., XXXX  
 Barte, Eddie C., XXXX  
 Barton, Melvin W., XXXX  
 Bartz, Charles E., XXXX  
 Bashant, Ronald W., XXXX  
 Batsel, Michael L., XXXX  
 Batten, Arthur D., XXXX  
 Bauer, John E., XXXX  
 Baugh, Howard L., XXXX  
 Baum, Dwight J., XXXX  
 Bauman, Robert B., XXXX  
 Bean, David J., XXXX  
 Bean, John E., XXXX  
 Beatty, Jerry L., XXXX  
 Becker, Barry, XXXX  
 Becker, Gerald E., XXXX  
 Beckstrand, Paul H., XXXX  
 Bell, Frederick M., XXXX  
 Bell, James M., XXXX  
 Bell, Robert B., XXXX  
 Benda, David E., XXXX  
 Bennett, Hugh J., XXXX  
 Bennett, Martin P., XXXX  
 Bennett, Robert L., XXXX  
 Bennett, Stephen L., XXXX  
 Benson, Edward T., XXXX  
 Benson, Howard F., Jr., XXXX  
 Berkeley, Howard D., III, XXXX  
 Berls, George O., XXXX  
 Bermudez, John M., XXXX  
 Bernhardt, James H., XXXX  
 Berning, William V., XXXX  
 Bernstein, Alfred M., Jr., XXXX  
 Berry, William G., Jr., XXXX  
 Bethurem, Richard C., XXXX  
 Bevacqua, Michael E., XXXX  
 Bickelhaupt, Larry D., XXXX  
 Bielo, Edward J., XXXX  
 Bigelow, Winfield S., Jr., XXXX  
 Binford, Eugene E., XXXX  
 Bingham, Price T., XXXX  
 Blshop, Darrel G., XXXX  
 Bishop John A. R., Jr., XXXX  
 Bittner, Elvin D., III, XXXX  
 Black, Marion, Jr., XXXX  
 Blackledge, David C., XXXX  
 Blass, Edward M., XXXX  
 Blair, Henry R., XXXX  
 Blair, Michael I., XXXX  
 Blake, Ronald L., XXXX

Blankenbaker, Cleon J., XXXX  
 Blankenship, James E., XXXX  
 Bleistine, Cyril J., XXXX  
 Blevins, Gordon C., Jr., XXXX  
 Blitt, William J., XXXX  
 Blum, David J., XXXX  
 Blumberg, Andrey, XXXX  
 Boatright, Ronald L., XXXX  
 Boehringer, Kenneth F., XXXX  
 Boese, John J., XXXX  
 Boese, Lawrence E., XXXX  
 Bogue, Donald M., XXXX  
 Bond, Robert L., XXXX  
 Boney, James S., XXXX  
 Bonnell, Roy O., Jr., XXXX  
 Boone, Robert K., XXXX  
 Borowski, Richard A., XXXX  
 Borzych, Conrad A., XXXX  
 Boswell, Ralph H., XXXX  
 Botts, Mason S., XXXX  
 Boudreaux, Lionel A., XXXX  
 Boughton, Grant S., XXXX  
 Bouris, Michael L., XXXX  
 Bouwhuis, Jon E., XXXX  
 Bove, Anthony J., Jr., XXXX  
 Bowden, Samuel J., XXXX  
 Bowen, William G., XXXX  
 Bowers, Robert J., XXXX  
 Bowse, John R., XXXX  
 Boyd, Stanley E., XXXX  
 Boyette, Paul A., XXXX  
 Boylan, Joseph F., XXXX  
 Bracy, Ronald L., XXXX  
 Braden, Paul E., XXXX  
 Bradley, Paul F., XXXX  
 Bramante, Bernardo D., XXXX  
 Brandon, Thomas S., XXXX  
 Brands, David H., XXXX  
 Bray, John K., XXXX  
 Brennan, Robert E., XXXX  
 Brewer, Charles W., XXXX  
 Briggs, Thomas W., XXXX  
 Broadhurst, Edwin B., Jr., XXXX  
 Brogdon, Loren J., XXXX  
 Brooks, Charles H., XXXX  
 Brooks, John H., XXXX  
 Brooks, Ronald S., XXXX  
 Brost, Robert N., XXXX  
 Brown, Charles B., XXXX  
 Brown, Donald E., XXXX  
 Brown, Elliott R., XXXX  
 Brown, Ray L., XXXX  
 Brown, Scott B., XXXX  
 Brown, Timothy D., XXXX  
 Brown, Wendell L., XXXX  
 Brownlee, Joe A., XXXX  
 Bruce, Phillip W., XXXX  
 Bruce, Ronald L., XXXX  
 Brunner, Gary E., XXXX  
 Brunz, Wayne W., XXXX  
 Bryan, Robert E., XXXX  
 Buck, Walter H., XXXX  
 Buckley, Robert L., XXXX  
 Buglewicz, Lee J., XXXX  
 Bulkeley, Michael C., XXXX  
 Bullard, Edward M., XXXX  
 Bullock, Gerald E., XXXX  
 Bumgarner, Charles E., XXXX  
 Bunce, Charles N., XXXX  
 Burckhalter, James M., XXXX  
 Burkett, Edgar E., Jr., XXXX  
 Burkhead, Richard W., XXXX  
 Burnfield, Charles D., XXXX  
 Burrell, James A., XXXX  
 Burroughs, Paul N., XXXX  
 Burt, John H., XXXX  
 Bush, John R., XXXX  
 Busick, Michael F., XXXX  
 Butler, Frederick W., XXXX  
 Cain, John B., XXXX  
 Caldwell, Quinton M., XXXX  
 Call, Jeffrey L., XXXX  
 Callahan, Jerry B., XXXX  
 Campbell, Archie E., XXXX  
 Campbell, Richard D., XXXX  
 Campbell, Terry H., XXXX  
 Campbell, Von A., XXXX  
 Canipe, Yates J., XXXX  
 Cannon, George E., Jr., XXXX  
 Canter, Carl W., XXXX  
 Capick, Paul J., XXXX

Capone, John T., XXXX  
 Capriotti, Donald L., XXXX  
 Cargill, James D., XXXX  
 Carl Joseph W., XXXX  
 Carlson, Curtis S., XXXX  
 Carlson, Kent R., XXXX  
 Carlson, Randal D., XXXX  
 Carmichael, John A., XXXX  
 Carpenter, Robert A., XXXX  
 Carr, Thomas E., II, XXXX  
 Carrington, Royle P., III, XXXX  
 Carroll, George T., XXXX  
 Carroll, Joel A., III, XXXX  
 Carroll, Thomas B., XXXX  
 Carson, Douglas M., XXXX  
 Carson, James M., XXXX  
 Carter, Charles E., XXXX  
 Carter, Leon J., III, XXXX  
 Carter, Stephen L., XXXX  
 Caskey, Billie R., XXXX  
 Casper, John H., XXXX  
 Castell, Harold L., XXXX  
 Catoe, Charles D., XXXX  
 Cecil, Daniel B., XXXX  
 Chamberland, Donald J., XXXX  
 Chambers, Michael D., XXXX  
 Chapman, Robert E., XXXX  
 Charles, Michael, XXXX  
 Check, William D., XXXX  
 Cheek, Charles T., XXXX  
 Cheeseman, Alan B., XXXX  
 Cherney, Thomas J., XXXX  
 Chinn, Alvin F., XXXX  
 Choate, John S., XXXX  
 Choplin, Larry E., XXXX  
 Christian, Charles B., Jr., XXXX  
 Christian, Jerry M., XXXX  
 Christman, Noel J., XXXX  
 Christy, Donald F., XXXX  
 Clark, Albert P., Jr., XXXX  
 Clark, David D., XXXX  
 Clark, Richard J., XXXX  
 Clark, Robert L., XXXX  
 Clark, Walter F., XXXX  
 Clary, Ronald E., XXXX  
 Claspell, Ogal B., XXXX  
 Clay, Michael T., XXXX  
 Clemen, John D., XXXX  
 Clemens, John E., XXXX  
 Clements, Manen O., XXXX  
 Cline, William W., XXXX  
 Cloar, Robert R., XXXX  
 Cloninger, David R., XXXX  
 Cloninger, Raymond E., XXXX  
 Closson, Luke E., Jr., XXXX  
 Coan, Stuart W., XXXX  
 Cobb, William C., XXXX  
 Codron, Barry J., XXXX  
 Coghill, Albert B., XXXX  
 Cogley, Jesse W., III, XXXX  
 Cohen, Barry L., XXXX  
 Cohen, Richard, XXXX  
 Cole, Clifford I., Jr., XXXX  
 Cole, Robert A., XXXX  
 Coleman, Steven L., XXXX  
 Colleran, Michael, XXXX  
 Collins, Nolan, XXXX  
 Colvin, Murl W., XXXX  
 Combs, Phillip L., XXXX  
 Cone, Wallis D., Jr., XXXX  
 Coney, Joel T., XXXX  
 Conforti, Peter, XXXX  
 Connor, Earl W., XXXX  
 Connors, Michael J., XXXX  
 Conrad, John C., Jr., XXXX  
 Conver, Stephen K., XXXX  
 Cook, Gordon L., XXXX  
 Cook, Ivy D., Jr., XXXX  
 Cook, Richard P., XXXX  
 Cook, Walter R., XXXX  
 Cook Wendell L., XXXX  
 Cooke, Carlton L., Jr., XXXX  
 Coombs, Dennis C., XXXX  
 Coonan, Daniel J., III, XXXX  
 Cork, Larry D., XXXX  
 Cormier, Paul O., XXXX  
 Cossa, Anthony J., Jr., XXXX  
 Coulter, Robert A., XXXX  
 Couser, Walter J., III, XXXX  
 Cowan, George M., XXXX  
 Cowee, Bruce T., XXXX

Cowles, Carroll W., II, XXXX  
 Cox, Kenneth E., XXXX  
 Coy, Robert W., XXXX  
 Coyne, Cary W., XXXX  
 Craigie, Donald F., XXXX  
 Crane, Pinar, Jr., XXXX  
 Cree, Richard W., Jr., XXXX  
 Crinks, Francis L., XXXX  
 Crist, Neil B., XXXX  
 Crocker, Larry D., XXXX  
 Crosby, Bradley L., XXXX  
 Cross, Charles K., Jr., XXXX  
 Cross, Stephen D., XXXX  
 Crossman, Wilfred L., XXXX  
 Crownover, John H., III, XXXX  
 Csanadi, Steven B., XXXX  
 Culpepper, Donnie D., XXXX  
 Curran, James E., Jr., XXXX  
 Currey, Melvin D., III, XXXX  
 Curtis, Johnson O., XXXX  
 Czermer, Frederick H., Jr., XXXX  
 Daack, Martin T., XXXX  
 Dahl, Larry A., XXXX  
 Dalley, Russell T., XXXX  
 Dally, Duane T., XXXX  
 Dakins, James M., XXXX  
 Damery, James T., Jr., XXXX  
 Dandar, Michael J., Jr., XXXX  
 Daniels, Henry S., XXXX  
 Dant, Robert E., XXXX  
 Darrell, Wesley K., XXXX  
 Daskevich, Joseph R., XXXX  
 Dassler, William H., XXXX  
 Davis, Bobby G., XXXX  
 Davis, Daniel T., XXXX  
 Davis, Joseph R., XXXX  
 Davis, Larry R., XXXX  
 Davis, Larry L., XXXX  
 Davis, Paul R., XXXX  
 Davis, Richard C., XXXX  
 Davis, Robert I., XXXX  
 Davitte, William B., XXXX  
 Debenedetto, Carl A., XXXX  
 Deakin, Gerald W., XXXX  
 Dean, Kenneth E., XXXX  
 Deangelo, Dominic J., XXXX  
 Deanhofer, Ronald L., XXXX  
 Deberg, Oak H., XXXX  
 Deblois, Paul M., XXXX  
 Dell, Walter L., XXXX  
 Demilita, James J., XXXX  
 Demuth, Stephen H., XXXX  
 Denny, Gerald R., II, XXXX  
 Denovo, Charles A., XXXX  
 Detwiler, Ross C., XXXX  
 Deyoung, Lance G., XXXX  
 Dibb, Phillip A., XXXX  
 Dibello, Edward G., XXXX  
 Dice, John C., XXXX  
 Dickens, Jackie L., XXXX  
 Dickman, Robert S., XXXX  
 Diefenbach, Kurt O., XXXX  
 Dietze, Gary A., XXXX  
 Dimig, Gary E., XXXX  
 Dirske, Arthur L., XXXX  
 Dixon, Cornelius W., III, XXXX  
 Dockerv, Charles P., III, XXXX  
 Dodd, Daniel A., XXXX  
 Dodd, Roger H., XXXX  
 Dodson, Theodore E., XXXX  
 Dollm, Henry P., Jr., XXXX  
 Dolloff, Charles L., XXXX  
 Donnelly, Thomas, XXXX  
 Dopler, Bruce A., XXXX  
 Dorsett, Thomas G., XXXX  
 Doubet, Frederick P., XXXX  
 Doyle, Thomas H., XXXX  
 Dozier, James K., Jr., XXXX  
 Drayer, Wayne M., XXXX  
 Drury, Deane C., XXXX  
 Duda, Ronald B., XXXX  
 Dudley, Lynton C., XXXX  
 Dudley, William F., XXXX  
 Duerr, Gerald F., XXXX  
 Duke, Preston T., XXXX  
 Dumbroski, John R., XXXX  
 Dunham, Robert L., Jr., XXXX  
 Dunlevy, Daniel P., XXXX  
 Dunn, Ben G., XXXX  
 Dunne, William E., XXXX  
 Dunshee, Robert B., XXXX

Duplissey, Gary R., XXXX  
 Durgée, Ronald M., XXXX  
 Durocher, Edmond N., XXXX  
 Durrett, Russel D., XXXX  
 Dutt, Frank E., Jr., XXXX  
 Dutton, Lee R., XXXX  
 Dyck, John W., Jr., XXXX  
 Dydo, John R., XXXX  
 Dyer, John C., XXXX  
 Eastman, Raymond L., XXXX  
 Eaton, Jay E., XXXX  
 Eby, Timothy R., XXXX  
 Echols, Kenneth N., XXXX  
 Eddy, Lucian B., Jr., XXXX  
 Edmunds, Robert C., Jr., XXXX  
 Edwards, William, XXXX  
 Egge, Arthur G., XXXX  
 Eggers, Bruce A., XXXX  
 Eglinton, Gary S., XXXX  
 Ehrhardt, Donald R., XXXX  
 Ehrig, David L., XXXX  
 Eichorst, Kurt K., XXXX  
 Eisler, Steven L., XXXX  
 Elarth, Vernon A., XXXX  
 Elder, David P., XXXX  
 Elder, William E., Jr., XXXX  
 Elliott, Dale S., XXXX  
 Ellis, Donald L., XXXX  
 Emborsky, Thomas E., XXXX  
 Engelman, Frederick C., Jr., XXXX  
 Eng, Timm G., XXXX  
 Ensor, Richard D., XXXX  
 Erickson, Richard P., XXXX  
 Ertel, Peter H., XXXX  
 Estes, Hestil D., XXXX  
 Estrada, Carlos A., Jr., XXXX  
 Estus, Robert C., Jr., XXXX  
 Eubank, William E., III, XXXX  
 Evans, Albert L., III, XXXX  
 Evans, David J., XXXX  
 Evans, James W., III, XXXX  
 Evans, Robert M., Jr., XXXX  
 Evers, William A., XXXX  
 Ewart, Robert F., XXXX  
 Fadden, Michael G., XXXX  
 Fahner, David W., XXXX  
 Fairchild, Frederic P., XXXX  
 Fairchild, Stephen J., XXXX  
 Faix, Joseph L., XXXX  
 Fal, John W., XXXX  
 Falco, XXXX  
 Fales, David P., XXXX  
 Farrell, William R., XXXX  
 Farris, Prescott D., Jr., XXXX  
 Faust, Ernest K., XXXX  
 Feener, Michael K., XXXX  
 Fegan, James R., XXXX  
 Feldman, Robert M., XXXX  
 Figueroa, Edmund L., XXXX  
 Finan, George K., II, XXXX  
 Finch, Charles W., XXXX  
 Finch, Louis C., XXXX  
 Fink, Dennis E., XXXX  
 Fisher, Jack D., XXXX  
 Fitzgerald, Thomas J., XXXX  
 Fitzgibbons, Robert J., XXXX  
 Flood, John D., XXXX  
 Flood, Paul R., XXXX  
 Fojtasek, Joseph F., XXXX  
 Foley, Jack D., XXXX  
 Foley, Robert E., XXXX  
 Folz, John E., XXXX  
 Ford, David A., XXXX  
 Ford, Donald H., XXXX  
 Ford, Patrick V., XXXX  
 Forehand, Thomas W., XXXX  
 Fornal, Andrew R., XXXX  
 Forster, Hugh H., XXXX  
 Foster, Henry S., Jr., XXXX  
 Foster, Kent B., XXXX  
 Foster, Thomas J., XXXX  
 Fowler, James B., XXXX  
 Fowler, Raymond D., XXXX  
 Freiburger, Charles F., XXXX  
 Freimuth, Richard P., XXXX  
 French, Daniel P., XXXX  
 Frenzel, Michael J., XXXX  
 Frerichs, Robert D., XXXX  
 Friday, Phillip M., XXXX  
 Friedauer, Emil M., XXXX  
 Frieze, Harold D., XXXX  
 Fritzsche, David W., XXXX  
 Fritzsich, Ralph B., XXXX  
 Frust, John J., XXXX  
 Fuchs, Robert T., XXXX  
 Fuhrmann, John R., XXXX  
 Fuller, Charles T., XXXX  
 Fulmer, Carlton J., XXXX  
 Fulton, Donald F., XXXX  
 Funk, William G., XXXX  
 Funkhouser, Kenneth V., XXXX  
 Furdek, Dennis T., XXXX  
 Futey, Andrew J., XXXX  
 Gaffney, Michael W., XXXX  
 Gage, Harlan R., XXXX  
 Galaway, Robbie L., XXXX  
 Galer, Robert T., XXXX  
 Gallon, Robert W., XXXX  
 Gamel, Larry L., XXXX  
 Garcia, Wilfred M., Jr., XXXX  
 Gardner, David G., XXXX  
 Gardner, Gregory C., XXXX  
 Gardner, Phillip D., XXXX  
 Gardner, Richard E., XXXX  
 Garland, James E., Jr., XXXX  
 Garrett, Richard A., XXXX  
 Garrett, Stephen S., XXXX  
 Garrison, John H., XXXX  
 Garvin, Edward M., XXXX  
 Gaskill, William L., XXXX  
 Gast, James C., XXXX  
 Gaston, Chester D., Jr., XXXX  
 Gates, Gary W., XXXX  
 Gatlin, John L., Jr., XXXX  
 Gault, Richard S., XXXX  
 Gay, John M., XXXX  
 Gayvert, Gerald J., XXXX  
 Geary, Sean J., XXXX  
 Geary, Timothy J., XXXX  
 Gee, Ronald P., XXXX  
 Generosa, John I., XXXX  
 George, Ronnie R., XXXX  
 Gerimonte, James A., XXXX  
 Germeraad, John O., XXXX  
 Gerock, Milton T., Jr., XXXX  
 Gibson, James W., XXXX  
 Gideon, Francis C., Jr., XXXX  
 Gilmore, William H., XXXX  
 Glassford, James C., XXXX  
 Godesky, Robert F., Jr., XXXX  
 Godfrey, Paul A., XXXX  
 Godfrey, William R., XXXX  
 Golas, Michael T., XXXX  
 Golbitz, William C., XXXX  
 Gomez, Walter J., XXXX  
 Gommel, Hugh E., Jr., XXXX  
 Goode, William E., XXXX  
 Gooden, Tobe D., XXXX  
 Gordon, Richard E., XXXX  
 Goss, George J., XXXX  
 Gough, Jamle, III, XXXX  
 Gourley, John H., XXXX  
 Gourley, Laurent L., XXXX  
 Govett, William R., XXXX  
 Grabe, Ronald J., XXXX  
 Graham, Dwight H., XXXX  
 Graham, John D., XXXX  
 Grandia, Kenneth L., XXXX  
 Gravelle, Robert M., XXXX  
 Gray, Jay A., XXXX  
 Gray, Robert M., XXXX  
 Green, Henry P., XXXX  
 Gregory, Leroy J., Jr., XXXX  
 Griffith, Wayne E., XXXX  
 Grigsby, James R., XXXX  
 Gritzmacher, Thomas J., XXXX  
 Grozier, John L., XXXX  
 Guarino, Gilbert B., XXXX  
 Gubser, Burlin R., Jr., XXXX  
 Guckert, Thomas G., XXXX  
 Guenther, Thomas G., XXXX  
 Guerrero, Willard C., XXXX  
 Guido, Richard L., XXXX  
 Guido, Robert V., XXXX  
 Gulbrandson, Stephen D., XXXX  
 Gundrum, Jack W., XXXX  
 Gunn, Wesley R., XXXX  
 Gunnell, Verner P., XXXX  
 Haas, Lawrence H., XXXX  
 Hacker, Kenneth J., XXXX  
 Hackley, Lloyd V., XXXX  
 Haggerty, Dennis W., Jr., XXXX  
 Hale, Joseph N., XXXX  
 Hale, Russell D., XXXX  
 Halfpap, Ingward R., XXXX  
 Hall, David E., XXXX  
 Hall, Marilon D., XXXX  
 Hallberg, Ross G., XXXX  
 Hallenbeck, Dun M., XXXX  
 Hambleton, Bertram L., III, XXXX  
 Hamernick, James L., XXXX  
 Hamm, William J., XXXX  
 Hammack, Larry C., XXXX  
 Hammer, Michael S., XXXX  
 Hammond, George R., II, XXXX  
 Hammond, James M., XXXX  
 Hamner, John W., XXXX  
 Hampton, Philip L., XXXX  
 Hancock, Charles H., Jr., XXXX  
 Hand, Richard G., XXXX  
 Hand, Robert A. S., XXXX  
 Hanks, Dorrel T., Jr., XXXX  
 Hanneemann, Otto P., XXXX  
 Harder, Robert O., XXXX  
 Hari, Louis, XXXX  
 Harold, Francis B., XXXX  
 Harrington, Donald J., XXXX  
 Harrington, Richard G., XXXX  
 Harris, James D., XXXX  
 Harris, John O., XXXX  
 Harrison, David B., XXXX  
 Hartman, Frederick W., Jr., XXXX  
 Hassell, James A., XXXX  
 Hatchett, Ronald L., XXXX  
 Hatten, Donald E., XXXX  
 Hauge, Robert S., XXXX  
 Hausam, Donald L., XXXX  
 Havanac, Peter J., XXXX  
 Hawley, David L., XXXX  
 Hayter, Richard B., XXXX  
 Healy, Michael J., XXXX  
 Heater, Harold E., XXXX  
 Heavin, William F., XXXX  
 Heck, Michael J., XXXX  
 Hedin, Vance A., XXXX  
 Heenan, Michael E., XXXX  
 Heinzman, Richard R., XXXX  
 Heishman, Carl D., XXXX  
 Heitman, William H., XXXX  
 Heitz, Daniel L., XXXX  
 Heller, Gary E., XXXX  
 Heltsley, Charles M., Jr., XXXX  
 Henderson, Earl D., XXXX  
 Henderson, Marvin H., III, XXXX  
 Hendrick, Arthur K., XXXX  
 Henry, Jack C., XXXX  
 Hernandez, James F., XXXX  
 Herndon, Frank M., XXXX  
 Herr, Thomas C., XXXX  
 Herre, Frederick P., XXXX  
 Herzog, Raymond L., Jr., XXXX  
 Hess, Frederick W., Jr., XXXX  
 Hess, James L., XXXX  
 Hetrick, Robert C., XXXX  
 Heyns, Terry L., XXXX  
 Hickok, Philip A., Jr., XXXX  
 Hicks, Pershing, Jr., XXXX  
 Hicks, Steven W., XXXX  
 Higgins, Clark W., Jr., XXXX  
 Higgins, Terry B., XXXX  
 High, Ruyden G., XXXX  
 Higham, James L., XXXX  
 Highley, Robert W., Jr., XXXX  
 Hightower, John H., III, XXXX  
 Hilker, Richard P., XXXX  
 Hill, William J., XXXX  
 Hindon, William K., XXXX  
 Hipp, William R., XXXX  
 Hirsch, Joel G., XXXX  
 Hnat, James G., XXXX  
 Hobgood, Henry M., XXXX  
 Hobson, James L., Jr., XXXX  
 Hockridge, James A., XXXX  
 Hodge, Paul F., XXXX  
 Hodges, Thomas B., XXXX  
 Hodnett, Samuel A., Jr., XXXX  
 Hoffman, Gary C., XXXX  
 Hogan, William W., Jr., XXXX  
 Hogle, Guy O., Jr., XXXX  
 Hoh, Robert H., XXXX  
 Hohwiesner, William H., XXXX  
 Hokanson, Lawrence D., XXXX  
 Holcomb, Norman T., XXXX  
 Holdsclaw, Howard J., XXXX  
 Holladay, Gerald R., XXXX

- Holliker, Charles D., XXXX
- Hollinger, Frederick J., XXXX
- Hollinger, William B., Jr., XXXX
- Holman, Colin M., XXXX
- Holmes, Douglas I., Jr., XXXX
- Holton, Robert E., XXXX
- Hood, Ralph T., XXXX
- Hooghkirk, William G., XXXX
- Hope, Kenneth L., XXXX
- Hopkins, Joseph R., XXXX
- Horan, Robert A., XXXX
- Hornback, Charles H., Jr., XXXX
- Horton, William F., XXXX
- Hoss, James B., XXXX
- Houghtaling, Michael A., XXXX
- Housel, Herschel C., XXXX
- Howard, Thomas J., XXXX
- Howard, William H. F., XXXX
- Howard, William, Jr., XXXX
- Howder, John D., XXXX
- Howell, John E., XXXX
- Hoybach, John P., XXXX
- Hrubes, James W., XXXX
- Hudkins, Raymond P., XXXX
- Hudson, George N., XXXX
- Hudspeth, William E., XXXX
- Huebner, Carl R., III, XXXX
- Huff, Jon M., XXXX
- Huff, William E., XXXX
- Huggins, Lawrence A., XXXX
- Hull, Edward A., XXXX
- Hurst, Jerry L., XXXX
- Hurst, Joseph C., XXXX
- Hussun, Matthew A., III, XXXX
- Hutchinson, Douglas P., XXXX
- Hutton, Dean P., XXXX
- Icke, Harold J., XXXX
- Iverson, Gerald G., XXXX
- Jackman, Allan R., XXXX
- Jacobs, Grady L., Jr., XXXX
- Jacobs, Jerry A., XXXX
- Jacobus, Frank W., XXXX
- Jacoby, James E., XXXX
- Jaeger, Jan B., XXXX
- Jahnke, Lawrence E., XXXX
- Jahnke, Robert E., XXXX
- Jamrosy, Thomas E., XXXX
- Janecky, John F., XXXX
- Janke, Peter E., XXXX
- Jannarone, August G., XXXX
- Jarvis, Jefferson J., XXXX
- Jarvis, Joe H., XXXX
- Jaryna, Michael J., XXXX
- Jayne, Edward R., II, XXXX
- Jelks, William A., XXXX
- Jenkins, William F., XXXX
- Jensen, Albert D., XXXX
- Jicha, James O., XXXX
- Johnson, Aldin W., XXXX
- Johnson, Gary M., XXXX
- Johnson, Howard C., Jr., XXXX
- Johnson, P. W., Jr., XXXX
- Johnson, Paul D., XXXX
- Johnson, Richard W., XXXX
- Johnson, Russell A., XXXX
- Johnston, Richard F., XXXX
- Johnson, Terry L., XXXX
- Jones, Gerald L., XXXX
- Jones, Grinnell, III, XXXX
- Jones, Harold G., XXXX
- Jones, John D., XXXX
- Jones, Lloyd D., XXXX
- Jones, Michael F., XXXX
- Jones, Robert H., II, XXXX
- Jones, William H., XXXX
- Joonsar, Heikki, XXXX
- Jorgensen, Lynn C., XXXX
- Jumper, John P., XXXX
- Jungwirth, Arthur H., XXXX
- Kanda, Larry M., XXXX
- Karsch, Michael P., XXXX
- Kasparian, A. Frank, XXXX
- Kaul, Dean C., XXXX
- Kawatachi, Arthur S., XXXX
- Kearney, Stephen G., XXXX
- Kearse, Robert F., XXXX
- Keeley, David M., XXXX
- Kehl, Ted L., XXXX
- Kehoe, Nicholas B., III, XXXX
- Keiser, Thomas W., XXXX
- Kelley, Robert N., XXXX
- Kelley, Wayne, Jr., XXXX
- Kelly, Michael K., XXXX
- Kelly, Thomas P., XXXX
- Kemp, Victor M., XXXX
- Kendrick, Glen A., XXXX
- Kennedy, Charles A., XXXX
- Kennedy, David K., XXXX
- Kennedy, Michael P., XXXX
- Kent, Dennis M., XXXX
- Kent, Gene A., XXXX
- Kephart, Francis M., XXXX
- Kester, James E., XXXX
- Kettler, Richard T., XXXX
- Keylor, Richard A., XXXX
- Keyser, James E., XXXX
- Kiefer, David J., XXXX
- Kieling, Harry J., Jr., XXXX
- Kimball, Robert L., XXXX
- Kincaid, Thomas E., XXXX
- King, John B., XXXX
- King, Walter R., XXXX
- Kingsmore, Kenneth H., XXXX
- Kinkade, William L., XXXX
- Kirkpatrick, Larry D., XXXX
- Kitchen, Gary S., XXXX
- Klaurens, Rex L., XXXX
- Klutz, William L., Jr., XXXX
- Knott, David P., XXXX
- Knowles, Joel B., XXXX
- Knox, William A., XXXX
- Kobriger, James C., XXXX
- Koen, Lyle D., XXXX
- Konecni, Joseph A., Jr., XXXX
- Konopasek, Frank W., III, XXXX
- Kontrick, Alvin A., XXXX
- Kopf, Christopher R., XXXX
- Korose, Robert J., XXXX
- Koscheski, Ted A., XXXX
- Koster, Charles R., XXXX
- Kraeszig, John C., XXXX
- Kramer, Earl B., XXXX
- Kravitz, Nicholas J., XXXX
- Krepps, Vincent P., XXXX
- Krueger, David D., XXXX
- Krug, Kurt M., XXXX
- Krump, Donald L., XXXX
- Kruppenbacher, Paul H., XXXX
- Kunz, John W., XXXX
- Kurzyna, Richard A., XXXX
- Kuzniak, George, XXXX
- Labarge, Stephen F., XXXX
- Lackey, Frederick E., XXXX
- Lacy Louie, XXXX
- Ladewig, Melvin E., XXXX
- Lafever, William D., XXXX
- Lambert, Leland L., XXXX
- Lancaster, Charles A., XXXX
- Lancaster, Richard A., XXXX
- Land, Thomas E., XXXX
- Landon, Clarence L., XXXX
- Landry, Roland A., XXXX
- Laney, James E., Jr., XXXX
- Lanier, Thomas S., XXXX
- Lanoue, Richard R., XXXX
- Lantz, Paul L., XXXX
- Lanzilotta, Nicholas M., XXXX
- Large, John T., XXXX
- Larson, Daniel F., XXXX
- Lauer, Joseph Q., II, XXXX
- Laurey, George E., XXXX
- Laurier, William R., XXXX
- Law, James E., XXXX
- Lawrence, Winston G., XXXX
- Lawson, Walter V., XXXX
- Lazaro, Robert A., XXXX
- Lebaron, Ronald F., XXXX
- Leber, Douglas L., XXXX
- Ledbetter, Lamar E., Jr., XXXX
- Lee, Richard W., XXXX
- Leek Warren, J., XXXX
- Leeper, William C., XXXX
- Leib, Thomas L., Jr., XXXX
- Leippe, David L., XXXX
- Lenhoff, Joseph R., XXXX
- Lennon, Thomas J., XXXX
- Lennox, John E., XXXX
- Lentz, Paul W., Jr., XXXX
- Levan, Jay E., Jr., XXXX
- Lewandowski, William J., XXXX
- Lewis, David W., XXXX
- Lewis, George T., Jr., XXXX
- Lewis, James F., Jr., XXXX
- Lewis, John A., XXXX
- Leydorf, William F., Jr., XXXX
- Lichtenwalter, Homer O., III, XXXX
- Lieberman, Edward, XXXX
- Liesch, Dale R., XXXX
- Lindberg, Eric K., XXXX
- Lindner, Philip G., XXXX
- Lindsay, Joe E., XXXX
- Linhardt, Robert L., XXXX
- Link, James A., XXXX
- Liona, Walter J., XXXX
- Lipsey, Michael J., XXXX
- Little, Lowell P., Jr., XXXX
- Lloyd, David R., XXXX
- Loeffler, Murray W., Jr., XXXX
- Lohman, William T., XXXX
- Long, Roger D., XXXX
- Lord, Kenneth C., XXXX
- Lossmann, Wayne H., XXXX
- Lovelace, Michael B., XXXX
- Lowe, Buford L., III, XXXX
- Lowe, William O., XXXX
- Lowther, William R., XXXX
- Lucas, William I., Jr., XXXX
- Lumley, James R., XXXX
- Lund, David R., XXXX
- Lundholm, Larry A., XXXX
- Lundin, Dennis C., XXXX
- Lupini, Robert G., XXXX
- Lutich, Michael L., XXXX
- Lyle, William F., Jr., XXXX
- Lynk, Michael G., XXXX
- Lynum, James R., XXXX
- Macherione, Daniel, XXXX
- Macleod, David H., XXXX
- Macnicoll, Donald C., XXXX
- Magsig, Charles W., XXXX
- Maher, Denis J., XXXX
- Maler, Dennis A., XXXX
- Maiores, John P., XXXX
- Majkowski, Vincent, XXXX
- Malandrino, Joseph P., Jr., XXXX
- Maldonado, Culberto, XXXX
- Maloney, Edward K., II, XXXX
- Mannell, Stephen C., XXXX
- Manning, Henry W., XXXX
- Manning, William N., XXXX
- Mansfield, William J., XXXX
- Marcander, David B., XXXX
- Marcucci, Michael G., XXXX
- Markham, Thomas O., XXXX
- Marlin, Paul R., XXXX
- Maron, John M., XXXX
- Marquez, Jose D. L., XXXX
- Marshall, John C., XXXX
- Marshall, Thomas C., XXXX
- Martel, Courtland J., Jr., XXXX
- Martin, Frederick W., XXXX
- Martin, James R., XXXX
- Martin, Michael, XXXX
- Martin, Miles O., Jr., XXXX
- Martin, William K., Jr., XXXX
- Martinez, Gerald E., XXXX
- Masterson, John S., Jr., XXXX
- Mastropieri, Mario J., XXXX
- Maticic, Ronald E., XXXX
- Mathis, Joseph F., XXXX
- Maurer, Edwin J., Jr., XXXX
- Maybee, John D., XXXX
- Mayo, Lewis D., XXXX
- McArthur, Frank F., XXXX
- McBride, Gerald B., XXXX
- McBroome, John J., XXXX
- McCann, Thomas E., XXXX
- McCauley, Patrick H., XXXX
- McClain, Roger A., XXXX
- McClannan, Herbert, XXXX
- McClintic, James M., XXXX
- McClure, Alan R., XXXX
- McClure, Richard A., XXXX
- McConn, Richard D., XXXX
- McConnell, Robert P., Jr., XXXX
- McCord, Marland I., Jr., XXXX
- McCormick, Larry D., XXXX
- McCormick, William J., XXXX
- McDevitt, James A., XXXX
- McDonald, Joseph, XXXX
- McDougall, Fritz J., XXXX
- McElroy, Edgar E., Jr., XXXX
- McElvain, Kevin L., XXXX

McEwen, Jerry A., XXXX  
 McFalls, John O., III, XXXX  
 McGarity, Raymond H., XXXX  
 McGeorge, William M., XXXX  
 McGerty, Michael J., XXXX  
 McGill, Emmett B., XXXX  
 McIlvoy, David W., XXXX  
 McJoynt, James M., XXXX  
 McLaughlin, John A., XXXX  
 McLean, Daniel P., XXXX  
 McMahon, Gary C., XXXX  
 McMahon, Joseph P., Jr., XXXX  
 McMullen, Thomas E., XXXX  
 McNamara, Robert A., Jr., XXXX  
 McSheffrey, James J., XXXX  
 McVay, Lawrence T., Jr., XXXX  
 Meadows, James E., XXXX  
 Mekar, Mark M., XXXX  
 Melanson, Yves J., Jr., XXXX  
 Menkelo, Frederick V., XXXX  
 Menze, Stanley R., XXXX  
 Messamore, Claude E., Jr., XXXX  
 Messett, Thomas M., XXXX  
 Mestemaker, Robert J., II, XXXX  
 Meszarous, Dennis J., XXXX  
 Metcalfe, Michael, XXXX  
 Meyer, Alfred M., XXXX  
 Meyer, Marvin R., XXXX  
 Meylink, Larry J., XXXX  
 Michel, Marshall H., III, XXXX  
 Michels, William L., XXXX  
 Michielutte, William L., XXXX  
 Mickelson, Thomas P., XXXX  
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 Milberg, Raymond F., XXXX  
 Miller, Charles L., Jr., XXXX  
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 Miller, Kenneth G., XXXX  
 Miller, Leo G., Jr., XXXX  
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 Mills, Rix M., XXXX  
 Milne, Ronald A., XXXX  
 Mims, Joe, Jr., XXXX  
 Mirandaortiz, Jose L., XXXX  
 Misak, Charles K., XXXX  
 Mitchell, James H., XXXX  
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 Mizelle, Carroll E., XXXX  
 Mizner, Kenneth R., XXXX  
 Moates, Thomas H., III, XXXX  
 Monagan, Stephen J., XXXX  
 Moncrief, Rehn M., XXXX  
 Moody, Howard Q., XXXX  
 Moon, Jesse M., III, XXXX  
 Moon, Vorry C., XXXX  
 Mooney, Robert W., XXXX  
 Moore, Donald L., XXXX  
 Moore, Garland F., XXXX  
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 Moore, Lewis T. E., XXXX  
 Moorehead, James E., XXXX  
 Morey, Ronald L., XXXX  
 Morgan, Frederick W., XXXX  
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 Morris, John H., XXXX  
 Morris, Robert D., XXXX  
 Morrison, Russell C., Jr., XXXX  
 Morrissey, Donald E., XXXX  
 Morton, Robert W., XXXX  
 Mosbrugger, Charles D., XXXX  
 Mosley, Ronald A., Jr., XXXX  
 Moss, Forrest M., XXXX  
 Moss, Randy P., XXXX  
 Mossbrook, David W., XXXX  
 Mott, Ernest E., XXXX  
 Mravak, Thomas A., XXXX  
 Mrozek, Jerry L., XXXX  
 Mueh, Hans J., XXXX  
 Mulrhead, Clyde, III, XXXX  
 Muldoon, Patrick W., XXXX  
 Mullen, James H., XXXX  
 Munch, Thomas C., XXXX  
 Murphy, Alan C., XXXX  
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 Murphy, Justin J., XXXX  
 Murray, Bruce D., XXXX  
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 Myers, Wayne A., XXXX  
 Nabours, Warren R., XXXX  
 Nader, Alfred H., Jr., XXXX  
 Nall, Joseph M., XXXX  
 Nangle, James T., XXXX  
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 Nash, Peter R., XXXX  
 Nation, James A., XXXX  
 Neal, William R., XXXX  
 Neese, Donald J., XXXX  
 Neidhart, James D., XXXX  
 Neiman, Thomas N., XXXX  
 Nelson, Conrad B., XXXX  
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 Nenninger, William P., XXXX  
 Newhouse, Nelson H., XXXX  
 Newhouse, Norman S., XXXX  
 Newton, James A., Jr., XXXX  
 Nichols, James R., XXXX  
 Nichols, Matthew A., XXXX  
 Nicholson, Philip A., XXXX  
 Nicholson, William T., XXXX  
 Nicola, David M., XXXX  
 Nielsen, Reese R., XXXX  
 Novak, John T., XXXX  
 Novak, Theodore J., XXXX  
 Nunn, Rubert N., XXXX  
 Oakes, David, XXXX  
 O'Brien, Patrick W., XXXX  
 O'Connell, Thomas W., XXXX  
 O'Connor, Gary E., XXXX  
 O'Donnell, Terrence, XXXX  
 O'Gorman, Daniel F., XXXX  
 O'Halloran, Simon K., XXXX  
 O'Leary, Patrick F., XXXX  
 Oliver, Richard J., XXXX  
 Ollila, John L., XXXX  
 Olschner, Clarence E. III, XXXX  
 Olsen, Dahl D., XXXX  
 Olson, Arthur E., Jr., XXXX  
 Orłowski, Joseph M., XXXX  
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 Orton, Stephen A., XXXX  
 Osher, Kenneth A., XXXX  
 Ostrozny, Norbert J., XXXX  
 Osuch, Robert J., XXXX  
 Overcast, David A., XXXX  
 Owen, Stanley S., XXXX  
 Owens, Lee F., XXXX  
 Ozley, Walter D., XXXX  
 Packer, Robert W., XXXX  
 Padgett, Elmer M., Jr., XXXX  
 Page, John W., XXXX  
 Paguyo, Eusebio T., XXXX  
 Palmer, Gary T., XXXX  
 Pannabecker, David E., XXXX  
 Parkell, William V., XXXX  
 Parker, James R., XXXX  
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 Parkerson, Warren O., II, XXXX  
 Parks, Richard J., XXXX  
 Parmentier, Michael A., XXXX  
 Parnell, Danny J., XXXX  
 Parone, Alfred A., Jr., XXXX  
 Parrott, Emmons F., XXXX  
 Parsons, James H., XXXX  
 Parsons, Rick N., XXXX  
 Pate, Clifford L., XXXX  
 Patrick, Daniel K., XXXX  
 Patterson, James III, XXXX  
 Payne, William A., XXXX  
 Peachey, Emmett C., XXXX  
 Peacock, Ronald K., XXXX  
 Pearson, David K., XXXX  
 Peavley, William F., XXXX  
 Pecci, Joseph L., XXXX  
 Peden, William D., XXXX  
 Pedigo, Harold W., XXXX  
 Peele, Donald G., XXXX  
 Penney, Robert M., XXXX  
 Pennington, Johnnie L., XXXX  
 Perry, Glenn M., II, XXXX  
 Peshut, Samuel, XXXX  
 Petersen, Edward A., III, XXXX  
 Phillips, Richard J., Jr., XXXX  
 Phillips, Thomas D., XXXX  
 Piermarini, Dennis A., XXXX  
 Pinder, Robert G., XXXX  
 Piner, Augustine T., Jr., XXXX  
 Pinkston, Kenneth N., XXXX  
 Plescha, Frank, XXXX  
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 Pollard, Steven W., XXXX  
 Poore, William B., XXXX  
 Porth, Andrew G., XXXX  
 Potter, Gary C., XXXX  
 Powell, John M., XXXX  
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 Pratt, Thomas E., XXXX  
 Pretzer, David M., XXXX  
 Price, Dorsey D., XXXX  
 Prigge, Roger A., XXXX  
 Privette, Billy N., XXXX  
 Ptachik, Christopher, XXXX  
 Purcell, William A., XXXX  
 Purdon, Richard L., XXXX  
 Purinton, Richard A., XXXX  
 Purkiss, Charles T., XXXX  
 Putman, Richard B., XXXX  
 Putz, Victor B., XXXX  
 Quiros, Evan J., XXXX  
 Rabe, Dennis W., XXXX  
 Radtke, Danny L., XXXX  
 Raggio, Robert F., XXXX  
 Rahn, Larry B., XXXX  
 Ramsay, Robert B., XXXX  
 Randolph, Ronnie E., XXXX  
 Rankin, William B., XXXX  
 Rathje, Norman F., XXXX  
 Rauschenberger, Robert C., XXXX  
 Ray, Manly A., Jr., XXXX  
 Ray, William D., XXXX  
 Raz, Jerry E., Jr., XXXX  
 Reams, Allison L. II, XXXX  
 Reasor, Thomas W., XXXX  
 Reavey, William A. III, XXXX  
 Redman, Charles E., XXXX  
 Reed, Albert T., XXXX  
 Reston, Russell T., XXXX  
 Reuber, David B., XXXX  
 Reyna, Antonio, XXXX  
 Rhame, Robert L., XXXX  
 Rhynard, Wayne E., Jr., XXXX  
 Rich, Claude A., Jr., XXXX  
 Richards, Reuben R., XXXX  
 Richardson, Albee M., XXXX  
 Richardson, Mercer B., XXXX  
 Richmond, David W., Jr., XXXX  
 Riddell, Matthew A., XXXX  
 Riddick, Richard R., XXXX  
 Riemer, William V., Jr., XXXX  
 Rierson, Donald C., XXXX  
 Riley, William J., XXXX  
 Ritchard, Leonard H., Jr., XXXX  
 Ritchie, Edward A., XXXX  
 Ritner, Roy N., Jr., XXXX  
 Ritter, Robert C., Jr., XXXX  
 Rivette, Ted A., XXXX  
 Roberts, James N., XXXX  
 Roberts, James E., XXXX  
 Roberts, James M., XXXX  
 Roberts, Joe S., XXXX  
 Roberts, Laurence D., XXXX  
 Robertson, Thomas A., Jr., XXXX  
 Robinson, Harold R., XXXX  
 Robinson, James R., Jr., XXXX  
 Rochelle, Jack P., XXXX  
 Rockefeller, Gary R., XXXX  
 Rodrigues, Fernando N., XXXX  
 Rodrigues, Gary E., XXXX  
 Roe, Ronald W., XXXX  
 Roehr, Michael G., XXXX  
 Rogan, John T., XXXX  
 Rogers, Richard H., XXXX  
 Rogozinski, Robert S., XXXX  
 Rolston, Ronald L., XXXX  
 Roman, Robert J., XXXX  
 Rooks, Joseph L. R., XXXX  
 Rose, Charles M., Jr., XXXX  
 Rosenberg, Maury, XXXX  
 Rosenberg, Roger E., XXXX  
 Rosera, Eugene S., XXXX  
 Rosquist, Arne E., Jr., XXXX  
 Ross, Donald H., XXXX  
 Ross, Joseph S., XXXX  
 Rottlers, Robert B., XXXX  
 Round, Eugene L., XXXX

Rousseau, Kenneth P., XXXX  
 Rowe, Chandler W., Jr., XXXX  
 Rowe, Gordon D., XXXX  
 Rowland, Howard C., XXXX  
 Ruchalski, Brian A., XXXX  
 Rudner, Myron A., XXXX  
 Ruiz, Phillip E., XXXX  
 Runyon, Bradford, Jr., XXXX  
 Rupp, Roger H., XXXX  
 Russ, Robert W., XXXX  
 Russell, Robert E., XXXX  
 Ryan, James E., XXXX  
 Ryan, William J., III, XXXX  
 Sabo, Donald A., XXXX  
 Saboski, Arthur, XXXX  
 Sajdak, Richard J., XXXX  
 Salat, Frank E., XXXX  
 Salsbury, Leonard D., XXXX  
 Sanders, Milton R., XXXX  
 Sandmann, Alfred G., Jr., XXXX  
 Sandweg, William H., III, XXXX  
 Sanford, John J., XXXX  
 Sarff, Charles M., XXXX  
 Saulque, Dennis E., XXXX  
 Saunders, Walter S., XXXX  
 Savage, William C. G., Jr., XXXX  
 Saxe, William E., XXXX  
 Scanlan, Thomas, XXXX  
 Schafer, William G., XXXX  
 Schillereff, Ronald L., XXXX  
 Schmidle, George J., Jr., XXXX  
 Schmidt, Steven C., XXXX  
 Schmidt, Terry A., XXXX  
 Schmiesing, Dale C., XXXX  
 Schnibben, Allen R., XXXX  
 Schrecker, Walter N., XXXX  
 Schul, David A., XXXX  
 Schulte, Richard J., XXXX  
 Schultz, Robert A., Jr., XXXX  
 Schultz, Ronald, XXXX  
 Schwaninger, Arthur E., XXXX  
 Schwartz, Gerald A., XXXX  
 Schweitzer, Kenneth L., XXXX  
 Scobee, Francis R., XXXX  
 Scott, Randolph C., XXXX  
 Scott, Roger D., XXXX  
 Scott, William L., XXXX  
 Seibel, Michael W., XXXX  
 Selecman, Thomas H., Jr., XXXX  
 Sells, James R., XXXX  
 Serrill, James D., XXXX  
 Setterquist, Francis L., XXXX  
 Shankman, Michael D., XXXX  
 Sharer, Bruce W., XXXX  
 Sharkey, David J., XXXX  
 Sheffield, Vernon L., Jr., XXXX  
 Sheffler, Fred W., Jr., XXXX  
 Shelton, Jack W., Jr., XXXX  
 Shelton, Lee M., II, XXXX  
 Shepard, William K., XXXX  
 Sheplak, Gary J., XXXX  
 Sherard, Henry L., XXXX  
 Sheridan, Paul R., XXXX  
 Sherwood, Francis J., XXXX  
 Sherwood, William H., Jr., XXXX  
 Shiner, John F., XXXX  
 Shirley, Graham E., XXXX  
 Shoop, Donald E., XXXX  
 Short, Joe I., XXXX  
 Shosted, George E., XXXX  
 Shriver, Larry L., XXXX  
 Shrock, David L., XXXX  
 Shugars, Jerry G., XXXX  
 Shultis, Donald C., Jr., XXXX  
 Sickler, Ronald E., XXXX  
 Sidwell, Larry W., XXXX  
 Silva, Albert M., XXXX  
 Simmons, Mark D., XXXX  
 Simmons, Michael W., XXXX  
 Simpson, James M., XXXX  
 Sims, Albert P., XXXX  
 Sims, David K., XXXX  
 Sims, Joseph E., XXXX  
 Sims, Robert G., XXXX  
 Singleton, James R., III, XXXX  
 Sizemore, Robert C., XXXX  
 Skagen, James H., XXXX  
 Skees, Robert D., XXXX  
 Skora, Wayne, P., XXXX  
 Skralny, Walter, Jr., XXXX  
 Smith, Addison L., XXXX  
 Smith, Benjamin D., XXXX

Smith, Dennis L., XXXX  
 Smith, Ellis V., XXXX  
 Smith, Harvey M., XXXX  
 Smith, Howard H., Jr., XXXX  
 Smith, Jack L., XXXX  
 Smith, James R., XXXX  
 Smith, James A., XXXX  
 Smith, Jerrald W., XXXX  
 Smith, Jimmie, XXXX  
 Smith, Kittredge R., XXXX  
 Smith, Lee T., XXXX  
 Smith, Michael D., XXXX  
 Smith, Richard A., XXXX  
 Smith, Ronald E., XXXX  
 Smith, Troy J., XXXX  
 Smith, William D., XXXX  
 Smyth, Peter B., XXXX  
 Snakenberg, Robert M., XXXX  
 Sneddon, William R., XXXX  
 Snider, Donald F., XXXX  
 Snider, Victor V., XXXX  
 Snyder, Eric B., XXXX  
 Soden, James P., XXXX  
 Sollenberger, Stephen S., XXXX  
 Somers, Christopher A., XXXX  
 Soulia, Joseph A. L., XXXX  
 Sowa, John M., XXXX  
 Spalding, David A., XXXX  
 Spaller, Bruce E., XXXX  
 Spayd, Thomas F., XXXX  
 Speight, Jackson D., XXXX  
 Spencer, Lester L., XXXX  
 Spencer, Paul C., XXXX  
 Spitz, George R., XXXX  
 Splawn, Arthur C., XXXX  
 Spragg, Merwin E., XXXX  
 Squires, Clark W., XXXX  
 Stack, Edward G., XXXX  
 Stafford, Donald D., XXXX  
 Stallard, Rodney C., XXXX  
 Stanfield, Harry T., XXXX  
 Stanley, James M., XXXX  
 Stanley, Rowland D., XXXX  
 Stark, Howard S., XXXX  
 Starke, Bruce F., XXXX  
 Starnell, Peter J., XXXX  
 Starr, Ronald L., XXXX  
 Starr, William, XXXX  
 Steadman, Eugene, Jr., XXXX  
 Stecklein, Bernard, XXXX  
 Steele, John R., XXXX  
 Steele, Robert G., XXXX  
 Stegeman, William M., XXXX  
 Stegenga, Stuart, XXXX  
 Stein, Paul E., XXXX  
 Stengel, Joseph E., Jr., XXXX  
 Stevens, Dale A., XXXX  
 Steward, Donald E., XXXX  
 Stewart, John W., XXXX  
 Stierle, James E., XXXX  
 Stirrat, Thomas M., XXXX  
 Stites, Hugh D., XXXX  
 Stith, John A., XXXX  
 Stockamp, Torval A., XXXX  
 Stockreiser, Emile J., XXXX  
 Stokes, David R., XXXX  
 Stokes, Ray K., XXXX  
 Stockholm, Paul G., XXXX  
 Stone, Rodney H., XXXX  
 Stone, William M., XXXX  
 Stopkotte, Jackie L., XXXX  
 Strahl, Frederick R., XXXX  
 Strickland, Daniel M., XXXX  
 Strong, Frederick W., III, XXXX  
 Strzemieczny, Alan L., XXXX  
 Stuart, Bryan J., XXXX  
 Stuart, William O., III, XXXX  
 Studdard, Gary L., XXXX  
 Suarez, Robert M., XXXX  
 Sublett, Carlos G., XXXX  
 Suerken, John F., XXXX  
 Sugg, Joseph P., XXXX  
 Sullivan, Edwin P., XXXX  
 Sullivan, Lawrence G., XXXX  
 Suro, George A., XXXX  
 Sutherland, Mont E., XXXX  
 Sutherland, Robert D., XXXX  
 Sutherland, Robert B., XXXX  
 Sutter, David L., XXXX  
 Sutton, Stephen J., XXXX  
 Sutton, William C., XXXX

Svoboda, Joseph F., XXXX  
 Swanson, John G., XXXX  
 Swartz, Steven L., XXXX  
 Swenson, Stanley B., XXXX  
 Swisher, William S., XXXX  
 Swope, James R., XXXX  
 Sykes, Ronald D., XXXX  
 Szczypien, John, Jr., XXXX  
 Taffet, Morris R., XXXX  
 Taiclet, Robert, XXXX  
 Talbut, Michael J., XXXX  
 Talcott, Ronald T., XXXX  
 Tanner, Morris A., Jr., XXXX  
 Tasker, Peter S., XXXX  
 Tatum, Charles T., XXXX  
 Tauzel, Franklyn, XXXX  
 Taylor, Michael L., XXXX  
 Taylor, Ulysses S., III, XXXX  
 Taylor, Wade A., Jr., XXXX  
 Teak, James W., XXXX  
 Teetz, Connie O., XXXX  
 Terrill, Richard J., XXXX  
 Tesar, George K., XXXX  
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 Thomas, Donald J., XXXX  
 Thomas, Jerry F., XXXX  
 Thompson, Albert T., XXXX  
 Thompson, Donald Y., XXXX  
 Thompson, James D., XXXX  
 Thompson, Richard G., Jr., XXXX  
 Thompson, Tommy G., XXXX  
 Thoreson, Paul T., XXXX  
 Thornton, Cyril W., XXXX  
 Thorsen, Tom S., XXXX  
 Thurn, Warren E., XXXX  
 Ticktin, Thomas L., XXXX  
 Tilley, James W., II, XXXX  
 Tingey, Thomas J., XXXX  
 Titus, James R. W., XXXX  
 Tolson, Billy E., XXXX  
 Tomlin, Stephen L., XXXX  
 Toney, David H., XXXX  
 Toney, Virgil J., Jr., XXXX  
 Tooley, Edward S., XXXX  
 Toro, Bruce R., XXXX  
 Towne, Geoffrey W., XXXX  
 Tracy, Charles H., XXXX  
 Traudt, Larry W., XXXX  
 Trodden, Michael J., XXXX  
 Tucker, Michael D., XXXX  
 Tucker, Ronald R., XXXX  
 Turk, Randall L., XXXX  
 Turpen, Louis A., XXXX  
 Tway, Duane C., Jr., XXXX  
 Twigg, Robert H., XXXX  
 Tyler, Paul E., XXXX  
 Tymitz, George P., XXXX  
 Uber, Jerald D., Jr., XXXX  
 Uda, Robert T., XXXX  
 Urner, Ronald M., XXXX  
 Utley, James P., XXXX  
 Vairo, Joseph M., XXXX  
 Valido, John, XXXX  
 Vandeputte, Gary G., XXXX  
 Vandervoort, Stephen R., XXXX  
 Vandongen, William O., XXXX  
 Vanduyn, John E., Jr., XXXX  
 Vangilder, Walter L., XXXX  
 Varnvall, Gary A., XXXX  
 Varn, Dewey J., XXXX  
 Varnadore, Henry C., III, XXXX  
 Vaughan, Donald R., XXXX  
 Veach, Charles L., XXXX  
 Vercruyze, Roger J., XXXX  
 Veve, Rafael A., XXXX  
 Viertel, Walter K., Jr., XXXX  
 Vincent, Halton R., XXXX  
 Viney, Daniel C., XXXX  
 Viotti, Paul R., XXXX  
 Vivian, David J., XXXX  
 Vogel, Carl J., XXXX  
 Volin, David R., XXXX  
 Voll, Richard A., XXXX  
 Vondrak, Richard E., XXXX  
 Voss, Charles B., XXXX  
 Vraa, Ronald D., XXXX  
 Wacker, William L., XXXX  
 Wade, John L., XXXX  
 Wade, Paul R., Jr., XXXX  
 Wagner, Thomas M., XXXX  
 Waldron, Allie L., XXXX  
 Walker, Donald R., XXXX

Walker, Robert A., XXXX  
 Wallace, Lee E., XXXX  
 Wallace, William C., Jr., XXXX  
 Waller, James E., Jr., XXXX  
 Walsh, John A., Jr., XXXX  
 Walters, Neal R., XXXX  
 Wammer, David H., XXXX  
 Ward, David R., XXXX  
 Ware, Gary R., XXXX  
 Warfel, Joseph R., XXXX  
 Warren, John A., Jr., XXXX  
 Wasson, Donald L., XXXX  
 Waters, Dudley F., XXXX  
 Watson, Charles D., XXXX  
 Watson, Frank D., XXXX  
 Watson, Richard B., XXXX  
 Wayman, Ira L., XXXX  
 Webb, Henry D., Jr., XXXX  
 Webb, James G., XXXX  
 Webb, Thomas A., Jr., XXXX  
 Weber, Harold W., XXXX  
 Webster, James C., XXXX  
 Weddle, Dennis R., XXXX  
 Weed, Harold V., Jr., XXXX  
 Weidman, James D., XXXX  
 Weihe, Tyson E., XXXX  
 Weinman, Arnold L., XXXX  
 Dendrock, Robert F., XXXX  
 Wernle, Charles F., II, XXXX  
 Westbrook, Durren L., XXXX  
 Wetterling, Jerry D., XXXX  
 Wetzell, Kenneth R., XXXX  
 Wheeler, Michael D., XXXX  
 Wheeler, Wayne B., XXXX  
 Whipple, George N., XXXX  
 White, Mark A., XXXX  
 White, Michael H., XXXX  
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 Whiteman, William S., XXXX  
 Whiton, Roger C., XXXX  
 Wideman, Terry R., XXXX  
 Wiggins, Wallace L., XXXX  
 Wilhite, Ronald B., XXXX  
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 Williams, Roger, XXXX  
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 Williford, James V., XXXX  
 Willis, Donald E., XXXX  
 Willoughby, James S., XXXX  
 Wilson, George E., III, XXXX  
 Winn, Larry D., XXXX  
 Winslow, Richard P., XXXX  
 Winterberg, Ferris L., XXXX  
 Winters, James J., XXXX  
 Wise, Sidney J., XXXX  
 Wisner, Gordon J., XXXX  
 Withycombe, Frederick K., XXXX  
 Woelz, Karl J., XXXX  
 Woldtke, Roger W., XXXX  
 Wolcutt, Kent E., XXXX  
 Wolf, Patricia H., XXXX  
 Wolfe, Alex V., XXXX  
 Womack, Carl L., XXXX  
 Wood, Dennis D., XXXX  
 Wood, Kenneth C., Jr., XXXX  
 Woodruff, John D., XXXX  
 Woody, James R., XXXX  
 Woody, John W., XXXX  
 Woolace, James L., XXXX  
 Work, Terrell W., XXXX  
 Wormington, John R., XXXX  
 Worthen, Russell F., XXXX  
 Wright, George R., XXXX  
 Wright, James C. W., XXXX  
 Wright, John R., Jr., XXXX  
 Wynne, Michael W., XXXX  
 Ybarra, Dennis B., XXXX  
 Yenser, Dwight L., XXXX  
 York, Alan D., XXXX  
 Young, Douglas, XXXX  
 Young, Reginald A., XXXX  
 Young, Samuel E., Jr., XXXX  
 Youngblood, Phillip L., XXXX  
 Zambelli, Anthony C., XXXX  
 Zellmann, Raymond K., XXXX  
 Zent, Llewellyn, II, XXXX

Zielinski, Stanley J., Jr., XXXX  
 Zomnir, Paul A., XXXX

## NURSE CORPS

Bennett, Bettye J., XXXX  
 Ford, Pamela S., XXXX  
 Haughey, Susan R., XXXX  
 Lichtenwalner, Ann D., XXXX  
 Maier, Janet T., XXXX  
 Oxenham, Mary A., XXXX  
 Pearce, Hilda G., XXXX  
 Rinne, Michael S., XXXX  
 Shaver, Barbara Ann, XXXX  
 Whitcomb, Elizabeth J., XXXX

## MEDICAL SERVICE CORPS

Arnold, Colin B., XXXX  
 Bateman, Val J., XXXX  
 Bates, Thomas G., XXXX  
 Bloomquist, Carroll R., XXXX  
 Bristow, Charles L., XXXX  
 Brown, Charles W., III, XXXX  
 Chappelle, Ray J., Jr., XXXX  
 Christiana, Ronald W., XXXX  
 Collins, Ben A., XXXX  
 Copeland, Billy M., XXXX  
 Dematte, Eugene M., XXXX  
 Dick, William W., XXXX  
 Dikes, James E., XXXX  
 Driver, David C., XXXX  
 Elliott, David J., XXXX  
 Forister, Thomas C., XXXX  
 Garcia, Joe, XXXX  
 Harrison, James T., XXXX  
 Hodgerland, David L., XXXX  
 Janco, Robert L., XXXX  
 Kalgler, James S., XXXX  
 Knauss, Albert C., XXXX  
 Knight, Jimmy M., XXXX  
 Koliner, Charles M., XXXX  
 Leyba, Guillermo, XXXX  
 Lindsey, Garold D., XXXX  
 McCausland, Orrin J., XXXX  
 McMullen, Malcolm, XXXX  
 McNamee, Peter M., XXXX  
 Morgan, Howard W., Jr., XXXX  
 Petermann, Mark H., XXXX  
 Phill, Charles Michael, XXXX  
 Raynor, Richard R., XXXX  
 Sanderson, John N., XXXX  
 Seith, William F., Jr., XXXX  
 Shepler, Thomas R., XXXX  
 Wilson, Ira D., XXXX  
 Zahradka, James F., XXXX

## BIOMEDICAL SCIENCES CORPS

Adams, Ernest D., Jr., XXXX  
 Aumueller, Robert J., XXXX  
 Bittrick, Richard W., XXXX  
 Bowen, Victor G., XXXX  
 Brannon, Larry D., XXXX  
 Campbell, James M., XXXX  
 Cardosa, Albert J., XXXX  
 Clegern, Robert W., XXXX  
 Cobb, Russell V., III, XXXX  
 Gibson, Sidney C., XXXX  
 Hughes, Robert O., XXXX  
 Kaylin, Bernice M., XXXX  
 Killian, John P., XXXX  
 Ladd, Sheldon L., XXXX  
 McConnell, Ann W., XXXX  
 McLean, Jerry A., XXXX  
 Meyer, Barbara A., XXXX  
 Tremblay, James W., XXXX  
 Wood, David G., XXXX

## Executive nominations received by the Senate May 20, 1969:

## FEDERAL POWER COMMISSION

John N. Nassikas, of New Hampshire, to be a Member of the Federal Power Commission for the remainder of the term expiring June 22, 1970, vice Lee C. White.

## AGENCY FOR INTERNATIONAL DEVELOPMENT

Lane Dwinell, of New Hampshire, to be an Assistant Administrator of the Agency for International Development.

## BOARD OF PAROLE

William E. Amos, of Maryland, to be a Member of the Board of Parole for the term

expiring September 30, 1974, vice Homer L. Benson.

## U.S. ATTORNEY

Wade H. Ballard III, of West Virginia, to be U.S. attorney for the southern district of West Virginia for the term of 4 years, vice Milton J. Ferguson.

## U.S. MARSHAL

Harold S. Fountain, of Alabama, to be U.S. marshal for the southern district of Alabama for the term of 4 years, vice George M. Stuart.

George L. Tennyson, of South Dakota, to be U.S. marshal for the district of South Dakota for the term of 4 years, vice Leonard T. Heckathorn.

## IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

## To be lieutenant general

Maj. Gen. Patrick Francis Cassidy, XXXXX, Army of the United States (brigadier general, U.S. Army).

## CONFIRMATIONS

Executive nominations confirmed by the Senate May 20, 1969:

## DEPARTMENT OF DEFENSE

Daniel Z. Henkin, of Maryland, to be an Assistant Secretary of Defense.

## U.S. ARMY

Gen. Theodore John Conway, XXXXX, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general, under the provisions of title 10, United States Code, section 3962.

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

Lt. Gen. John Lathrop Throckmorton, XXXXX, Army of the United States (major general, U.S. Army), to be general.

Maj. Gen. Melvin Zais, XXXXX, Army of the United States (brigadier general, U.S. Army), to be lieutenant general.

## U.S. MINT AT PHILADELPHIA

Nicholas G. Theodore, of Pennsylvania, to be Superintendent of the Mint of the United States at Philadelphia.

## EXPORT-IMPORT BANK OF THE UNITED STATES

R. Alex McCullough, of South Carolina, to be a member of the Board of Directors of the Export-Import Bank of the United States.

## FEDERAL HOME LOAN BANK BOARD

Carl O. Kamp, Jr., of Missouri, to be a member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1971.

## UPPER GREAT LAKES REGIONAL COMMISSION

Alfred E. France, of Minnesota, to be Federal cochairman of the Upper Great Lakes Regional Commission.

## IN THE ARMY

The nominations beginning Donald W. McAvoy, to be colonel, and ending Francis N. Yokoi, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 7, 1969; and

The nominations beginning David M. Schofield, to be second lieutenant and ending Norris W. Whitlock, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 7, 1969.