SENATE—*Tuesday, January 28, 1969*

(Legislative day of Friday, January 10, 1969)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, whose love never fails and whose strength is sufficient for all our needs, wilt Thou subdue all other promptings that in this reverent moment we may know only the prompting of Thy spirit. Speak to each of us that we may know Thee and gain strength to walk and work with Thee this day. Equip our hearts and minds and hands that we may strive to heal the wounded in spirit; to bind up the broken brotherhood; to close the chasm which separates man from man, party from party, race from race. May we be forged into one mighty people "strong in the Lord and in the power of His might," for it is in His name that we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, January 27, 1969, be approved.

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

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that shortly after the conclusion of the vote on the pending motion there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

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

ORDER FOR RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon tomorrow.

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

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a full hour be allocated to the pending motion; that the time for the quorum call, which the distinguished minority leader and I shall suggest, will not be taken out of that time; and that the time under the hour limitation be equally divided between the distinguished minority leader and the Senator from Montana, or whomever they may designate.

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

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

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT OF RULE XXII

The VICE PRESIDENT. The Chair lays before the Senate the motion to proceed to the consideration of Senate Resolution 11, which the clerk will state.

The BILL CLERK. A motion by the Senator from Michigan (Mr. HART) to proceed to consider Senate Resolution 11, to amend rule XXII of the Standing Rules of the Senate.

The VICE PRESIDENT. Without objection, the Senate will resume the consideration of the motion to proceed to the consideration of the resolution.

Mr. MANSFIELD. Mr. President, pending the arrival of the distinguished Senator from Idaho (Mr. CHURCH), I yield control of my time to the distinguished Senator from Kansas (Mr. PEARSON).

Mr. PEARSON. Mr. President, I yield 5 minutes to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, I should like to say a few words about the present attempt to change rule XXII. I consider rule XXII to be one of the essential underpinnings of the Republic, as well as a necessary instrument for the defense of minority rights and a vital safeguard against the tyranny of an arrogant majority. At the outset, let me say that I am unalterably opposed to the current efforts to change this rule. I do not believe any change is either desirable or necessary. I do not believe this is any time to tamper with the fundamental concepts upon which our legislative process was based by the Founding Fathers. And I certainly do not believe the proponents of the movement for change have made a case worthy of consideration.

Mr. President, we are talking here about a rule deeply embedded in the process which has brought representative government in this world to its fullest flower of effectiveness and performance. We are talking here about a rule which enables the Congress to be representative of all the people—not just of simple majorities. We are talking about something fundamental to our way of life and to the assurance that our way will not be changed by a simple majority of legislators bowing to the wishes of a willful Executive. This is not something that wears out with the passage of time, like an old car or an outmoded coat. This is a rule governing the actions of men; and it is as applicable now as it was in the very beginning. Indeed, its application in a republic is as durable as the unchanging nature of man itself.

Mr. President, basic in the equation of representative government is the balance of power between the three major branches of the Federal Government: the legislative, to make laws; the executive, to administer them; and the judiciary, to test them against the great framework of the Nation.

Now patience and principle are being tested by new demands on this balance. Congresses are criticized when they resist Executive programs, not so much on the basis of why they resist but simply because they resist. The judiciary is caught in a boiling debate about whether it should judge the constitutionality of laws or whether it should also interpret them for maximum social benefit. States are criticized for their differences in approach or standards or wealth whereas they once were felt to be inviolate basically to preserve the opportunity for regional and cultural differences. Big cities, emerging as city states rather than as State units, look past the State capitol to the National Capitol for the solution of their problems. Federal regulations of trade practices has moved from the protective—which prohibits malpractices—toward the coercive—which demands conformance with practices decided administratively.

Mr. President, we are told that the United States is larger and more populous than when the federal system of representative government was developed. We are told that old ways are not adequate and that old balances are not meaningful. Now does this mean that there is a population limit on liberty? Does it mean that when 100 million people live together they can maintain free markets and free and balanced institutions but that when 200 million people live together they must delegate their local institutions to central authority? At the root of it, there is no other explanation advanced for the movement today away from the federal system of balanced powers toward an executive system of concentrated powers.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. GOLDWATER. Mr. President, will the distinguished Senator from Kansas yield to me for 3 additional minutes?

Mr. PEARSON. I yield 3 minutes to the Senator from Arizona.

The VICE PRESIDENT. The Senator from Arizona is recognized for 3 additional minutes.

Mr. GOLDWATER. Mr. President, when we hear loud demands today for streamlining the procedures of Congress, for the elimination of traditional safeguards, for doing away with checks and balances which were devised some years ago—when we hear these arguments, we are hearing arguments for further enhancement of Executive power. We are hearing the voices of those who believe an all-powerful central government is the beginning and

end of an all-efficient government in, as the saying goes, "these changing times." Mr. President, these are changing times. We have been living in changing times ever since the Republic was founded. We are always living in changing times. And I am not against change. I believe there is always a need to search out better methods and new devices—in government as well as in our private lives and our private economy. But I am against changing the tried and proven process of representative government merely to gratify somebody's desire to change for the mere sake of change. And I am against throwing away a safeguard against the power of a simple majority merely to make it easier for a particular administration to jam through the Congress programs that are not in the best interest of the American people.

Mr. President, I recall 16 years ago, when I first came to this body, that I did so with a feeling of revolt against extended debate, against the filibuster. I had promised my people that I would vote to change it. However, I was fortunate to serve through a complete Congress, during the course of which a filibuster occurred regarding the tidelands oil bill, and I realized that the only protection this body provided for the minority was rule XXII. I changed my mind.

I changed it further when I realized that my own great State of Arizona would today be a part of New Mexico had it not been for a filibuster engaged in, back in 1862, which prevented that, and allowed the western part of that territory, rightfully, to become a State of its own.

I recall, in 1927, when the Boulder Canyon Act was being discussed in the Senate, that my State of Arizona was excluded from any monetary, power, or water benefits. Thanks to my predecessor, Carl Hayden, and to Senator Henry Fountain Ashurst, now long gone, a filibuster was engaged in and Arizona received its proper due from Hoover Dam.

Mr. President, as I say, I am not opposed to change, but I see no reason to change the fundamental concepts upon which our freedoms are based.

I repeat what I said earlier, that the mere fact we are technologically ahead of where we were 25, 50, or even 100 years ago, and we now have a population in excess of 200 million, does not alter the fact that this Government was based upon the idea that every man has dignity and that this dignity has been bestowed upon him by God. I believe that if we begin to tamper with that idea, we are headed for trouble.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Nebraska.

The VICE PRESIDENT. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, at this point in the debate, undoubtedly, no new arguments will be advanced. They have been thoroughly thrashed out previously.

By way of refreshing recollection, however, let me bring up two or three major principles which I believe should be borne in mind.

First, the change desired in rule XXII does bear upon the federal system of compromise which made this great Republic possible and which is reflected in equal representation of each State in this Chamber. The necessity still exists for continued existence of that compromise. The day is not over when the battle between large and small States will make its appearance. Of course, the amendment to rule XXII would result in an erosion of that compromise and erosion of the federal system. It involves checks and balances. It involves the protection of minority rights.

I wonder whether we bear in mind sufficiently, when we say "protection of minority rights," what we are talking about. Is it for the protection of minority rights of the people, of the Members of this body, or of the population of this country?

After all, the largest nine States in this country contain over 50 percent of the population; yet they are represented by only 18 percent of a minority of this body. Conversely, 26 of the less populated States have 52 percent of the votes in the Senate. So, when we talk about the protection of the rights of the minority and the rights of the majority, let us think about it in terms of population as well as in terms of membership in this body.

Rule XXII and cloture no longer represent or are limited to the sectional interest of this country, which we witnessed again and again in Congress after Congress, when civil rights laws, proposals, and bills were presented. After all, the thrust of civil rights legislation is pretty well spent. There will be refinements from time to time, but nothing that is apt to be added substantially. However, in the future, increasingly there will be ventures into the economic, the social, and the tax fields which will bear upon discrimination either for or against large States, or for or against small States. Situations will arise where conflicts will come about.

Let us take the situation in Alaska which depends so heavily upon revenues from oil production. Probably 30 percent of the revenues of that State must be derived from that source. What if there would be considered, legislation on the part of a small group of States, let us say nine, from the Northeastern part of the country, to establishing a trade zone, for the purpose of importing foreign oil. What if the production of oil within the 50 States of the Union will be greatly hampered or impaired by those imports? Suppose further that the State of Alaska may in the future require 50 or 60 percent of its State revenues from this source but will not be able to get it on account of such legislation.

Such a situation would be definitely a contest between the heavily populated areas of this country and one which is sparsely settled. The only recourse for the smaller State and others similarly situated, would be to debate upon this floor until the time comes that the Nation would be thoroughly and widely aware of the disaster to that State that would result because of such a proposed legislation. They can do so effectively under rule XXII as it exists, but would be adversely affected if it is amended. I urge that the amendment be defeated.

The VICE PRESIDENT. The time of the Senator from Nebraska has expired.

Mr. CHURCH. Mr. President, I am happy to yield whatever time the Senator from Pennsylvania may desire.

Mr. SCOTT. Four minutes.

The VICE PRESIDENT. The Senator from Pennsylvania is recognized for 4 minutes.

Mr. SCOTT. Mr. President, I think it was our first President, George Washington, who, being asked by one of his friends to explain the function of the Senate, picked up his coffee cup in the fashion of colonial times and poured some of the coffee into the saucer.

His friend said to him, "Why do you do that?"

George Washington replied, "To cool the coffee. That is like the function of the Senate. The House is the hot cup of coffee, and the Senate is the saucer by which the coffee is cooled and made suitable for digestion."

I am paraphrasing Mr. Washington, but I am rather certain he will not mind. I expect no complaints from that source.

The Senate is a deliberative body. But, being deliberative, I suspect, at times, we are overdeliberative. Being conscious of our prerogatives. I feel that, sometimes, we are overconscious of our prerogatives.

I believe that three-fifths of the Senate can serve the purpose of the cooling saucer, under modern circumstances, even better than overcooling caused by the necessity to obtain two-thirds of Senators to terminate debate after a reasonable time.

In fact, when there is some overcooling, chilly air is sent throughout the country, and some fear exists that very much needed legislation, for which the overwhelming majority of people have long indicated a desire, is balked and frustrated by the action of this eminent body. I think we are contesting over a relatively narrow issue—two-thirds or three-fifths.

In my own opinion, the cloture rule should be adopted. A vote should be permitted. It seems to me it is the essence of the system of a federated republic that, at some point, this body should be allowed to make its own decisions. The existence of the present rule does, indeed, often prevent this body from ever making any decision at all, which leads to the impression throughout the country that we are, at times, an ineffective body.

Therefore, to increase the prestige of the Senate, to increase its respect among the people, and to increase its ability to assist in the enactment of needed legislation in the interests of the public good, I believe that the three-fifths rule is preferable and, therefore, I shall vote for cloture.

I yield back the remainder of my time.

The VICE PRESIDENT. Who yields time?

Mr. DIRKSEN. Mr. President, I yield 10 minutes to the distinguished Senator from Arkansas (Mr. FULBRIGHT).

Mr. FULBRIGHT. I thank the Senator.

The VICE PRESIDENT. The Senator from Arkansas is recognized for 10 minutes.

Mr. FULBRIGHT. Mr. President, I would like to comment just briefly on some of the points made by the distinguished deputy leader of the opposition. He said there was a danger that bills supported by the overwhelming majority of the people might be held up in this body. I do not know of any such bill. Whenever there is an overwhelming majority of the people for a bill, we are going to get two-thirds of the Senators, as well as three-fifths, to vote for it.

Then the distinguished Senator said that we are contesting a narrow point. I agree that the difference between two-thirds and three-fifths is a narrow one. I do not think that is the real question. The real question is whether a bare majority rules the Senate. That is what the principal proponents of this movement have advocated. They thought they could pick up some strength, and they temporized—only temporarily—on three-fifths, thinking that, with a three-fifths rule, next time they will have an opportunity for majority rule.

I say that in no critical sense, because, in many ways, the concept of majority rule has great merit. But, in any case, that is the real point we are contesting. It is whether we have majority rule, the previous question, or three-fifths. If I were certain that it would remain at three-fifths, and not bare majority rule, and would stay that way without being changed, I do not know that I would have much interest and bother about it. I do not think it would make that much difference. But that is not the issue at all. It is rule by a bare majority.

The Senator from Pennsylvania said that a revised rule would increase the prestige of the Senate, because we have not made certain decisions. He says the present rule has prevented us from making decisions at all. I do not know what he means by "at all." Take civil rights legislation, which may be the principal reason behind the move to change the rule. Those bills have been passed. Practically every one of them has been passed. There may be some minor modifications to be made, but they have been passed. There is nothing important I can think of that has not been passed "at all."

If the Senator means that at a particular moment on a particular day a measure was not passed, I do not quarrel with him. I do quarrel with him if he means that important legislation or legislation of significance has been prevented from being passed "at all" and is still pending. I know of no substantive legislation that is now pending that the proponents of this change would have passed. At least, they have not made a case of that. They have not said, "Look, here is a bill that leads to the liberalization of the human race or a bill for the benefit of all Americans." No such bill is pending. So I do not think there is any important legislation, substantive in nature, that has been prevented from being passed.

The Senator from Pennsylvania says this change would increase the prestige of the Senate. Is it not rather strange that of all the other upper bodies in the world that I know of in any major country, or even in any minor country, few if any of them have the prestige of the Senate. The British House of Lords has prestige at a tea party, but certainly not in any political matter. Nobody believes that the House of Lords has any significant power to affect the course of events. I think its greatest power is to delay the passage of bills for 30 days. I am not sure it still has that power, but it has no authority in a political way.

Mr. SCOTT. Mr. President, will the Senator yield for a clarification?

Mr. FULBRIGHT. I yield.

Mr. SCOTT. Does not the Senator agree that the reason why the House of Lords has been stripped of most of its functions is that it had become an obstructionist body, blocking the will of the people? That is one thing that I am trying to prevent here.

Mr. FULBRIGHT. I would question whether that was the sole reason. With the rules over there, they were able to do that. I do not think that it is a particularly good analogy. This morning, for example, we were discussing the Government of Japan. Mr. V. Alexis Johnson was before our committee this morning for consideration of his nomination to be Under Secretary of State. He was asked about the distribution of parliamentary seats in the Diet of Japan. Someone asked him about the Japanese Senate. He said:

> The Senate is a ceremonial body. It has no power.

It is the upper body there, although the members of it are elected, and do not attain that position because of heredity or because of being appointed, as they do in Great Britain.

In Canada they have a Senate, but it has little significance. I think Senators there are appointed for life, as a sort of reward for good behavior or as a means of acquiring prestige. It is an honorable body, with prestige in a certain sense. A member may be a Nobel Prize winner, or a literary winner, and he may be a fine man, but that body has no political significance at all. That is the point I make.

If we wish the Senate to be only a body in which we have social standing and prestige, this is the way to achieve it. We would change the rules to the point where we would have no real significance as a legislative body. This I do not approve.

The Senator from Pennsylvania mentioned what President George Washington said about the purpose of the Senate—I believe it was George Washington—and the cooling-off process. I would like to point out what Mr. James Madison said, which I think is very pertinent, especially when one considers what is going on all over the world today. He said this in reference to the Senate:

> In order to judge of the form to be given to this institution, it will be proper to take a view of the ends to be served by it. These were, first, to protect the people against their rulers—

I emphasize that under present conditions in the world—to protect the people, not the Senators; this is not for the protection of Senators against the rulers; it is to protect the people against their rulers—

> Secondly, to protect the people against the transient impressions into which they themselves might be led.

That is a quotation from James Madison. The first reason was to protect the people against their rulers. When one looks around the world today, he sees what has gone on in so many countries, where they tried the parliamentary system and elected the members and gave up that process. They had to give it up because they could not make it work.

While I do not say the Senate has always been responsible for it, I do say this body has played an important part in the Government of this country. From time to time it has been very influential in preventing great mistakes from taking place. I happen to remember a particular one in which, if it had not been for the rules of the Senate, we would not have been able to prevent the packing of the Supreme Court. Just imagine what could happen if we had a very able and aggressive President and we did not have the capacity to prevent such an event from taking place. I do not wish to reflect upon the particular President who was responsible for that effort at packing the Court. He was under great provocation. But, as a longtime proposition, it would have, in some respects, destroyed the independence of the Supreme Court, although I have disagreed with some of the decisions it has made. In any event, it forms a part of the balance of our Government. If we had as President a man of great determination, as has happened in many countries, what is to prevent him from coming in, packing the Court, obtaining the capacity to rule by decree, and having that Court pass on it and approve it? Although bills in the New Deal were not of that character, that could have set a precedent. Today, when we see totalitarian countries throughout the world, I think it is very important to consider those facts. I would not want to be a part of a vote or movement or bill that could destroy the capacity of the Senate to resist the ruler, or President.

Presidents in this country, as is true in all countries, have acquired greater and greater prestige. With the growth of our Federal Government and the attachment to it of all kinds of power it did not have only a few years ago, the President has become a sort of superpower. There is nobody in the world that equals his position. That fact was dramatically brought to our attention in the case when President Johnson met with Kosygin at Glassboro. Many commentators noted that President Johnson could go to that meeting with proposals which the President himself had forumlated, but not the Soviet representatives. They had to go back to their colleagues in the Politburo.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield the Senator 3 additional minutes.

Mr. FULBRIGHT. I do not want to take all the time.

Mr. DIRKSEN. That is all right.

The VICE PRESIDENT. The Senator from Arkansas is recognized for 3 additional minutes.

Mr. FULBRIGHT. The freedom of our President from congressional restraint was, I thought, a good illustration of the difference in power of the American President and the Soviet Premier. Our President's power has gradually grown, within our constitutional system, it is true. I am not complaining about that, although it does give me considerable pause on occasion. If we were to get a combination of a man who is determined to have his way, and who is willing to use all the power of the Presidency, which is now so great because of the great enhancement of the Federal Government's functions, then I think we would be running a risk of destroying our system.

I do not want to be a part of that. I cannot see that this capacity to debate has done any serious injury to this country. On the other hand, I can think of cases where it has done a great deal of good, and saved us from some serious mistakes. One of those was the proposed destruction of the Supreme Court. And it would have been destroyed; because if you can pack it once from 9 to 14, there is no reason you cannot make it 20.

Mention was made of the House of Lords. The House of Lords has been destroyed, really, by the capacity of the government to appoint more lords at will. Mr. President, I do not want to be a party to the destruction of the Senate's function in our Government.

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

Mr. FULBRIGHT. I yield.

Mr. PASTORE. I think the Senator is making a very cogent and rational argument; but I think it is directed more toward the problem of allowing a majority to ride roughshod over a minority.

Does not the Senator feel, after all, that there is no magic in two-thirds? Does he not see the harm in allowing a one-third minority to override the will of the Senate? I am not saying it should be a majority; but what is wrong with three-fifths?

Mr. FULBRIGHT. Before the Senator came in, I dealt with that problem. I said that if there was any way for me to feel that three-fifths would be a stopping point, I could not make very much of an argument.

But very clearly, Mr. President, the most active proponents of this move have committed themselves to rule by a bare majority. That is their objective. In order to gain a little support, they took three-fifths as sort of an interim step. But I do not think there is any doubt that the real objective of those persuasive Members of this body who have made such a strong fight in the past is for the principle of majority rule.

That is all right. It has its place, but not in the Senate, in my view.

I am not basing my objection upon that narrow distinction. But if we make it three-fifths, in view of the avowed purpose of many of our fellow Senators, I do not see how we can have any assurance that there will not be the same kind of fight, next year, to make it a simple majority.

Mr. PASTORE. While it may be true that there are a few others who feel as the Senator has indicated, it is my serious conviction that if we ever get a three-fifths rule, that would be the end of all this nonsense we are engaging in year after year.

Mr. FULBRIGHT. If there were any assurance at all in my mind, or any way to be sure of it, I would not make too much fuss about that, because we used to provide for two-thirds of the total membership of the body, and then we made it two-thirds of those present and voting. That was worked out as a kind of compromise. If this issue could be worked out in a way that the leaders on both sides of the argument could believe was permanent, that there was not going to be a fight for a majority next, I would not raise cain about it.

What I am really concerned about is the role of the Senate. I honestly think, in this kind of country, with 50 great States, with the kind of diversity we have, the Senate has a peculiar role to play. I think it has played an important part and will continue to play an important part in bringing about the adjustment of differences that arise in such a diverse community. For that reason, it is not like the upper body in, say, a small country like England, or even the same as in all of our States. I do not think it is comparable to say that because we have a Senate in Arkansas of 35 members, it is a precedent, because Arkansas is a homogeneous State, in which there are very few problems comparable to those of the United States, and I think it is quite a different matter.

I think that is important for us; and I do not want us to take a step that might ever give an arrogant and extraordinary capable executive the thought that he might override the Senate.

I think the one reason that the present rule of the Senate is important, even more than for what actually happens here, is the fact that any chief executive, when he contemplates the present situation, knows in the back of his mind that if any proposal he makes is too extreme, he is going to have to run the gauntlet of the Senate. In other words, it will cause him, I think, to modify his more extreme proposals. For example, if he is thinking about changing the Supreme Court, he knows he has got to think about getting it through the Senate.

The VICE PRESIDENT. The Senator's time has expired. Who yields time?

Mr. DIRKSEN. Mr. President, I will yield the Senator additional time if he wishes.

Mr. FULBRIGHT. Does the Senator want me to keep on? I think I have finished.

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

Mr. KENNEDY. Mr. President, my position on rule XXII is a matter of record. I stated it clearly when I first entered the Senate.

I believe the one question before this body today is very simple and fundamental, and points up clearly the need for changing rule XXII. That one question is, Have we had sufficient debate, so that we ought to take up Senate Resolution 11?

Why is it, Mr. President, that Senators cannot make a judgment on whether we have had sufficient debate?

Many Senators do exercise their vote in that way. These Senators are willing to say that, after a sufficient period of debate, they are prepared to vote on the issue being debated. But we have seen far too often, Mr. President, that under the present rule a Senator's right to vote on the substantive issue that is before the body, can be denied. And that is the situation we are finding in connection with this particular question at this particular time.

How can any Senator not feel that we have had sufficient debate, now, on whether we ought to consider Senate Resolution 11? We have had the matter before us for 3 weeks. We have had this same question come before us each Congress since I have been a Member of this body. Everyone's rights have been protected. The only question before us is, Can we take the issue up?

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

Mr. KENNEDY. I have only a limited time, Mr. President. I yield.

Mr. FULBRIGHT. I just want the record to show that we have had votes on this issue. There were 51 votes for the Senator's position on one vote, and on the next one 45. To me that does not indicate any overwhelming desire on the part of the majority to change the rules.

Mr. KENNEDY. Mr. President, the only question is, Have we had sufficient debate? How can my friend from Arkansas state that we have not had sufficient debate, and ought not to take up the resolution?

Mr. FULBRIGHT. I think we have had entirely too much debate on this issue.

Mr. KENNEDY. All right. Then I hope the Senator will be willing to take up the issue, and exercise the voting prerogative which he has, so that we may show the American people that at least we are prepared to pass to the consideration of the resolution.

It is because of the refusal to even consider the resolution itself that I think its proponents have been so justified in expressing their frustration, which frustration has been demonstrated in the statements of the majority leader, the Senator from Idaho, the Senator from Kansas, and the Senator from Michigan.

Mr. President, I think, once again, I speak for the American people when I say that if there has ever been a reason for a change in this rule, it is the parliamentary situation in which we find ourselves tied today.

The VICE PRESIDENT. Who yields time?

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

Mr. President, responsive to the point made by the distinguished Senator from Rhode Island that at some point in time, if this rule were made three-fifths, it

would stay there, I remind him that once upon a time the rule was two-thirds of those chosen and sworn, and that ultimately it was made two-thirds of those present and voting. They are now toying with the idea of three-fifths of those present and voting. Then the next step in this long journey will be a majority. The deliberative character of the Senate may then disappear.

Mr. PASTORE. Mr. President, will the Senator yield on that very point, inasmuch as my name was mentioned?

The fact is that there has been no toying with the matter. The Committee on Rules and Administration did report a modification of rule XXII to the figure of three-fifths of those voting to shut off debate. And there was resistance on the part of those who do not want any rule change at all.

I know that this effort is going to fail. However, I hope that the matter will be considered by the Committee on Rules and Administration. And when the Committee on Rules and Administration does report out a stronger proposal, I hope that we will not have a filibuster, but will bring the matter to a vote. If the majority wants a three-fifths vote—and I think they do—we should culminate this matter and bring it to a final conclusion.

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

Mr. DIRKSEN. I want to continue for a moment. I was in the Senate when we had most of the fights on the civil rights bills. When we wanted to get cloture, I said, "I am not going to make an end run. I will try by direct approach to get the necessary two-thirds." And we did so under real difficulty.

Senators who now come in with extreme legislation are not willing to do their homework. They want to follow the easy, royal road. I am not about to let them.

I have seen that happen with respect to civil rights and in the legislation when we created the satellite corporation. I have also seen it happen with respect to section 14(b) of the Taft-Hartley Act. I do not think that section 14(b) meant much to the country, any more than a quadrate equation such as: AX^2 minus B equals 0. The people would not know what that was about.

It was by dint of long discussion that we alerted the country. That was the end of the matter with respect to section 14 (b). It has not been tried again, and it should not be tried again.

We have had legislation of much further reaching character than in the reconstruction days. Yet, we had no difficulty in putting through the Civil Rights Acts of 1964.

The rule as it stands is a brake on hasty proposals. That is the reason I want to see it defended and kept on the books. It is an instrument for informing the country.

The distinguished Senator from Arkansas alluded to court packing. What was the picture there? That court struck down the Blue Eagle in the early days of the New Deal, the so-called National Industrial Recovery Act, under which we authorized them to suspend the Antitrust Act and raise prices.

Who will forget the man in New Jersey who refused to raise the price for pressing a pair of pants from 25 cents to 30 cents? He was arrested. A manufacturer of batteries in York, Pa., said that he was making a profit on the battery. They said to raise the price or they would have him arrested. And they did so.

There are some of the sumptuary things that can happen.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. DIRKSEN. I yield myself 2 additional minutes. I believe that I will then have 3 minutes remaining.

The VICE PRESIDENT. The Senator is correct.

Mr. DIRKSEN. Mr. President, the same thing was true with respect to the AAA. Last year we observed the 35th anniversary of the Agricultural Adjustment Act, that great act under which we plowed things under and let things rot in the field.

We had a Representative by the name of Dewey Short, a very distinguished Representative from Missouri, who, once in the course of a speech, said:

> Thank God I came before Henry Wallace. I was one of eleven children. If he were around, I would have been plowed under.

We have gone a long way. The Department then said: "We will strike it down." When two pieces of legislation went into the rain barrel, what happened? There was an attempt to pack the court to add two justices whose views would be known in advance.

That is what happened. That is the way freedom can be destroyed in the country. That is the reason why a few Senators stood here and fought that battle to inform the country. That is the great virtue of this rule. It is an instrument of information, so that a proposal will have its day in court.

I add only one other thing. A strong parliamentary body can resist and hold back authoritarian government. But look at a country where free government has succumbed. I can remember hearing Hitler on the international radio. What fools he made of the Reichstag and the Bundestag. He made them feel like groveling worms, because there was the power. But so long as the power exists to say, "Thus far and no further," we can be certain that our liberties are safeguarded.

The VICE PRESIDENT. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. I have 3 minutes remaining. I yield myself 2 minutes.

I have often wondered about the time when the 18th amendment was placed in the Constitution. Even in my rather untutored way as a country lawyer, I got to thinking about it. Then I went back and skimmed through the safeguarding amendments. They said always and always that Congress shall not impair the freedom of speech, of the press, of the right of assembly, and all those other things.

Then suddenly we turned around, in the history of this country, and it was no longer a case of "Congress shall not"; it became a case of "the people shall not be entitled to drink within reason what they want to." I thought this an alien thing in the Constitution, even though the late President Hoover called it a noble experiment. I said, "It will never last"; and finally it did not last, because in 1932 booze was one of the issues in this country. We could almost paraphrase that whole campaign by saying, "Bread and booze." We took it to the polls, and the people took out the 18th amendment. It did not belong in the Constitution.

So I am not going to put any hobbles like that upon the Senate of the United States. It is about the only really unimpaired deliberative body on the face of the earth.

The motion should be voted down.

Mr. President, I yield back my remaining minute.

Mr. CHURCH. Mr. President, I am happy to yield 1 minute to the distinguished Senator from Rhode Island.

Mr. PASTORE. Mr. President, I was not for packing the Supreme Court. I was always opposed to that. I am not for punishing someone for charging 35 cents for pressing a pair of pants. What I am against is putting this great deliberative body in a straitjacket.

When we speak about the rules of the Senate that we do not have today, of the laws that we did not have yesterday, and we talk about tomorrow and tomorrow, let us remember that it took 100 years to pass a civil rights law. I think that much of the trouble we are in today is that it took a hundred years to pass a civil rights law. Had we been able to pass such a law years ago, maybe we would not have crime on the streets today. Maybe we would not have the rebellions we are experiencing today.

All that the Senator from Rhode Island is saying is that we need not deal in one extreme or the other extreme. I do not pretend——

The VICE PRESIDENT. The Senate will be in order.

Mr. PASTORE. I beg the Chair's pardon?

The VICE PRESIDENT. The Chair merely called the Senate to order, so that the Senator could be heard.

Mr. PASTORE. So that I could be heard? [Laughter.]

I do not pretend for one moment that a majority should be allowed to override a minority.

All I am saying is this: When you allow 33 out of 100 to stand up in an organized debate, you cannot get a vote in the Senate, whether it is good or bad legislation.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. PASTORE. Will the Senator yield me 2 additional minutes?

Mr. CHURCH. Yes.

Mr. PASTORE. All I am trying to do is to unshackle this body so that it can carry on its business.

I will admit that the Senator from Rhode Island has always thought it is a mistake to do it the way we are doing it today. This matter should go to the Com-

mittee on Rules and Administration. The committee should report a rule, and the Senate should be allowed to debate it and then to vote on it. The Rules Committee did that. It did so last year, and the matter languished on the calendar. Why? Because we could not even bring up the matter to be discussed, let alone discuss the substance of the matter.

All I am saying, Mr. President, is this: We are a democracy. We are a government of the people. We are a government for the people. We are a government by the people. When a body of 100, elected by the people, is allowed to be thwarted by 33 of the 100, then I am afraid that democracy is on the edge. Today we are trying to remove that edge and to give to the people of this country an opportunity to have the matters in which they are interested voted upon, and that is the only issue we have here today.

I do not say there is magic in two-thirds; I do not say there is magic in three-fifths. But somewhere in between, in a body of 100, at least 60 should be able to say, "Please, let us go to a vote."

I thank the Senator.

The VICE PRESIDENT. Who yields time?

Mr. CHURCH. May I inquire, Mr. President, how much time remains for the proponents?

The VICE PRESIDENT. Nine minutes remain.

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

Mr. CHURCH. I yield 2 minutes to the distinguished majority leader.

The VICE PRESIDENT. The Senator from Montana is recognized for 2 minutes.

Mr. MANSFIELD. Mr. President, the debate this morning has been interesting. I was especially impressed with what the distinguished Senator from Rhode Island (Mr. PASTORE) said when he referred to the fact that there is nothing magical about either two-thirds or three-fifths. It is true that they are both arbitrary fractions set by this body for the conduct of its business. But I would point out that, with the change in times, there must come a change in the rigidity of the Members of this body in respect to how, when, where, and in what manner legislation of transcendent importance should be taken up before this body.

It is true that the three-fifths proposed is not a magical number. But it is a flexible number, because if all Members were present and voting, it would take 60 of the 100 votes to invoke cloture; whereas now it takes two-thirds of those present and voting. If all Members were present, I believe the figure would be 67. The difference of seven is vital. It adds, I think, to the desires of the majority. It represents the flexibility which this body, the greatest deliberative body and the only deliberative body I know of, acting as a senate, can perform its functions.

I believe that the three-fifths rule, if it is adopted, will delay and will very likely stop majority cloture. I do not believe in majority cloture, because I shudder to think of a vote of 51 to 49 or 52 to 48, and then contemplate what pressures might be brought on Members of this body—as they have been brought on us. The result, I think, would be most detrimental if the decision to invoke cloture were left to a Senate divided by but a single vote or even two or three.

I would hope that the suggestions made by the distinguished Senator from Florida (Mr. HOLLAND) and the distinguished Senator from Arkansas (Mr. FULBRIGHT)—both of whom, by their statements, indicated the possibility of some compromise—would be taken into consideration by the Senate as a whole.

In my opinion, may I say to my colleagues, if the two-thirds cloture provision remains in effect, it will only hasten the day that majority cloture will be imposed upon this body. That is a day I do not want to see. But I believe the only alternative is to accept the proposal inherent in the motion before the Senate, to allow us to take up the three-fifths resolution and to be prepared to vote on it accordingly.

If we do not, than I believe that the consequences to this body will be grave—not only to this body but to this Republic as well.

Mr. CHURCH. I thank the distinguished Senator from Montana.

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

Mr. JAVITS. Mr. President, I should like to make two points.

I probably have been as active as anyone on the floor of the Senate to change this rule, and I should like to underwrite what the majority leader and the Senator from Rhode Island (Mr. PASTORE) have said.

I believe that what we are trying to do is to capture power for the people. Nothing in the Constitution provides that one-third of the Senate shall be able to block action on any measure, other than those sections which provide a two-thirds majority according to the Constitution. Yet, that is the effect of this.

You are depriving the people of their rights. Why do you not go to the people with a constitutional amendment, if that is the power you want, and name the kind of legislation for which you want it? We are fighting for the rights of the people. We are willing to make a reasonable compromise. We understand the realities. But if you deny us the three-fifths, we will continue to fight—we must—and the objective must therefore be something which the Constitution does say, which is a majority. But if you wish to end the fight, then I believe you will have a reasonable compromise for the Senate for a very considerable period of time. I thoroughly agree with the majority leader.

I make one other point: Every argument that the Senator from Illinois (Mr. DIRKSEN) made assumes that if you elucidate a subject to the country, some day you vote. But that is not true. The fact is that you do not vote, under this filibuster rule; you do not vote unless the two-thirds allow you to do so. So that you can elucidate until you are green in the face, but you are still denied the constitutional power to legislate.

It is amazing to me that men who pride themselves upon their belief in the Constitution should allow the Senate to continue and continue under this extraconstitutional system.

I may not be here, but I predict that the Senate will run into a situation that will shake the foundations of our Government. You talk about imperiling our freedom. You are imperiling our freedom by giving a minority the power to prevent action. We will have men here who will succeed us, who will not act, and then you will rue this day.

The VICE PRESIDENT. Who yields time?

Mr. CHURCH. Mr. President, how much time remains for the proponents?

The VICE PRESIDENT. Five minutes remain.

Mr. CHURCH. I yield myself 4 minutes. I wish to reserve some time for the distinguished Senator from Kansas.

Mr. PEARSON. Mr. President, will the Senator yield me 2 minutes at this time?

Mr. CHURCH. I yield 2 minutes to the Senator from Kansas.

The VICE PRESIDENT. The Senator from Kansas is recognized for 2 minutes.

Mr. PEARSON. Mr. President, we have heard many arguments about the essentiality, the fundamental concept, of rule XXII as it relates to the freedom of debate. In the long days of debate we have had thus far, have those who cling to the sacredness of rule XXII ever explained what article I, section 5 of the Constitution really means when it provides that a quorum of the Senate shall be a majority and shall do business, and that they shall have the right to write their own rules?

This rule has been amended many times. It was born of necessity and has given rise to other rules in the Senate.

I have said many times—and I repeat in closing—that what we seek is a reasonable approach, a balance between the complete right of free debate and sometime the right to vote, and a balance between the protection of minorities and the will of the majority, which is really the seed of the genius of this system of government.

We hear about little States and large States. I do not believe the issues that come before this Government today are those that pertain to issues or sections any longer. We hear about the acceptability of a three-fifths vote if we would not go further. I hope we would not be frozen in the Senate with respect to what we should do about States' rights by what somebody else may do at some time.

I do not favor the majority cloture concept. I think this approach would give the Senate the flexibility and the balance which is needed.

I thank the Senator from Idaho for yielding.

Mr. CHURCH. Mr. President, I yield myself the remainder of the time for the proponents if no other Senator is prepared to speak.

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

Mr. KENNEDY. Mr. President, may we have order.

The VICE PRESIDENT. The Senate will be in order.

Mr. CHURCH. Mr. President, we are

in the third week of debate on a preliminary motion, the motion to take up for consideration Senate Resolution 11. The resolution itself is a very moderate one. It would simply reduce from two-thirds to three-fifths the number of Senators required to limit debate. It was first proposed in this body by the distinguished Senator from New Mexico (Mr. ANDERSON). He is not a bomb thrower. He has no less regard than any other Member of this body for the Senate as an institution, or for the historic role it has played in the life of our country.

Indeed, in the course of debate this morning it was acknowledged by no less a steadfast champion of the present rule than the chairman of the Committee on Foreign Relations (Mr. FULBRIGHT) that the adoption of the three-fifths rule would do this Senate no serious injury.

Mr. President, this is a moderate proposal. It is offered by two Senators who themselves oppose majority cloture in this body.

The VICE PRESIDENT. The Senate will be in order.

Mr. CHURCH. Mr. President, the issue we are presented with is whether we should not lower the procedural hurdle that the Senate must surmount in order to transact the public business. We think there is a need to lower that hurdle from two-thirds to three-fifths.

The VICE PRESIDENT. The Senator will withhold. The Senate will please be in order. The Senator may proceed.

Mr. CHURCH. During the past 52 years, 44 attempts have been made in the Senate to limit debate on issues vital to the country. On only eight occasions in more than half a century has it been possible, under the present two-thirds rule, to limit debate. We think that is too obstructive; we think that is too formidable, and we believe unless some adjustment is made in lowering the barrier, that the pressures will continue to mount, moving the Senate inexorably toward the day when majority cloture will be adopted here.

The VICE PRESIDENT. All time has expired, pursuant to rule XXII; and the time under the unanimous-consent agreement has elapsed.

The Chair lays before the Senate the pending motion, which will be stated by the clerk.

The assistant legislative clerk read, as follows:

MOTION FOR CLOTURE

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to proceed to the consideration of Senate Resolution 11, a resolution amending the Senate Rules of the Senate.

FRANK CHURCH, GEORGE MCGOVERN, PHILIP A. HART, JENNINGS RANDOLPH, FRANK E. MOSS, QUENTIN BURDICK, EDMUND S. MUSKIE, CLAIBORNE PELL, GAYLORD NELSON, WILLIAM PROXMIRE, JAMES B. PEARSON, CLIFFORD P. CASE, CHARLES GOODELL, EDWARD KENNEDY, VANCE HARTKE, CLINTON ANDERSON, HARRISON A. WILLIAMS, JACOB JAVITS, EDWARD W. BROOKE, HAROLD E. HUGHES, JOSEPH D. TYDINGS, JOHN O. PASTORE, LEE METCALF, STEPHEN M. YOUNG, MIKE MANSFIELD, STUART SYMINGTON, ALBERT GORE, THOMAS J. DODD, THOMAS J. MCINTYRE, FRED R. HARRIS, MARK O. HATFIELD, HENRY M. JACKSON, HUGH SCOTT, HIRAM L. FONG, EUGENE MCCARTHY.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Presiding Officer for keeping order in the Chamber. I would most respectfully offer the suggestion that the floor be cleared of all persons except Senators and attachés who have some business here.

The VICE PRESIDENT. The Chamber will be cleared of all persons except Senators and attachés having immediate business in the Senate, and the Sergeant at Arms is instructed to clear the floor of all other persons.

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

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

[No. 14 Leg.]

Aiken	Goldwater	Mundt
Allen	Goodell	Murphy
Allott	Griffin	Nelson
Anderson	Gurney	Packwood
Bellmon	Hansen	Pastore
Bennett	Harris	Pearson
Bible	Hart	Pell
Boggs	Hartke	Percy
Brooke	Hatfield	Prouty
Burdick	Holland	Proxmire
Byrd, Va.	Hollings	Randolph
Byrd, W. Va.	Hruska	Ribicoff
Cannon	Hughes	Russell
Case	Inouye	Saxbe
Church	Jackson	Schweiker
Cook	Javits	Scott
Cooper	Jordan, N.C.	Smith
Cotton	Jordan, Idaho	Sparkman
Cranston	Kennedy	Spong
Curtis	Long	Stennis
Dirksen	Mansfield	Stevens
Dodd	Mathias	Symington
Dole	McCarthy	Talmadge
Dominick	McClellan	Thurmond
Eagleton	McGee	Tower
Eastland	McGovern	Tydings
Ellender	Metcalf	Williams, N.J.
Ervin	Miller	Williams, Del.
Fannin	Mondale	Yarborough
Fong	Montoya	Young, N. Dak.
Fulbright	Moss	Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Tennessee (Mr. GORE), the Senator from Alaska (Mr. GRAVEL), the Senator from Washington (Mr. MAGNUSON), the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER) is absent on official business, attending the funeral of the Honorable Robert A. Everett.

The VICE PRESIDENT. A quorum is present.

The question is, Is it the sense of the Senate that debate on the pending motion shall be brought to a close?

On this question, the yeas and nays are ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the Senator from Maine (Mr. MUSKIE) and the Senator from Alaska (Mr. GRAVEL). If the Senator from Maine were present and voting, he would vote "yea." If the Senator from Alaska were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Tennessee (Mr. GORE), the Senator from Alaska (Mr. GRAVEL), the Senator from Washington (Mr. MAGNUSON), the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) would vote "yea."

On this vote, the Senator from Tennessee (Mr. BAKER) is paired with the Senator from Indiana (Mr. BAYH) and the Senator from New Hampshire (Mr. MCINTYRE). If present and voting, the Senator from Tennessee, would vote "nay," the Senator from Indiana would vote "yea," and the Senator from New Hampshire would vote "yea."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER) is absent on official business attending the funeral of the Honorable Robert A. Everett, and is paired with the Senator from Indiana (Mr. BAYH) and the Senator from New Hampshire (Mr. MCINTYRE). If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Indiana and the Senator from New Hampshire would each vote "yea."

The yeas and nays resulted—yeas 50, nays 42, as follows:

[No. 15 Leg.]

YEAS—50

Aiken	Harris	Pastore
Allott	Hart	Pearson
Anderson	Hartke	Pell
Boggs	Hatfield	Percy
Brooke	Hughes	Proxmire
Burdick	Jackson	Randolph
Case	Javits	Ribicoff
Church	Kennedy	Saxbe
Cook	Mathias	Schweiker
Cooper	McCarthy	Scott
Cranston	McGovern	Smith
Dodd	Metcalf	Symington
Dominick	Mondale	Tydings
Eagleton	Montoya	Williams, N.J.
Fong	Moss	Yarborough
Goodell	Nelson	Young, Ohio
Griffin	Packwood	

NAYS—42

Allen	Fannin	Miller
Bellmon	Fulbright	Mundt
Bennett	Goldwater	Murphy
Bible	Gurney	Prouty
Byrd, Va.	Hansen	Russell
Byrd, W. Va.	Holland	Sparkman
Cannon	Hollings	Spong
Cotton	Hruska	Stennis
Curtis	Inouye	Stevens
Dirksen	Jordan, N.C.	Talmadge
Dole	Jordan, Idaho	Thurmond
Eastland	Long	Tower
Ellender	McClellan	Williams, Del.
Ervin	McGee	Young, N. Dak.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mansfield for.

NOT VOTING—7

Baker	Gravel	Muskie
Bayh	Magnuson	
Gore	McIntyre	

The VICE PRESIDENT. On this vote there are 50 yeas and 42 nays. Under rule XXII, and in accordance with the judgment of the Senate on January 16, 1969, two-thirds of Senators present and voting, a quorum being present, not having

voted in the affirmative, the motion is rejected.

TRANSACTION OF ROUTINE MORNING BUSINESS

The VICE PRESIDENT. Pursuant to the previous order, there will be a period for the transaction of routine morning business, under a 3-minute limitation.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ENTITLED "INTERNATIONAL EDUCATION—AN INVENTORY OF FEDERAL PROGRAMS"

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a copy of a report entitled "International Education—An Inventory of Federal Programs," dated December 1968 (with an accompanying report); to the Committee on Appropriations.

REPORT OF AIR FORCE ON EXPERIMENTAL, DEVELOPMENT, TEST, AND RESEARCH PROCUREMENT ACTION

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on experimental, development, test, and research procurement action of the Department for the period July 1, 1968 through December 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT ON DISPOSAL OF EXCESS PROPERTY IN FOREIGN COUNTRIES

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, regarding the disposal of excess property in foreign countries, for the calendar year 1968; to the Committee on Government Operations.

THIRD PREFERENCE AND SIXTH-PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF THE NATIONAL ADVISORY COUNCIL ON EDUCATION OF DISADVANTAGED CHILDREN

A letter from the Chairman, National Advisory Council on the Education of Disadvantaged Children, transmitting, pursuant to law, the fourth annual report of the Council, dated 1969 (with an accompanying report); to the Committee on Labor and Public Welfare.

PROPOSED LEGISLATION RELATING TO DUAL COMPENSATION WITH RESPECT TO MEMBERS OF THE DISTRICT OF COLUMBIA COUNCIL

A letter from the Assistant to the Commissioner, Government of the District of Columbia, Washington, D.C., transmitting a draft of proposed legislation to amend title 5, United States Code, relating to dual compensation, with respect to members of the District of Columbia Council (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Nevada; ordered to lie on the table; as follows:

ASSEMBLY JOINT RESOLUTION 1

"Assembly joint resolution congratulating Richard Milhous Nixon and Spiro Theodore Agnew on their inaugurations as President and Vice President, respectively, of the United States

"Whereas, On the 20th day of January, Richard Milhous Nixon and Spiro Theodore Agnew will be formally inaugurated as President and Vice President, respectively, of the United States; and

"Whereas, These men assume the leadership of the world's greatest nation at a time unparalleled in her history, when her status in the world community is challenged, when other nations of the world continually direct outrageous criticisms against her, when domestic inflation threatens her economic health and when crime and rioting in the streets threaten the safety of all her citizens; and

"Whereas, During the tenure of their office they will encounter the force of the enemies of this country attempting to destroy the principles of representative government to which this nation has always been dedicated; and

"Whereas, The American people, through the elective process, have expressed their confidence and trust in Richard Milhous Nixon and Spiro Theodore Agnew successfully to direct this nation through these trying times; and

"Whereas, They will, during their stewardship, face the most demanding, perilous and challenging times of their lives; now, therefore, be it

"Resolved by the Assembly and Senate of the State of Nevada, jointly, That the members of the 55th session of the legislature of the State of Nevada extend their best wishes and congratulations to Richard Milhous Nixon and Spiro Theodore Agnew on their inaugurations as President and Vice President, respectively, of these United States; and be it further

"Resolved, That the contents of this resolution be dispatched forthwith by telegraph by the legislative counsel to Richard Milhous Nixon and Spiro Theodore Agnew, and that thereafter copies of this resolution be prepared and transmitted by the legislative counsel to Messrs. Nixon and Agnew."

A letter in the nature of a petition, signed by Mrs. Cynthia Libby, of Northlake, Ill., supporting Comdr. Lloyd Bucher; to the Committee on Armed Services.

A petition, signed by Mrs. James L. (Lou M.) Hatfield, praying for a redress of grievances; to the Committee on Finance.

A letter, in the nature of a petition, signed by Virginia Strobl, Mrs. Marice A. Strobl, and Rita Strobl, remonstrating against the antireligious activities of Mrs. Madalyn Murray O'Harris; to the Committee on the Judiciary.

A petition, signed by Herbert E. Juelich, of Leavenworth, Kans., praying for a redress of grievances; to the Committee on the Judiciary.

A petition, signed by Clayton Gilbert Dismas Knepfler, Leavenworth, Kans., praying for a redress of grievances; to the Committee on the Judiciary.

A letter, signed by Randy Lewis, State chairman, Teen-Democrats, Jackson, Tenn., congratulating the new Members of the Senate; ordered to lie on the table.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Paul W. McCracken, of Michigan, to be a member of the Council of Economic Advisers;

Hendrik S. Houthakker, of Massachusetts, to be a member of the Council of Economic Advisers; and

Herbert Stein, of Maryland, to be a member of the Council of Economic Advisers.

By Mr. THURMOND, from the Committee on Armed Services:

Vice Adm. Charles T. Booth II, U.S. Navy, and Rear Adm. Paul P. Blackburn, Jr., U.S. Navy, for appointment to the grade of vice admiral on the retired list; and

Lt. Gen. John W. Carpenter III (major general, Regular Air Force), U.S. Air Force, to be senior Air Force member, Military Staff Committee, United Nations.

By Mr. SCHWEIKER, from the Committee on Armed Services:

Robert F. Froehlke, of Wisconsin, to be an Assistant Secretary of Defense.

By Mr. BROOKE, from the Committee on Armed Services:

Robert C. Seamans, Jr., of Massachusetts, to be Secretary of the Air Force.

By Mr. YOUNG of Ohio, from the Committee on Armed Services:

John H. Chafee, of Rhode Island, to be Secretary of the Navy.

By Mr. CANNON, from the Committee on Armed Services:

George A. Lincoln, of Michigan, to be Director of the Office of Emergency Preparedness.

By Mrs. SMITH, from the Committee on Armed Services:

Barry James Shillito, of Ohio, to be an Assistant Secretary of Defense.

By Mr. McGEE, from the Committee on Post Office and Civil Service:

James E. Johnson, of California, to be a Civil Service Commissioner.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. GOLDWATER:

S. 695. A bill for the relief of Luz Tanquilut Tanjuaquio; to the Committee on the Judiciary.

By Mr. GOLDWATER (for himself and Mr. FANNIN):

S. 696. A bill to provide for the acquisition of a village site for the Payson Band of Yavapai-Apache Indians on certain lands which are to be eliminated for such purpose from the Tonto National Forest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HRUSKA (for himself and Mr. CURTIS):

S. 697. A bill for the relief of Antonio Costanzo; to the Committee on the Judiciary.

By Mr. STEVENS:

S. 698. A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of certain oil and gas leases; to the Committee on Interior and Insular Affairs.

By Mr. DOLE:

S. 699. A bill for the relief of Zafar II, Israili; to the Committee on the Judiciary.

By Mr. SCOTT (for himself and Mr. SCHWEIKER):

S. 700. A bill to provide for the establishment of one or more national cemeteries in the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

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

By Mr. BYRD of West Virginia:

S. 701. A bill to amend the Watershed Protection and Flood Prevention Act as amended; to the Committee on Agriculture and Forestry.

S. 702. A bill to amend the Internal Reve-

nue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Finance.

By Mr. INOUYE:

S. 703. A bill for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. FULBRIGHT, and Mr. SCOTT):

S. 704. A bill to amend the Act of October 15, 1966, 80 Stat. 953, 20 U.S.C. section 65a), relating to the national museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act;

S. 705. A bill to authorize the Smithsonian Institution to acquire lands and to design a radio-radar astronomical telescope for the Smithsonian Astrophysical Observatory for the purpose of furthering scientific knowledge, and for other purposes; and

S. 706. A bill to amend the Act of August 10, 1846, as amended, to provide for additional members of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

(See the remarks of Mr. ANDERSON when he introduced the above bills, which appear under separate headings.)

By Mr. FONG:

S. 707. A bill for the relief of Hon Sang Ching;

S. 708. A bill for the relief of Lawrence J. Nunes; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 709. A bill to designate certain lands in the Island Bay, Cedar Keys, Passage Key National Wildlife Refuges in Florida, the Okefenokee National Wildlife Refuge in Georgia, and certain lands in the Petrified Forest National Park in Arizona as wilderness; and

S. 710. A bill to designate the Mount Baldy Wilderness, the Pine Mountain Wilderness, and the Sycamore Canyon Wilderness within certain national forests in the State of Arizona; to the Committee on Interior and Insular Affairs.

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

By Mr. JACKSON (for himself and Mr. CRANSTON) (by request):

S. 711. A bill to designate certain lands in the Lava Beds National Monument in California as wilderness;

S. 712. A bill to designate certain lands in the Pinnacles National Monument in California as wilderness;

S. 713. A bill to designate the Desolation Wilderness, Eldorado National Forest, in the State of California;

S. 714. A bill to designate the Ventana Wilderness, Los Padres National Forest, in the State of California; and

S. 715. A bill to designate certain lands in the Lassen Volcanic National Park in California as wilderness; to the Committee on Interior and Insular Affairs.

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

By Mr. McGEE (for himself and Mr. Moss):

S. 716. A bill to amend title 43 U.S.C. 315b to provide the cost factors which shall be taken into consideration in determining the grazing fees which will be imposed for use of public lands; to the Committee on Interior and Insular Affairs.

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

By Mr. HART:

S. 717. A bill for the relief of Peng Sheung Yan (Dok Lum Gin); to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. PROUTY, Mr. ALLOTT, Mr. BELLMON, Mr. COOK, Mr. COOPER, Mr. DOMINICK, Mr. SCHWEIKER, and Mr. STEVENS):

S. 718. A bill to provide for educational assistance for gifted and talented children; to the Committee on Labor and Public Welfare.

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

By Mr. ALLOTT (for himself, Mr. BELLMON, Mr. BENNETT, Mr. BIBLE, Mr. CANNON, Mr. CHURCH, Mr. DOMINICK, Mr. FANNIN, Mr. HRUSKA, Mr. JORDAN of Idaho, Mr. McGEE, Mr. METCALF, Mr. YOUNG of North Dakota, Mr. HANSEN, and Mr. STEVENS):

S. 719. A bill to establish a national mining and minerals policy; to the Committee on Interior and Insular Affairs.

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

By Mr. ERVIN:

S. 720. A bill for the relief of Ihsan S. Ibrahim, his wife, Hayfa I. Ibrahim, and their children, Nada I. Ibrahim, Hussain I. Ibrahim, May Ibrahim and Ali Ibrahim; to the Committee on the Judiciary.

By Mr. PROXMIRE (for himself, Mr. McINTYRE, Mr. MONDALE, Mr. DODD, Mr. INOUYE, Mr. McGEE, Mr. Moss, Mr. NELSON, Mr. YARBOROUGH, Mr. YOUNG of Ohio, and Mr. EAGLETON):

S. 721. A bill to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of such credit cards, and for other purposes; to the Committee on Banking and Currency.

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

By Mr. CANNON:

S. 722. A bill to amend the Internal Revenue Code of 1954 to provide an income tax credit or deduction for certain contributions to candidates for elective Federal office; to the Committee on Finance.

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

By Mr. McGEE.

S. 723. A bill to amend part I of the Interstate Commerce Act in order to give the Interstate Commerce Commission additional authority with respect to railroad safety; and

S. 724. A bill to provide more adequate and realistic penalties for violations of certain safety statutes administered by the Interstate Commerce Commission; to the Committee on Commerce.

S. 725. A bill to determine the claims of certain prisoners of war permanently disabled, and to confer jurisdiction upon the Court of Claims in the event of disagreement as to such claims; to the Committee on the Judiciary.

By Mr. McGEE (for himself and Mr. HANSEN):

S. 726. A bill to authorize the establishment of the Fossil Butte National Monument; to the Committee on Interior and Insular Affairs.

By Mr. SCOTT:

S. 727. A bill for the relief of Chu Yu Ming; to the Committee on the Judiciary.

By Mr. COOPER:

S. 728. A bill for the relief of Capt. Richard L. Schumaker, U.S. Army;

S. 729. A bill for the relief of William H. T. Carney;

S. 730. A bill for the relief of Reeva Singh;

S. 731. A bill for the relief of Dr. Yuen Zang Chang;

S. 732. A bill for the relief of Mrs. Nimet Weiss; and

S. 733. A bill for the relief of Mohammad Z. Assadi; to the Committee on the Judiciary.

By Mr. CANNON:

S. 734. A bill to revise the Federal election laws, and for other purposes; to the Committee on Finance.

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

By Mr. BYRD of West Virginia:

S. 735. A bill for the relief of Dr. Silverio Labapis Agujar, Jr., and Teresita Batu Agujar; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 736. A bill for the relief of the survivors of Marvin R. Foltz; to the Committee on the Judiciary.

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

By Mr. MONDALE:

S. 737. A bill for the relief of Konrad Ludwig Staudinger; and

S. 738. A bill for the relief of Hector Enrique Gonzales; to the Committee on the Judiciary.

By Mr. MONTOYA (for himself, Mr. ANDERSON, Mr. HARRIS, and Mr. METCALF):

S. 739. A bill to direct the Secretary of Health, Education, and Welfare to conduct certain demonstration projects designed to encourage recipients of aid to families with dependent children to seek employment; to the Committee on Finance.

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

By Mr. MONTOYA (for himself, Mr. BROOKE, Mr. CRANSTON, Mr. FANNIN, Mr. GOLDWATER, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HUGHES, Mr. JACKSON, Mr. KENNEDY, Mr. McCARTHY, Mr. McCLELLAN, Mr. McGEE, Mr. METCALF, Mr. MONDALE, Mr. MURPHY, and Mr. YARBOROUGH):

S. 740. A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Government Operations.

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

By Mr. JACKSON (for himself, Mr. MAGNUSON, Mr. CHURCH, Mr. HATFIELD, Mr. JORDAN of Idaho, Mr. MANSFIELD, Mr. METCALF, and Mr. PACKWOOD):

S. 741. A bill to authorize the addition of certain Federal reclamation projects in the Pacific Northwest to participate in assistance from the Federal Columbia River power system, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S. 742. A bill to amend the Act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes; and

S. 743. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bills, which appear under separate headings.)

By Mr. JACKSON (for himself, Mr. ANDERSON, and Mr. Moss):

S. 744. A bill to provide for better administration of the National Park Service and of the electric power marketing programs of the Department of the Interior; to the Committee on Interior and Insular Affairs.

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

By Mr. MCGOVERN (for himself and Mr. PROXMIRE):

S. 745. A bill to amend the Agriculture Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. BYRD of West Virginia:

S.J. Res. 34. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. FULBRIGHT, and Mr. SCOTT):

S.J. Res. 35. Joint resolution to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

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

S. 700—INTRODUCTION OF BILL TO ESTABLISH ONE OR MORE NATIONAL CEMETERIES IN PENNSYLVANIA

Mr. SCOTT. Mr. President, I have been deeply concerned for a number of years about the alarming lack of national cemetery space in Pennsylvania. It is an issue of vital interest to the many hundreds of thousands of veterans and their families now living in my Commonwealth.

During the 90th Congress, I introduced a bill to provide for the establishment of additional national cemeteries in Pennsylvania. I regret that it was never acted upon. However, I am hopeful that a new awareness of this problem by our national leaders will bring about the necessary action. My bill, which I am now introducing on behalf of myself and my able and distinguished colleague from Pennsylvania, Senator SCHWEIKER, will take one of the first steps toward that end.

This bill would direct the Secretary of the Army to establish one or more national cemeteries in Pennsylvania. Locations are to be considered in the vicinity of Valley Forge Park and Brandywine Battlefield Park in eastern Pennsylvania, Edward Martin Military Reservation, Boalsburg Memorial Park in central Pennsylvania, and Bushy Run Battlefield Park in southwestern Pennsylvania.

I was privileged to serve as chairman of the Subcommittee on Human Needs of the 1968 Republican platform committee. In that position, I heard testimony from William E. Galbraith, at that time the national commander of the American Legion, who urged the creation of a national cemetery system. Commander Galbraith said:

There must be action on the part of Congress and the Administration to insure that every deceased veteran eligible for interment in a national cemetery may receive a decent funeral and burial. The American Legion believes every veteran should have the right to burial in a national cemetery situated reasonably close to his home.

I am pleased to say that the 1968 Republican platform, which I helped to write, includes language almost identical to Commander Galbraith's regarding a solution to the problems of our national cemetery situation.

The need in Pennsylvania is critical, and now. For the entire State, it is estimated that about 30,000 veterans die each year. When Americans serve their country in military uniform, whether in Vietnam or elsewhere, they are expected to give the last full measure of devotion, and, where necessary, to suffer the supreme sacrifice in the defense of our national commitments. To deny these veterans this last full measure of honor bestowed by the Nation which they served, is a neglect of the greatest magnitude. My bill offers an opportunity to meet this obligation. I urge its favorable consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 700) to provide for the establishment of one or more national cemeteries in the State of Pennsylvania introduced by Mr. SCOTT (for himself and Mr. SCHWEIKER), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 704—INTRODUCTION OF BILL AUTHORIZING ADDITIONAL APPROPRIATIONS TO THE SMITHSONIAN INSTITUTION

Mr. ANDERSON. Mr. President, on behalf of myself and Senators FULBRIGHT and SCOTT, I introduce, for appropriate reference, a bill to amend the act of October 15, 1966 (80 Stat. 953, 20 U.S.C. section 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act.

I ask unanimous consent that the bill and a statement entitled "The National Museum Act of 1966—Authorization of Sums To Be Appropriated in Fiscal Years Following 1971" be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 704), to amend the act of October 15, 1966 (80 Stat. 953, 20 U.S.C. section 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

S. 704

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That section 2(b) of the Act of October 15, 1966 (80 Stat. 953, 20 U.S.C. 65a) is amended to read:

"(b) There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary to carry out the purposes of this Act: *Provided,* That no more than $1,000,000 shall be appropriated annually through fiscal year 1974."

The statement, presented by Mr. ANDERSON, is as follows:

THE NATIONAL MUSEUM ACT OF 1966—AUTHORIZATION OF SUMS TO BE APPROPRIATED IN FISCAL YEARS FOLLOWING 1971

The National Museum Act of 1966 (P.L. 89-674) re-affirmed the Smithsonian's traditional role in providing aid to museums of the United States and abroad. The Act directed the Institution to engage in a continuing study of museum problems and opportunities, to conduct training in museum practices, to prepare museum publications, to perform research in museum techniques, and to cooperate with agencies of the Government concerned with museums.

The Act authorized to be appropriated $200,000 for the fiscal year 1968, $250,000 for the present fiscal year 1969, $250,000 for fiscal year 1970, and $300,000 for fiscal year 1971. The Act states that in each subsequent fiscal year only such sums may be appropriated as the Congress may hereafter authorize by law.

No funds were appropriated by the Congress for purposes of the Act in fiscal years 1968 and 1969. The Smithsonian budget estimates for 1970 when submitted to the Congress will include an amount of $80,000 for projects under the Act. It is planned to request $300,000 in the budget for 1971, the last year for which the Act contains an authorization for a sum to be appropriated.

Prior to the submission of budget estimates for fiscal year 1972, it will be necessary to have either an authorized limit of appropriation or the elimination of the limit. As the budget estimates will be prepared in the spring of 1970, it will be desirable to have the authorization amended by that time. To allow a safe margin of time for Congressional consideration and action it is believed that the legislation should be requested in the current session of the Congress.

The justification for developing programs under the Act derives from the increasing requests for assistance addressed to the Smithsonian by community leaders, museum personnel, museum regional organizations, and national museum groups. For example, many museum career people inquire about training but only a few are able to come without at least modest financial support. Cities, communities, universities, colleges, schools, historical societies, and museums continually request advice on the institutional future of museums, on museum planning and funding, as well as on the development of new techniques and programs.

In spite of the lack of appropriated support, the Smithsonian has made a substantial contribution of staff time and expertise to carry out the purposes of the Act. Examples include:

Discussion and advice on the reorganization of the administration and facilities of museums of the Michigan State University;

Discussion and advice on where to locate a natural history museum in Louisville, Kentucky;

Training of science museum technicians at museums in New York, Chicago, and Los Angeles;

Curatorial advice on historical interpretation and exhibition planning at Oakland, California;

Publication of a manual on Museum Registration Methods with the American Association of Museums;

Support of AAM studies of museum performance, standards and accreditation;

Support of AAM conferences on the needs

of museums, in cooperation with other agency members of the Federal Council on the Arts and the Humanities;

Support of annual meetings of the Southeastern Museums Conference at Little Rock, Arkansas, and Norfolk, Virginia, to provide professional consultation on basic museum problems and to publish reports;

Conduct of a Smithsonian seminar for museum directors and social scientists on increasing the effectiveness of museum communication with the public, in cooperation with the Smithsonian Office of Academic Programs;

Demonstration of the planning and preparation of museum exhibits for a group of museums at Charleston, West Virginia;

Smithsonian staff participation in two annual workshops for small museums in Texas;

Conduct of museum surveys and preparation of reports on museum questionnaires in cooperation with the Directors of Systematic Collections, the Office of Education, and the AAM;

Development and maintenance of a documentation center of museums and their programs;

Support of a committee consideration of creating cooperative regional museum laboratories to provide services to museums at cost; and,

An impressive total of Smithsonian staff effort responding to hundreds of requests for advice on conservation, historic preservation, salvage archeology at historic sites, planning and preparation of exhibits, planning of museum buildings, museum services for colleges, and research and development of museum techniques.

In their report to the Federal Council on the Arts and the Humanities, museum directors and public members of a committee convened by the AAM, stated, "That the Museum Act be funded with an appropriation of at least $1 million for the first year" [i.e., fiscal year 1972, the first year requiring new authorization of the amount to be appropriated].

HISTORY OF BUDGET REQUESTS SUBMITTED BY THE SMITHSONIAN TO PROVIDE THE SERVICES AND THE PROGRAMS REQUIRED BY THE ACT

Fiscal year	Request submitted to Bureau of Budget	Request submitted to the Congress	Appropriated
1968	$200,000	$80,000	0
1969	250,000	70,000	0
1970	30,000	80,000	
1971	[1] 300,000		
1972	[1] 900,000		

[1] Total.

Projects to be developed under the act

FISCAL YEAR 1970

Increase to be requested of Congress ---------- $80,000

To provide services required to meet the needs of museums: including the training of museum personnel, improving the information services and the review of museum plans and programs, to design pilot traveling units of collections and to publish manuals on planning programs and facilities ---------- 28,300

To perform research in museum techniques and practices, devise experiments and tests of museum communication and education, train museum technicians, publish plans and reports of new methods and practices ---------- 51,700

FISCAL YEAR 1971

Increase to be requested of Congress ---------- 220,000

To train 14 museum career personnel in art, history, and science curatorial positions ---------- 130,000

To train 10 museum technicians in conservation, exhibition, museum education, management of collections, and support of research ---------- 90,000

FISCAL YEAR 1972

Increase to be requested of Congress ---------- 600,000

Conduct of continuing studies of museum performance for increasing the effectiveness of museum programs in individual communities for enriching education and cultural development of their localities, for providing standards of performance and accreditation; 1 major study and 2 surveys ---------- 165,000

Conduct of a national study of methods and technology for a nationwide catalog of the collections of American museums of history, material culture, science and industry, to aid in historical researches and to assist in coordinating cooperative programs for the circulation of collections in the service of many communities now lacking museum resources ---------- 175,000

Workshop demonstrations at 12 regional seminars of museum directors and staff in museum practices, such as exhibition, conservation, education, and administration ---------- 100,000

Support of regional museum conferences, to provide professional consultants on museum problems at annual meetings and to publish reports of the proceedings ---------- 50,000

Conduct a feasibility study of a system of regional cooperative museum laboratories to supply museum conservation, exhibits and museum education materials at cost to the museums across the United States ---------- 30,000

Publication of museum manuals, facilities, plans, and exhibition designs ---------- 80,000

S. 705—INTRODUCTION OF BILL AUTHORIZING THE SMITHSONIAN INSTITUTION TO ACQUIRE LANDS AND TO DESIGN A RADIO-RADAR ASTRONOMICAL TELESCOPE

Mr. ANDERSON. Mr. President, on behalf of myself and Senators FULBRIGHT and SCOTT, I introduce, for appropriate reference, a bill to authorize the Smithsonian Institution to acquire lands and to design a radio-radar astronomical telescope for the Smithsonian Astrophysical Observatory for the purpose of furthering scientific knowledge, and for other purposes.

I ask unanimous consent that the bill and statement entitled "Smithsonian Astrophysical Observatory—Radio and Radar Astronomy" be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 705) to authorize the Smithsonian Institution to acquire lands and to design a radio-radar astronomical telescope for the Smithsonian Astrophysical Observatory for the purpose of furthering scientific knowledge, and for other purposes, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, and ordered to be printed in the RECORD, as follows:

S. 705

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Regents of the Smithsonian Institution is authorized to acquire lands by gift, purchase, exchange, condemnation, or otherwise, to be used as a site for a radio-radar astronomical telescope.

SEC. 2. The heads of executive departments and independent agencies of the Government are authorized to transfer to the Smithsonian, without charge, real and personal property under their custody, control, or jurisdiction, for the purposes of this Act.

SEC. 3. The Smithsonian is authorized to design a radio-radar astronomical telescope, including related equipment and facilities, for purposes of scientific research and knowledge.

SEC. 4. The Secretary of the Smithsonian is hereby authorized to employ a Director and Assistant Director without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and such other personnel as may be necessary.

SEC. 5. In furtherance of the purposes of this Act, the Secretary of the Smithsonian Institution may—

(a) enter into, perform, and modify contracts and agreements and otherwise cooperate with any agency of the United States Government or of any State or subdivision thereof, educational institutions, voluntary agencies, and with other organizations, individuals, and firms;

(b) utilize the services and facilities of, or procure commodities from, any agency of the United States Government with the consent of the head of such agency; and

(c) employ experts and consultants or organizations thereof, as authorized by section 3109 of title 5 of the United States Code for the performance of functions under this chapter at rates not in excess of $100 per diem, and while away from their homes or regular places of business they may be paid actual travel expenses and per diem in lieu of subsistence and other expenses at the applicable rate prescribed in the Standard Government Travel Regulations, as amended: *Provided,* That contracts for such employment may be renewed annually.

SEC. 6. The Secretary of the Smithsonian is authorized to establish an advisory committee including representatives of cooperating users of the telescope. The committee shall submit recommendations on the design, location, and preparations for construction, operation, and use of the telescope and its related facilities. The members of the committee shall receive no compensation for their services, but may be paid actual travel expenses and per diem in lieu of subsistence and other expenses at the applicable rate prescribed in the Standard Government Travel Regulations, as amended.

SEC. 7. There are authorized to be appropriated to the Smithsonian Institution such funds as may be necessary to carry out the purposes of this Act, such appropriations to be made available without fiscal year limitations: *Provided,* That not to exceed $2,000,000 is authorized to be appropriated through the fiscal year ending June 30, 1970.

The statement presented by Mr. ANDERSON is as follows:

SMITHSONIAN ASTROPHYSICAL OBSERVATORY RADIO AND RADAR ASTRONOMY

Radio and radar astronomy are two new fields of science which have contributed surprising and dramatic new discoveries about the solar system and the universe, and have fundamentally altered and enlarged our basic

knowledge. No other period in the history of astronomy can compare with the last decade in the flow of new discoveries made possible by radio and radar observations. The radio telescope can perform either as a radar or as a radio. When used as a radar device, it is equipped with a transmitter that beams a powerful signal toward the sun, moon, planets, and other objects in the solar system and receives an echo. The radio telescope can analyze the radar echo and extract new information about the body in question. During the last decade this process has been able to measure the scale of the solar system to unprecedented accuracy; to measure the diameters of important planets; to map the surface of Venus, even though it is totally obscured by a complete and continuous cloud cover, and to reveal unexpected and precise rotation rates of planets. For example, after radar observations, Mercury was discovered to be "locked" to the sun in a completely unexpected manner—and the rotation of Venus is actually controlled by the earth. The radar observations have also opened new methods to test the general theory of relativity. These are examples of what we may expect in the future, because each step toward telescopes of larger sizes and more advanced electronics systems has invariably led to unexpected and highly significant new results.

When the radio telescope is used as a receiver only, its scope of radial vision expands to reach beyond the solar system to the most distant objects known in the universe. Sensitive radio receivers operate at the focus of the radio telescope much as the eye or photographic plate function in an optical telescope. Through the use of this technique, we have discovered more powerful energy sources than any before known to man. The quasi stellar radio sources, quasars, and the pulsating radio sources, pulsars, have generated enormous excitement in the fields of astronomy and physics, which can be compared only with the excitement in the scientific community when it received the original news of the splitting of the atom. The discoveries made through radio and radar devices on radio telescopes continue to contribute to our basic knowledge of the universe. Future discoveries will pose new problems of interpretation which, when solved, will add to our understanding of the fundamental processes in nature, and possibly the discovery and control of new sources of energy on the earth.

We may briefly survey the existing filled-aperture fully-steerable radio telescopes that are now in operation to carry out basic research. We exclude from the survey similar instrumentation operated for military and space purposes, i.e., the mission-oriented antennas. We also exclude two special purpose research antennas, one at Green Bank, West Virginia and another at Arecibo, Puerto Rico, whose surface precisions limit operations at short wavelengths and whose mounting systems limit sky coverage or tracking time on objects under study. In summary, there are numerous small instruments in the United States, and few large machines, and in the countries abroad the reverse is true; very few small instruments but a monopoly on the world's largest radio telescopes. Thus other countries now have superior facilities for fundamental research in radio astronomy.

In the United States there are a number of small, 85- to 90-foot diameter, radio telescopes in various institutions throughout the country. A 130-foot diameter radio telescope operates at Owens Valley, California, and a 140-foot diameter radio telescope at Green Bank, West Virginia. Canada has a 150-foot telescope at Algonquin Park. At Parkes, Australia, there is a 210-foot diameter radio telescope; Great Britain has a 250-foot diameter radio telescope at Jodrell Bank. At Bonn, West Germany, a 328-foot diameter radio telescope is now under construction; and plans are nearing completion for a new 400-foot diameter radio telescope (Sir Bernard Lovell's current project) in Great Britain. Thus the United States is the only major Western country that still lacks a large and powerful radio telescope.

In the United States, the Office of Naval Research and the National Science Foundation have been the major sources of support for radio telescopes. Paradoxically, other nations have larger radio telescopes than we do partly because they have more limited financial resources. They have concentrated their funds in single large projects and have thus converted an economic liability into a scientific asset.

The radio and radar scientists in the United States, who attended a meeting at the Smithsonian Institution on November 30/December 1, 1968, clearly recognized this situation and expressed their hope that national initiative could be taken to obtain a large radio-radar telescope for this country.

Fully completed designs exist for a 440-foot radio telescope enclosed in a protective space-frame radome which supports fiberglass panels. The radome isolates the antenna from the environment as shown in the attached drawing. (Drawing not shown.) The construction of so large an antenna can be accomplished with the use of the light-weight materials because of the controlled environment within the radome. This controlled environment also permits the construction of a very precise parabolic surface on the antenna itself, which is a fundamental objective for the radio and radar scientists.

The effort to produce this design, now completed, began in 1963 and involved the Smithsonian Astrophysical Observatory, Harvard University, the Massachusetts Institute of Technology, and the MIT Lincoln Laboratory. At a later date in 1967, the group was broadened to include thirteen research and educational institutions in the Northeast, and at the Smithsonian meeting in Washington on November 30/December 1, 1968, the radio and radar scientists from all over the United States expressed their hope that the Smithsonian Institution would take the initiative to obtain authorization for this instrument. They agreed that the existing 440-foot design should be used as the basis for a major telescope, to be constructed and managed by the Smithsonian Institution, to be operated as a national facility, and to be open to all radio and radar scientists, independent of their institutional affiliations, and that access to the use of the telescope should be determined by the feasibility and scientific merit of the proposed experimental programs.

The Smithsonian Astrophysical Observatory, as one of the world's pre-eminent observatories, believes that this instrument is essential to national research in the field of radio and radar astronomy. The nation's scientists need this instrument as a major undertaking in astrophysics, continuing a century-old tradition in the Smithsonian Institution.

The Institution proposes that the instrument be shared by astronomers from all academic and research organizations throughout the country. This means that benefits from the Federal investment would be shared not only by the astronomers of the Smithsonian Institution, but also by scientists throughout the United States.

S. 706—INTRODUCTION OF BILL PROVIDING FOR ADDITIONAL MEMBERS OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. ANDERSON. Mr. President, I introduce, on behalf of myself, Mr. FULBRIGHT, and Mr. SCOTT, a bill to amend the act of August 10, 1846, as amended, to provide for additional members of the Board of Regents of the Smithsonian Institution.

I ask unanimous consent that this bill be printed in the RECORD at this point.

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. 706) to amend the act of August 10, 1846, as amended, to provide for additional members of the Board of Regents of the Smithsonian Institution, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows.

S. 706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3 of the Act of August 10, 1846, as amended (9 Stat. 103, 20 U.S.C. 42), is further amended by—

(1) deleting "six" and inserting in lieu thereof "nine", and

(2) deleting "four" and inserting in lieu thereof "seven", so as to read as follows:

"SEC. 3. The business of the institution shall be conducted at the city of Washington by a Board of Regents, named the Regents of the Smithsonian Institution, to be composed of the Vice President, the Chief Justice of the United States, and three members of the Senate and three members of the House of Representatives; together with nine other persons, other than members of Congress, two of whom shall be resident in the city of Washington; and the other seven shall be inhabitants of some State, but no two of them of the same State."

SEC. 2. Section 3 of the Act of August 10, 1846, as amended (9 Stat. 103, 20 U.S.C. 43), is further amended by—

(1) in the second sentence thereof, deleting "six" and inserting in lieu thereof "nine", so as to read as follows: "The Board of Regents shall be appointed as follows: The Members of the Senate by the President thereof; the Members of the House by the Speaker thereof; and the nine other persons by joint resolution of the Senate and House of Representatives."; and

(2) in the sixth sentence thereof, deleting "six" immediately after "term of service for the other" and before "members" and inserting in lieu thereof "nine",

so as to read as follows: "The regular term of service for the other nine members shall be six years; and new elections thereof shall be made by joint resolutions of Congress."

S. 709, S. 710, S. 711, S. 712, S. 713, S. 714, AND S. 715—INTRODUCTION OF BILLS MAKING ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. JACKSON. Mr. President, by request, I introduce for appropriate reference seven bills to make additions to the national wilderness preservation system under authority of Public Law 88-577.

These proposals were submitted to Congress by the President during the 90th Congress but did not receive final action.

The areas which the bills would add to the system are 73,333 acres in the Las-

sen Volcanic National Park in California, 95,000 acres of the Ventana Primitive Area in the Los Padres National Forest in California, 63,500 acres of the Desolation Valley Primitive Area in the Eldorado National Forest in California, 5,330 acres of the Pinnacles National Monument in California, 9,197 acres in the Lava Beds National Monument in California, a total of 73,000 acres of the Mount Baldy, Pine Mountain, and Sycamore Canyon Primitive Areas now a part of national forests in Arizona, and certain lands in the Island Bay, Cedar Keys, Passage Key National Wildlife Refuges in Florida, the Okefenokee National Wildlife Refuge in Georgia, and certain lands in the Petrified Forest National Park in Arizona.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills (S. 709) to designate certain lands in the Island Bay, Cedar Keys, Passage Key National Wildlife Refuges in Florida, the Okefenokee National Wildlife Refuge in Georgia, and certain lands in the Petrified Forest National Park in Arizona as wilderness; (S. 710) to designate the Mount Baldy Wilderness, the Pine Mountain Wilderness, and the Sycamore Canyon Wilderness within certain national forests in the State of Arizona; (S. 711) to designate certain lands in the Lava Beds National Monument in California as wilderness; (S. 712) to designate certain lands in the Pinnacles National Monument in California as wilderness; (S. 713) to designate the Desolation Wilderness, Eldorado National Forest, in the State of California; (S. 714) to designate the Ventana Wilderness, Los Padres National Forest, in the State of California; and (S. 715) to designate certain lands in the Lassen Volcanic National Park in California as wilderness introduced by Mr. JACKSON, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs.

S. 716—INTRODUCTION OF BILL TO AMEND THE TAYLOR GRAZING ACT

Mr. McGEE. Mr. President, I introduce for appropriate reference, a bill to amend section 315b, title 43 of the United States Code. This section is a portion of the Taylor Grazing Act which is the statutory authority under which the Department of the Interior and the Bureau of Land Management administer much of the public lands in the United States today. Briefly, my amendment would provide the Secretary of the Interior with some direction in reference to the determination of grazing fees on the public lands under his jurisdiction and the elements to be considered in setting those fees.

In November 1968, the Department of the Interior and the Department of Agriculture announced a proposal under which the fees to be charged livestock operators who utilize public lands in their operations would be greatly increased. In the case of the Department of the Interior and the so-called Taylor grazing lands, this proposed increase amounted to almost 400 percent and was to be spread over a 10-year period. This action was proposed under a directive from the Bureau of the Budget dating back to 1959 during the second term of President Eisenhower. It has been under consideration in one way or another, but no final decision was reached until earlier this month when it was announced that the proposed increases were finalized and would be put into effect for the 1969 grazing season.

Following the initial announcement in November, the Departments invited comments, and the record was kept open for a period of 45 days. Several Senators and Members of the House of Representatives asked that an extension of time be granted and that the final decision on this matter be postponed so that all aspects of the situation could be investi- expressed by many that since the proposal was the result of a study which was conducted over a period of years, the 45-day period for receiving comments was somewhat unreasonable. Despite these protests and suggestions, however, the Departments proceeded to close the record and impose the first phase of the increased fee schedule. All of this took place prior to the time the present Congress convened.

By way of explanation, under the directive of the Bureau of the Budget the Federal agencies understood they were compelled to obtain "a fair market value" for the grazing rights which are made available to livestock operators in the public lands States. In determining what constitutes "a fair market value" the agencies were to take into consideration the costs incurred by grazing lessees of comparable State and privately owned lands. With this directive and guideline in mind, the agencies conducted a rather lengthy and detailed study of the various costs and expenses incurred by livestock operators on both private and public land grazing leases.

This study culminated with a table of average costs per animal unit month—AUM—for some 14 individual items which reflect the cost of running livestock on leased grazing land, both public and private. These items resulted in a total cost of $3.34 per AUM on public land as opposed to a total cost of $4.65 on privately owned leased land. This indicated a differential of $1.31 per AUM, and it is this purported differential that the agencies are attempting to eliminate by the increased fee schedule which was proposed in November 1968, and finalized just a couple of weeks ago.

While there may be some element of disagreement with reference to many of the cost factors resulting from these studies, one of the major points of concern is the item which was not included in this cost determination, and that item is the permit cost—the cost to the livestock operator for the "privilege" of obtaining grazing rights on public land. The Bureau of Land Management obviously recognizes this as a valuable right with a definite economic value. As a matter of fact, in the studies which I have been discussing the average permit price was established by BLM at $14.41 per AUM. While recognizing and, in fact, determining this significant cost factor, the agency has refused to recognize this as a legitimate cost factor in determining the costs of running livestock on leased public lands. To do so, they contend, would be a recognition of a property right on the grazing rights on Federal lands and that such a recognition would be in specific violation of the Taylor Grazing Act. The concluding sentence of section 315b, which I seek to amend, provides that the grazing rights "shall not create any right, title, interest, or estate in or to the lands."

The livestock operations feel quite strongly that this major cost or investment item should be considered in determining operating costs since it is most certainly an investment which must be made if they are to acquire any grazing rights on the public domain. In my opinion, there is considerable merit in the suggestion that the reasonable acquisition cost of a grazing permit should be considered in any meaningful analysis of the costs involved in a livestock grazing operation.

It is commonly recognized within the livestock industry and by those Federal agency officials who administer our public lands that these grazing privileges are a valuable property right. The fact that they are not to be construed as creating any right to the land itself, by the terms of the Taylor Grazing Act, is immaterial for the purposes of this discussion. The fact remains that they are a valuable property right in and of themselves. They are transferred quite freely within the livestock industry for a determined and valuable consideration. Under these circumstances it is most difficult to understand why this cost, along with all others involved, cannot and should not be recognized in any fee-setting procedure which has as its expressed purpose, a goal of achieving comparability with expenses of operations on privately owned leased lands.

Mr. President, I want to make it clear that I have no particular quarrel with the comparability concept or the fair return mandate which was delivered by the Bureau of the Budget in 1959. Most of our livestock operators would agree that they should pay a fair and reasonable fee for grazing rights or other uses of our public lands. They do feel, however, and with considerable justification, that any system or procedure which consciously eliminates one of their principal cost factors cannot result in a fair or equitable determination of those fees. My amendment would simply direct the Secretary of the Interior to consider this investment, along with all other legitimate costs, in establishing the comparability of fees and the final fees to be charged.

I would hope, Mr. President, that I could obtain early hearings on the bill which I have introduced today. During the course of these hearings, I believe we would have occasion to examine this entire issue in some detail with all interested parties being given the opportunity to present their views. While public comments were invited and received prior to the time this matter was finalized on an administrative level, there is some real question as to what extent adverse comments were considered. This is a matter of great importance, and I feel it merits a full congressional review as soon as possible.

My bill, as an amendment to the Taylor Grazing Act, would affect only those lands administered by the Department of the Interior. I shall introduce similar legislation to cover those lands administered by the Department of Agriculture through the Forest Service. While the jurisdiction is different, the principle which I have discussed in reference to Department of the Interior lands is precisely the same as with those administered by the U.S. Forest Service.

In concluding my remarks, I would like to have inserted in the record the comparative table, to which I have made reference and which sets forth the elements of costs of a livestock operation on public and private leased lands. This table indicates that when all costs, excluding fees—items 1 to 13—are considered, the costs of operation on public lands exceeds those on private lands by $0.51. Only when the lease cost—item 14—is added to the private land costs and the permit cost—item 16—continues to be excluded from the computation does the private lease cost purport to exceed the public land operation.

This is a matter which calls for an immediate clarification, and it is for this purpose that I have introduced this measure.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the table will be printed in the RECORD.

The bill (S. 716) to amend title 43 U.S.C. 315b to provide the cost factors which shall be taken into consideration in determining the grazing fees which will be imposed for use of public lands, introduced by Mr. MCGEE, was received, read twice, by its title, and referred to the Committee on Interior and Insular Affairs.

The table, presented by Mr. MCGEE, is as follows:

TABLE 2.—AVERAGE COSTS PER AUM

	BLM land	Private land
1. Lost animals	$0.60	$0.40
2. Association fees	.04	
3. Veterinarian	.10	.14
4. Moving livestock to and from allotment	.22	.24
5. Herding	.49	.20
6. Salting and feeding	.69	.88
7. Driving to and from allotments	.31	.28
8. Water	.11	.07
9. Horses	.12	.10
10. Fence maintenance	.21	.27
11. Water maintenance	.20	.10
12. Development depreciations [1]	.11	.02
13. Other costs	.14	.13
(Subtotal) nonfee costs	3.34	2.83
14. Lease rates, private		1.82
15. Total cost excluding permit	3.34	4.65
16. Permit price	14.41	

[1] Straight line depreciation allowance for private investment on public or leased lands.

Note: Average difference in nonfee costs (items 1 through 13) is $0.51 more per AUM on public land. Average difference in total cost exclusive of permit prices (items 1 through 14) is $1.31 more per AUM to use private than public land.

S. 718—INTRODUCTION OF GIFTED AND TALENTED CHILDREN EDUCATIONAL ASSISTANCE ACT

Mr. JAVITS. Mr. President, I introduce, for myself and the distinguished Senator from Vermont (Mr. PROUTY), the Gifted and Talented Children Educational Assistance Act. This legislation is designed to focus Federal resources on the improvement of educational opportunities for gifted and talented children. No additional congressional authorizations are required. Gifted and talented children are defined as "those having outstanding intellectual ability or creative talent, the development of which requires programs or services beyond the level of those ordinarily provided in regular school programs."

This measure is being introduced today in the House by Representatives JOHN N. ERLENBORN, WILLIAM AYRES, MARVIN L. ESCH, EDWIN ESHLEMAN, ALBERT QUIE, OGDEN REID, and WILLIAM STEIGER, all minority members of the House Committee on Education and Labor.

The bill would launch a national effort to assist local and State educational agencies in establishing programs—and training personnel to carry out these programs—to meet the unique learning needs of especially gifted and talented children.

Specifically, the bill would:

First. Amend title V of the Elementary and Secondary Education Act by including the phrase "gifted and talented" in the enumeration of areas that can be funded thus enabling State education agencies to develop appropriate plans and to acquire the necessary personnel to provide for the educational needs of students with outstanding intellectual ability and creative talent within the State.

Second. Amend the Educational Professions Development Act by adding "gifted and talented" as a priority area, focusing attention on the recruitment and development of personnel necessary to work with children of outstanding ability.

Third. Amend title II, ESEA, by adding "special programs for the gifted and talented" as a type of educational center and service and innovative program to be encouraged under title III. Because of their unique learning nature, gifted and talented children require many services and opportunities beyond the confines of the classroom or school. Title III has been shown to be an effective tool for helping school districts to provide such services and opportunities on a multischool or regional basis. It is the intent of this amendment to focus some of the efforts of title III on meeting the unique program needs of gifted and talented children.

Fourth. Direct "the Commissioner of Education to conduct a study as to how existing education programs can be best used to meet the needs of the gifted and talented and what new programs might be necessary" and report his recommendations to the Congress within 6 months.

We often view the identification and education of gifted and talented children as being limited to a suburban problem. However, today with over one-third of our schoolchildren located in the urban centers, greater efforts must be made to develop the hidden talents in our cities. Educators have noted that the great reservoir of undiscovered and undeveloped intellectual talent in America is not confined to upper-class or middle-class neighborhoods. While the proportion of high IQ's may be lower in underprivileged areas, the actual numbers of the intellectually very bright in poor homes are far in excess of those to be found in the relatively few homes of business and professional leaders. This resource must not be wasted; developing our gifted and talented children to their fullest is a task of concern to the whole Nation.

The Congress has long realized that education is a State responsibility. For this reason, we have channeled resources under title V of the Elementary and Secondary Education Act to assist State departments of education to upgrade and expand their role in the education process. At present only 13 of the 50 State departments of education assign one or more full-time staff members to programs or provisions for gifted and talented children. Twenty-one States have no one responsible on a full- or part-time basis for assuring that gifted and talented students have educational experiences commensurate with their needs. The fact that nine out of 10 gifted and talented children now receiving services come from States employing full-time personnel demonstrates the importance of such personnel to the growth of special programs. Title V of ESEA has helped upgrade State departments of education and improve State administration. I hope that through this amendment that some of these excellent resources will be devoted toward the needs of gifted and talented children.

The Congress has long had a commitment to the concept of equality of educational opportunity for all children. The legislation providing for handicapped children, bilingual children, disabled children, children of American Indians, any many others has helped communicate to educators throughout the world the premise that although children differ in their abilities and aspirations, each child deserves the education that will most effectively develop his unique potentials. It is certainly upon this foundation to assist the individual pursue a life which will allow him to develop a sense of fulfillment, personal satisfaction, happiness, and self-realization, that our Government is dedicated. In addition to society's obligation to provide for the individual an opportunity for self-fulfillment, it has a very real obligation to itself to assure national survival and growth through the continuing development of manpower and leadership. It is for this purpose of enabling able individuals to develop their potential to the fullest and guaranteeing that our Nation remains strong through the full utilization of its greatest minds and talents to which the Gifted and Talented Children Amendments of 1969 is directed.

In 1958, in response to sputnik, the Congress enacted the National Defense Education Act to identify our most gifted students and to stimulate resources toward meeting the educational needs of these students. However, today, a decade since the passage of NDEA, the Federal effort toward meeting the needs of the gifted and talented has diminished to the point that there is not one single Fed-

eral law or program devoting significant resources toward the education of gifted and talented youth, nor does the U.S. Office of Education employ anyone with responsibility in this area.

Some States have developed programs for the gifted and talented. However, little growth has taken place. Only about one-third of the States have established efforts to assess and improve the education of gifted and talented children. Study commissions have been formed, theoretical foundations established; however, very few of the over 3 million gifted and talented children of this Nation are receiving the special education services they need.

Our country cannot afford to allow this to continue. We are a nation concerned about the conservation of our most treasured natural resources; the time has come for us to conserve our most precious resource, our gifted and talented children.

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

Mr. JAVITS. I yield.

Mr. DOMINICK. I wonder if the Senator would permit me to join as a cosponsor.

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the Senator from Colorado (Mr. DOMINICK) be added as a cosponsor, as well as the names of the Senator from Alaska (Mr. STEVENS), the Senator from Kentucky (Mr. COOK), and the Senator from Colorado (Mr. ALLOTT), at the first printing.

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

The bill will be received and appropriately referred.

The bill (S. 718) to provide for educational assistance for gifted and talented children, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I ask unanimous consent that, if there are other Senators who wish to have their names added as cosponsors of the bill, they may have authority to do so before the bill is sent for printing today.

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

Mr. PROUTY. Mr. President, I am pleased to have an opportunity to support the Gifted and Talented Children's Educational Assistance Act of 1969 which is being introduced in both the Senate and the House today.

During the past few years Congress has enacted far-reaching legislation enabling the Federal Government to assist States, localities, school districts, and universities in providing an adequate education for all Americans. Recognizing that certain groups of youth have special problems which impede the learning process, I and the other members of the Education Subcommittee of the Labor and Public Welfare Committee, have sponsored legislation aimed particularly at enabling schools to develop programs for the disadvantaged, handicapped, or non-English-speaking child. These programs are now reaching large numbers of American youth who ordinarily could not derive benefit from the educational facilities in their communities.

However, Mr. President, there remains one large group of youth which is not being assisted. These are the gifted children of our Nation, comprising from 3 to 5 percent of the school population, or numbering over 3 million. The talented child has often been the forgotten child and the underachiever despite his extraordinary potential because he becomes bored with unchallenging programs. It is often assumed, for example, that it is the less intelligent child who leaves school. A study conducted by Dr. Joseph L. French of Pennsylvania State University has indicated, however, that 11 percent of the high school dropouts, or some 80,000 youths having IQ's over 110 leave school before graduation each year. These youths have the intellectual capabilities to become professionals and leaders. We cannot afford to waste their talents.

The bill which Senator JAVITS and I are sponsoring today, Mr. President, is unusual in that it will enable State and local school agencies to assist gifted children without obligating additional funds for that purpose. It creates an opportunity without raising costs.

Essentially, the bill allows States and local school agencies and universities receiving funds under ESEA and EPDA acts to utilize those funds for the benefit of gifted children as well as handicapped children. In addition, Mr. President, it directs the Commissioner of Education to conduct a study in order to ascertain how existing educational programs can best be used to meet the needs of the gifted and talented. I strongly support this bill and ask that it be speedily enacted by the Senate.

S. 719—INTRODUCTION OF BILL TO CREATE A NATIONAL MINERAL POLICY

Mr. ALLOTT. Mr. President, I introduce a bill on a national minerals policy, cosponsored by Senators BELLMON, BENNETT, BIBLE, CANNON, CHURCH, DOMINICK, FANNIN, HRUSKA, JORDAN of Idaho, MCGEE, METCALF, YOUNG of North Dakota, HANSEN, and STEVENS.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 719) to establish a national mining and minerals policy, introduced by Mr. ALLOTT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. ALLOTT. Mr. President, virtually all great civilizations have developed around or near natural resources, and the United States is no exception. In the past, the uneven distribution of natural resources has been the cause of international conflict and still remains a major factor in international relations. It has always been difficult for any country to raise itself above the subsistence level without the means to provide tools, raw materials, and natural energy to extend the scope of human and even animal muscle energy. As societies become more industrialized their dependence upon natural resources accelerates. In time, nearly all industrialized societies have had to look to sources outside their geographic boundaries to supply their needs. As other societies or nations become more affluent the competition for raw materials increases, and with this increased competition come problems of economics. The industrialized nation either pays the price, engages in extensive searches for suitable substitutes, or may be forced to succumb to competitive economic pressures forcing it to rely on imports of the manufactured product, unless that nation is lucky enough to discover or develop a new domestic source of the needed raw material.

Minerals are, of course, a basic raw material of industry. Agriculture and silviculture also provide raw materials for industry, but because of their renewable nature do not present the same kind of problem. With respect to silviculture, this Nation's policy has long been established and implemented. It is embodied in the phrase, "sustained yield." With respect to agriculture, our policy is not so easily definable, but nevertheless it exists. While implementation has been faltering at times, I believe it can be described as a policy of improving the productivity of our agricultural lands, while conserving those lands, and of improving the quality of our agricultural products. But, what is our minerals policy? I have vainly searched for some expression of a national minerals policy in legislative and executive programs, and have come to the conclusion that none exists. We do, of course, have an oil import program, and a few loans are made through the Office of Minerals Explorations, but these can hardly qualify as a national policy.

Mr. President, 15 years ago President Eisenhower gave recognition to the continuing grave deficiency in the U.S. minerals posture when he established the President's Cabinet Committee on Minerals Policy. In his letter to Secretary of the Interior Douglas McKay, President Eisenhower said, in part:

> One of the essential problems before our country is the establishment of a national policy relating to the production and utilization of minerals and metals. The prudent use and development of domestic mineral resources, as well as assured access to necessary sources abroad, are indispensable to the operation of an active economy and a sound defense.

The need for a national minerals policy has become more evident with the passage of time. House Concurrent Resolution 177, which passed the Senate on September 10, 1959, expressed the sense of the Congress concerning an overall national minerals policy as being—

> That the maintenance and development of a sound and stable domestic mining and minerals industry, without critical dependence upon foreign sources is essential to national security and the welfare of the consuming public.

Despite this statement of the sense of Congress many of our most vital and strategic materials must be imported in large quantities. In some instances, we rely entirely upon foreign sources, for example: chromium, corundum, columbium, electronic grade quartz crystals, radium, and strontium. In other cases our domestic production is so negligible

that we rely almost exclusively on foreign sources; such minerals are asbestos, bauxite—the source of aluminum—beryllium, graphite, iodine, manganese, nickel, platinum group metals, rutile—a source mineral for titanium—and tin. With respect to silver and gold, the rapidly depleting Treasury stocks have been our major source of supply, but that source is destined for an early demise. Treasury silver stocks at the end of 1963 were 1,582,500,000 troy ounces. By December 1968 they had fallen to approximately 58 million ounces, and will soon be exhausted. This represents an outflow of 1.524 billion ounces of Treasury stocks in just 5 years. Imports come from principally Canada, Peru, Mexico and the Republic of South Africa, yet U.S. mine resources are far greater than any of the nations from which we import silver. The largest single use of silver is for the manufacture of photographic film. It is also used extensively in electrical and electronic equipment, besides providing the substance from which the wedding gifts that make a bride's eyes shine are fashioned.

Most of the minerals or metals mentioned are considered so essential to our industrial capability to support the manufacture of material necessary for war as to be stockpiled in the strategic stockpile. The existence of the strategic stockpile is mute evidence of our inability to produce these vital materials on demand. With respect to some commodities, such as chromium and the platinum group metals, we rely heavily upon the U.S.S.R. for import supplies. In other cases we rely principally or almost entirely upon one country as our import source, such as Canada for asbestos, nickel and selenium; Southern Rhodesia for corundum; India for strategic mica and kyanite; Brazil for electronic quartz crystals; Australia for rutile; Malaysia for tin; Japan for titanium; Peru for bismuth; and Mexico for graphite. As a former Director of the Bureau of Mines pointed out in hearings earlier last year before a Senate committee:

> Major tonnages of our key basic materials are coming from foreign operations: 85 percent of our bauxite for aluminum; almost 20 percent of our copper (and probably much more in 1967 and 1968); 40 percent of our iron ore; nearly 40 percent of our zinc and more than 25 percent of our lead; all of our manganese and chromium needed for steel; our gold and silver production is about one-fourth of our industrial consumption.

As we permit our Nation to become more and more dependent upon foreign sources for minerals important to our industry, we tend to lose the ability to find and produce these minerals domestically. Our dependence tends to encumber our foreign policy and limit our freedom of movement within the family of nations. It is, therefore, in the national interest, both in terms of foreign policy and national defense, that our ability to domestically produce important mineral commodities be developed and maintained.

Projections of mineral commodity requirements will increase by about 50 percent on the average, and in some cases by as much as 100 percent, by the year 1985. Yet, there is little evidence that facilities for this mineral commodity production requirement are being put in place, domestically, to provide for the long-range need. Such facilities require from 5 to 10 years leadtime, and require an investment in the neighborhood of $100 million per venture. Major investment is being made in foreign countries, primarily in Canada, Australia, South America, and Central Africa. Some of the incentives for foreign investment are: cheaper labor, tax and other financial concessions granted by foreign countries, and the growth of foreign markets. Further, many foreign ores are richer and do not require new technology to mine and process, particularly with the cheaper labor.

A continuation of these trends may not only cause our capability to produce minerals from domestic sources to remain static, but in some commodities that capacity may totally disappear. Disappearing, also, is the skilled labor to support mining operations. Even in cases where we have abundant known resources we are importing more and more, such as aluminum, copper, iron, potash and zinc. Based upon present trends, we will be importing as much as 98 percent of our iron by the year 2000. While this is a simple extrapolation of present trends, and therefore not necessarily a true indicator, it should cause us to pause and consider where we are headed if the most basic elements to our industrial economy is threatened with nearly total reliance on foreign sources of supply. With respect to some critical mineral commodities, the continued availability from important foreign sources is complicated by and subject to changes in the international political climate; such minerals include among others: chromium, cobalt, columbium, manganese, thorium, and tin.

Unfortunately, it would appear that the sense of the Congress resolution—House Concurrent Resolution 177—merely expressed a pious sentiment which has been largely ignored by subsequent Congresses and administrations. I predicted this in my individual views in Senate Report 968, on House Concurrent Resolution 177, wherein I stated:

> It is important to enact, as a matter of law a national policy as a guideline to all agencies and representatives of the Federal government that as a matter of policy the Federal government will assist in the development of the necessary mineral reserves and will promote the wise and efficient use of our domestic mineral resources.
>
> It is most important, as a matter of law, to clear up once and for all the authority and responsibility of the Department of the Interior in its continuing attempts to foster the domestic minerals industry. The authority of a department can, of course, be established only by law. S. 1537 would do this. House Concurrent Resolution 177 will not.

Of course, S. 1537 was a predecessor to the bill I introduce today, and as I foresaw in 1959 in order to establish a national minerals policy it must be established as a matter of law. We foolishly believed that the "sense of Congress" would carry some weight in the Department, but as events have shown, such was not the case. But folly is not without cost and we are now paying the price.

Part of the cost is to be found in our unfavorable balance of payments over the past years. Just a casual look at eight minerals discloses that we are now importing an estimated $700 million to $750 million annually of antimony, asbestos, beryllium, chromium, cobalt, lead, nickel, and tin. Add to that our imports of copper, aluminum ore, and nearly $2½ billion in oil, the imports of just those 11 commodities more than equaled our balance-of-payments deficit for 1967 which exceeded $3.5 billion. Surely, we cannot afford to overlook such a potential area for ameliorating our serious balance-of-payments deficit.

Mr. President, in his radio address of October 18, 1968, entitled "A Strategy of Quality: Conservation in the Seventies," Richard Nixon called for the establishment of a national minerals policy. He wisely recognized the minerals industry as a vital part of the American economy and of American power. This is particularly welcome to me after having received an adverse departmental report on the measure in the previous Congress.

After agreeing with the objectives of the bill, S. 522, the Department went on to say, in their June 17, 1968, report:

> There are many policies and programs of the Government that affect and influence the development of the Nation's mineral resources. Some of these include the Government's policy to control air and water pollution, to protect fish and wildlife, to preserve our natural beauty, to protect the public's health and welfare, as well as our tax and fiscal policies.

This statement clearly pinpoints the problem: We have policies for everything else but none for minerals—the basic materials of our industrial economy.

It is not difficult to perceive what happens when a conflict arises between one of the established policies and the objectives of my bill—it is resolved with consideration being given only to the "announced national policy." Unfortunately, the conflict may have only been a superficial one, and had a national minerals policy been given some consideration the matter might have been resolved in a manner which would serve both policies better.

As an example of this, consider the possible result had we had a national minerals policy as I proposed a few years ago. If this country had pursued a policy of encouraging more self-sufficiency in minerals and oil production, it would have served our policy of improving our balance-of-payments deficit, our policy of decreasing unemployment, our policy of reducing the budget deficit by increasing tax revenues, while at the same time improving our national defense posture; and, all of this could have been done without inflicting violence upon our conservation policy, for I firmly believe that we will be better equipped to handle conservation and pollution control problems as operations become larger and more efficient.

As some foreign examples have shown us, the spin-off of efficient large-scale surface mining operations will provide the technology to make land restoration both physically and economically feasible.

The spin-off of underground mining technology may hold the answer for high speed urban transit problems by making subway tunneling cheaper and more efficient. Giant boring machines are now being developed for mining purposes. The application of such technology, once developed, to urban problems of transportation would not only serve to reduce the congestion of the city streets, but would also help to reduce air pollution from automobile and bus exhaust—a major source of air pollution in all American cities. In addition, advanced tunneling technology would serve our beautification policy by perhaps making it economically feasible to bury all utility lines.

No one can accurately estimate how much the lack of a national minerals policy has retarded such technological development, but it can be safely said that such development has been retarded. The question is, "How much longer can we afford the shortsightedness of not having a national minerals policy?" In my judgment, time is running out.

The declaration of a national minerals policy would not be a panacea to all our minerals problems. It would be, however, a good, though small, first step. Such a declaration of policy can serve as a springboard from which solutions to the myriad of minerals problems could unfold. It would serve as a beacon for both legislative and administrative efforts to deal with tax problems, import-export problems, public land policies, educational programs, and the many other regulatory policies that have a direct or indirect bearing upon the viability of each segment of the minerals industry. We can no longer accept the persuasion that the sustaining of the facility for access to foreign supply, and the maintenance of an efficient and expanding domestic minerals industry are mutually exclusive to the national interest. The effort to promote and effectuate an adequate national minerals policy is trivial by comparison to the future cost of failure in such respect, and it deserves our immediate attention and best efforts. We should declare to ourselves and to the world that it is the continuing policy of the Federal Government in the national interest to foster and encourage first, the development of an economically sound and stable domestic mining and minerals industry; second, the orderly development of domestic mineral resources; and third, mining, mineral, and metallurgical research to promote the wise and efficient use of our mineral resources. After having declared ourselves, we should immediately get on with the business of making our policy objectives a reality.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. Without objection, the bill will be printed in the RECORD, as requested by the Senator from Colorado.

The bill (S. 719) is as follows:

S. 719

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 "Mining and Minerals Policy Act of 1969".

SEC. 2. The Congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage (1) the development of an economically sound and stable domestic mining and minerals industry, (2) the orderly development of domestic mineral resources and reserves necessary to assume satisfaction of industrial and security needs, and (3) mining, mineral, and metallurgical research to promote the wise and efficient use of our mineral resources. It shall be the responsibility of the Secretary of the Interior to carry out this policy in such programs as may be authorized by law other than this Act. For this purpose the Secretary of the Interior shall include in his annual report to the Congress a report on the state of the domestic mining and minerals industry, including a statement of the trend in utilization and depletion of these resources, together with such recommendations for legislative programs as may be necessary to implement the policy of this Act.

S. 721—INTRODUCTION OF BILL TO ESTABLISH GROUND RULES FOR THE ISSUANCE OF CREDIT CARDS

Mr. PROXMIRE. Mr. President, on behalf of myself and the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from Connecticut (Mr. DODD), the Senator from Hawaii (Mr. INOUYE), the Senator from Wyoming (Mr. MCGEE), the Senator from Utah (Mr. MOSS), the Senator from Wisconsin (Mr. NELSON), the Senator from Texas (Mr. YARBOROUGH), the Senator from Ohio (Mr. YOUNG), and the Senator from Missouri (Mr. EAGLETON), I introduce a bill to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of credit cards, and for other purposes.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 721) to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of such credit cards, and for other purposes, introduced by Mr. PROXMIRE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. PROXMIRE. Mr. President, the 90th Congress took a major step to protect the interests of American consumers when it passed the truth-in-lending bill. I introduced that bill, the essence of which was to insure the full disclosure of the cost of credit. Today, I have introduced an amendment to the Truth-in-Lending Act which I believe will take a logical and necessary step in the same direction. I am pleased that 10 Senators join me in sponsoring this measure to curb the injustices visited on consumers by the indiscriminate issuance of credit cards and the misplaced liability for their unauthorized use.

I want to discuss the features of this measure and make plain why I find it so much in the public interest.

Mr. President, the credit card business is booming. Bank credit-card plans particularly have proliferated at an amazing rate. As of September 30, 1967, there were 197 commercial banks operating credit-card programs. In the subsequent 9 months this figure more than doubled, and as of June 30, 1968, there were 416 banks operating such programs. During this same period, amounts outstanding on bank credit-card plans jumped 50 percent, to $953 million. As of December 31, 1967, "plastic credit" outstanding totaled $12 billion, with $800 million of that in bank credit cards, $1 billion with oil companies, $3.5 billion with department store revolving credit plans, and $6.5 billion with retail charge accounts. Much of this was issued by large corporations operating on a nationwide scale. By all indications, the total of "plastic credit" continues to rise rapidly.

All the while, issuers of cards have broadened tremendously the scope of services available under their plans, as if to make them tickets good at all performances of a credit circus. Increasingly, for example, oil company cards are good for hotel or motel accommodations and other travel services, while general merchandise cards are good at service stations.

This explosive growth in the quantity and versatility of credit cards has been, to say the least, a mixed blessing. In their zeal to create instant volume, card issuers employ a wide variety of methods, including the purchase of outside mailing lists.

Thus, the practice of sending unsolicited cards through the mail has become a national problem. Communities have suffered saturation mailings of unwanted, unasked-for cards that caused antagonism and tempted faltering consumers into bankruptcy. All too often the financial burden of lost, strayed or stolen credit cards has fallen on the consumer without distinction as to whether he had used the card or applied for it. All too often the price of the issuer's precious volume has been widespread ill will.

Mr. President, hearings held last October by the Financial Institutions Subcommittee, of which I am chairman, made clear the need for consumer relief in matters of credit card issuance and liability. This amendment to the Truth-in-Lending Act will safeguard the consumer by requiring greater standards of care in the issuance of unsolicited cards, and by limiting the liability of cardholders for the unauthorized use of their cards. This bill does not prohibit the issuance of unsolicited credit cards. Rather, it sets forth some ground rules so that all sides will know how the game is to be played. I ask unanimous consent that a commentary and digest of the bill as well as a copy of the bill and an article entitled "Who Needs Money?" written by Jack Metcalfe and published in the New York Sunday News on November 24, 1968, be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The material presented by Mr. PROXMIRE was ordered to be printed in the RECORD, as follows:

WHAT THE BILL WILL DO

Mr. President, this bill requires the Board of Governors of the Federal Reserve System to prescribe regulations covering the issuance of credit cards to persons who did not request them in writing. By "credit card" is meant any card, plate, coupon book or other credit device with which to obtain money, property, labor or services on credit. These regulations, which shall establish minimum standards for all card issuers to follow in evaluating the credit worthiness of prospective cardholders, serve primarily to protect consumers against overextending themselves with credit obtained through the use of unsolicited credit cards.

It also sets a limit of $50 on a cardholder's liability for the unauthorized use of his card, and then only if certain basic conditions have been met. If they have not been met, the cardholder has no liability whatsoever. These conditions spell out a reasonable and knowledgeable relationship between the consumer who is using credit and the card issuer, who is extending credit.

It stipulates that an accepted credit card is one which the cardholder has requested in writing or signed or used. A renewal credit card is deemed accepted if it is issued within a year after a prior card has been paid for or used. A new credit card, issued in substitution for an accepted card due to a change in the corporate structure or ownership of a card issuer, is also deemed an accepted credit card.

In net effect, these provisions confer on consumers the protections they now enjoy in the use of checks. Those who would explain away the phenomenon of credit cards as merely the substitution of one credit instrument for another, cannot quibble with this intent. And to whatever extent credit cards generate more spending and greater indebtedness, these provisions see to it that consumers know what is going on, although they remain as free as ever to exercise bad judgment. If we are in fact moving toward a so-called checkless society, these provisions are especially important. The credit card could be a trump card played by lenders in anticipation of the day when our customary check protections become extinct.

DISCREDITED CREDIT CARDS

Mr. President, the Federal Reserve System last summer produced a comprehensive and well documented study of bank credit cards which concluded that consumer protection legislation in this area is unnecessary. While it carefully examined the impact of credit cards on banks, it gleaned very little data about their impact on consumers. No household survey was made to determine how many consumers object to receiving unordered credit cards in the mail. Based on examination of some specific cases, the study asserted that fewer than one percent of individuals receiving unsolicited cards returned them or otherwise objected to this method of distribution. Clearly, this one percent is just the visible tip of consumer resentment. No one should conclude from this fragmentary statistic that passive consumers—the 99 percent who do not speak up—are happy about the practice. I have received all kinds of credit cards, from oil companies and other outfits, and I never use them. I have never returned a credit card, either. I destroy them. I cut them up so they can't be used. The cards seem well-nigh indestructible, so I take the scissors and cut them into 20 pieces or so. It is a source of annoyance to me, and I am sure it nettles many other people.

Against this backdrop, it was edifying indeed to hear Royal E. Jackson testify before the Financial Institutions Subcommittee. Mr. Jackson is the very able Chief of the Bankruptcy Division of the Administrative Office of the U.S. Courts. The division makes more or less constant surveys and analyses of the work of the bankruptcy courts, which are necessary to make recommendations from time to time about the number of referees in bankruptcy to hold office, and so on. To find out whether credit cards are implicated in the growing volume of so-called consumer bankruptcy cases, Mr. Jackson sent out questionnaires to a cross-section of the courts handling large numbers of these cases. The results of his survey show unsolicited credit cards are one of the causes of the high rate of consumer bankruptcies.

Mr. President, the portion of consumer bankruptcy cases has been growing for 10 years. In 1958 these non-business cases amounted to 87.6 percent of the 91,668 cases filed. In 1968 these non-business cases amounted to 91.6 percent of 197,811 cases filed. Normally the data on personal bankruptcy reported to Mr. Jackson's division do not include information on the impact of unsolicited credit cards, so the cards were an unknown factor. The replies to his survey changed that. Here is what a referee in Denver wrote to Mr. Jackson:

"Without study in depth, which would necessarily include interviews with the bankrupts involved in the samples, it is not possible to express more than an opinion. My opinion is quite definite: The proliferation of credit cards induces spending by many persons, and spending beyond any reasonable expectation of being able to make payment. Merchandising and sales practices have a strong tendency in such cases to encourage reckless spending. The fact credit-card concerns continue to issue the cards without solicitation or with little or no credit checking indicates to me that the experience of the concerns has demonstrated the losses are more than offset by the profits on the increased sales. The economic and social desirability of such practices is questionable in long-range view."

From Los Angeles, Referee James E. Moriarty, who has presided over more than 10,000 bankruptcy cases, wrote:

"Credit cards do get in the hands of certain people who obviously cannot control their buying impulses or pay for that which they buy. It is an easy way to acquire property without facing up to the fact that some day payments must be made. I have no doubt but what the availability of all types of credit cards have (sic) lead to many persons coming to the Bankruptcy Court."

Referee Dale E. Ihlenfeldt, speaking for the three referees in the Eastern District of Wisconsin, wrote that whenever they have asked a bankrupt about credit cards:

"Without exception, each testified that the card came to him unsolicited in the mail. Most, if not all, of them were already seriously overextended in consumer credit, and receiving this card in the mail was like a gift from Santa Claus. They proceeded, without hesitation, to use the card. The amount of debts incurred with the use of the credit card ranges from two or three hundred dollars up to as much as twelve to fifteen hundred dollars in each case."

Mr. Ihlenfeldt cited some cases. Here are three from last August: Mr. X, with take-home pay of $85 a week at a tannery, showed debts of $2,083.58 to unsecured creditors, including $574 on his bank credit card. He had received the card unsolicited in the mail two years before and used it to buy clothing and make other general purchases. Mr. Y took home $100 a week from an industrial firm. Among $798.90 owed to unsecured creditors, $286 was due on his bank credit card. He had received the card unsolicited in the mail about a year earlier. Mr. Z, a dockworker for a trucking firm with take-home pay of $120 a week, owed $1,059.94 to unsecured creditors, including $421.85 on his bank credit card. He, too, had received an unsolicited credit card in the mail two years earlier, and used it to buy clothing and gas and pay for auto repairs.

Referee S. W. Keelerman, Jr., wrote from Louisville, citing these cases in the Western District of Kentucky: No. 40088 was married and had five children. His take-home pay was $510 a month, and his total indebtedness was $4916.09. On credit cards mailed to him without any solicitation, he was indebted for $1,079.43. No. 41893, a laborer who grossed $3,600 in 1967, owed $1,500 to a creditor who had sent him an unsolicited card. The bankrupt admitted purchasing $200 worth of merchandise with the card, but contended he had lost the card and that parties unknown to him had run up $1,300 in purchases on it. The bankrupt said he had notified the company that sent him the card, but was told they could do nothing about it and that he was responsible for the entire $1,500.

Mr. Keelerman added this indictment:

"These instances stated above are but a few of the many cases coming before this Referee in which the debtors who are already financially overburdened receive this unsolicited credit card. Subsequent purchases by them with the use of this card only help to shove these overburdened debtors into the pits of personal financial disaster.

"Apparently, these unsolicited credit cards are sent promiscuously to individuals without any regard as to the past or present credit standing."

In Seattle, Washington, an especially revealing survey was made of credit card debts listed on unsecured bankruptcy schedules for the months of September, October and November, 1968. It showed there were 503 cases and that credit cards were involved to the extent of about $500 per case. Referee Sidney C. Volinn noted, "My impression is that the average unsecured indebtedness is somewhere in the neighborhood of $3–4,000, so this would be a substantial percentage." The total owed on credit cards for the 503 cases was $247,895, broken down this way: Bank credit cards, $71,103; Oil and gas cards, $70,682; Retail store cards, $70,168; Travel and entertainment cards, $35,942.

Mr. President, the findings of Mr. Jackson and the Bankruptcy Division make eloquent plea for the responsible distribution of credit cards. Too often the card issuer stakes a community-wide poker game simply by handing out these fancy embossed plastic chips to everyone, whether he can afford to play or not. One sure way to cut the consumer mortality rate is to require that the issuer first evaluate the credit worthiness of anyone he wants to deal into the game.

OUT-OF-POCKET LOSSES: WHOSE POCKET?

Mr. President, who pays when a credit card is lost or stolen? Who covers the losses resulting from fraudulent use of credit cards? Under most credit-card plans the consumer is held liable for any fraudulent or unauthorized use of the card until the issuer receives written notification of its loss or theft. Miss Betty Furness, Special Assistant to the President for Consumer Affairs, summed up one aspect this way when she appeared before the Financial Institutions Subcommittee:

"If a card is stolen in transit before it reaches the addressee, the would-be card owner may find himself getting bills for something he never saw, from someone he never knew, because of a credit card he never had.

"Even though he is eventually absolved of liability for these bills, he may be ensnared in expensive and time-consuming litigation during which time his credit rating is all but destroyed."

Mr. President, recent statutes in Illinois, Massachusetts, New York and Wisconsin specifically exempt from liability the customer who has not accepted or begun to use an unsolicited credit card. That is a start, although the question arises: What about a credit card issued in New York and used in Massachusetts? Or what about the unsolicited BankAmericard that North Carolina National Bank mailed to my office here? What

if it had been intercepted? I was not expecting such a card. Indeed, I have never done business with that bank. I guess I should be flattered that it gave me a generous $1,000 line of credit, but I am not. I do not like to be wooed with my own pocketbook.

This bill provides that a cardholder is liable for unauthorized use of his card if and only if it is an accepted credit card and certain other conditions obtain. If they do, his liability is limited to $50. If they do not, all liability remains where it properly belongs—with the issuer. This means the issuer must follow sound business practice or suffer the consequences. The issuer cannot transfer out-of-pocket losses to the cardholder. The issuer may no longer penalize the consumer for his own carelessness or unfairness in designing credit cards and procedures for using them. Let me describe these conditions that must be met before liability can shift to the cardholder.

First, the issuer must give adequate notice to the cardholder of the potential liability involved. This means setting it forth clearly and conspicuously either on the card itself or on each periodic statement of the cardholder's account. Doing so takes liability clauses out of the fine print category, where they were often kept secret from the very person they affected most. The typical credit card today can be read only by persons under 40 blessed with exceptional eyesight. Everyone else needs strong glasses or a magnifying glass. At the subcommittee hearings I asked a witness to read the liability clause on a typical credit card. Saying that his glasses made it just barely possible to see the crucial clause, he read:

"By acceptance of this card customer named hereon agrees to the terms of issue and assumes responsibility for purchases made through the use prior to its surrender to Humble or prior to the receipt by Humble of written notice of its loss or theft."

Mr. President, that's an Open Sesame clause, deserving of full disclosure through clear and conspicuous posting.

Second, the card issuer must provide a means of identifying the card user as the person authorized to use it such as a signature panel. So far card issuers and manufacturers have done little to personalize credit cards so that they can be used only by the rightful owner. There are some obvious reasons for this failure. One, a personalized card could only be issued upon application and would result in somewhat higher manufacturing cost. Two, there is no completely foolproof method of identification. Three, some card issuers like to facilitate their use by other members of the family or additional authorized users. There is a perfect answer to the user-identification question, however. As Eric E. Bergsten, Professor of Law at the University of Iowa, stated it before the subcommittee:

"If card issuers wish to issue cards which by their form are freely transferable, it ill behooves them to argue that they have no method of verifying the authority of the user."

Third, Mr. President, the unauthorized use must occur before the cardholder has notified the issuer that such misuse may occur due to lost or theft or other problem, and the issuer must take steps after notification to minimize the possibility of unauthorized use. In other words, a liability-until-notice requirement cannot be imposed on the cardholder unless it means something. Card issuers explain the requirement serves to encourage responsible handling of credit cards. Very well, but only if notification is a meaningful act, and not just an empty injunction. Mr. Bergsten provided considerable insight to this point when he quoted to the subcommittee from the form reply by Standard Oil Company of Indiana to a notice that a card has been lost:

"A very small percentage of such cards reported lost, or stolen, are used illegally. With this in mind, the replacement card which we enclose bears the same number as the one you have been using."

Mr. Bergsten's reaction states the case very nicely:

"Apparently Standard Oil finds it less expensive to accept the loss from unauthorized use than it does to take such a simple precaution as issuing a new number. Notification to such an issuer is a meaningless act. To use it as the event shifting liability merely results in an arbitrary allocation of the loss. On the other hand notification is a significant event to those issuers who pass it on to their merchants promptly, and, if liability is to be shifted, doing so at that time is reasonable."

Embodying this principle, the bill provides that an issuer must take action reasonably designed to advise merchants or others—say, by distributing "hot card lists"—with whom the credit card is apt to be used that there is a chance of its unauthorized use.

FURTHER COMMENT

Mr. President, it sometimes is contended that low loss ratios on bank credit-card plans show that the unsolicited card problem has been overstated. The Task Group of the Federal Reserve System found in this respect that, for the nation as a whole, charge-offs from Jan. 1, 1967, through June 30, 1967, amounted to 1.97 percent of amounts outstanding. I see no overstatement in that figure. If a 1.97 write-off ratio is acceptable to banks, they are under no inducement to improve things. The impact on the consumer is very great at that level, however. The 1.97 percent represented $12.4 million—enough to deposit financial distress in thousands of consumer homes. The survey in Seattle revealed that credit cards were implicated to the extent of about $500 in each of 503 consumer bankruptcies, and gives a way of gauging just how far those losses of $12.4 million could go.

The highest loss ratio was enough to startle anyone. That was 5.73 percent, in the Chicago Federal Reserve district. In classifying bank credit-card plans by year of origin, the Task Group found that banks with the most recent plans had the heaviest losses. That fact indicates bankers learn by experience and can lower their loss ratios as time goes on, but it cannot comfort us that consumers will escape the birth-pangs of future plans. Nor does it guarantee that other issuers of credit cards will increase their carefulness and sophistication as bankers do.

Bankers claim that issuance of unsolicited credit cards is necessary to build volume overnight and put the new plan on a profitable basis as soon as possible. Perhaps so, but I should like to remind them of the obvious: The public does not owe any card issuer an instantly profitable plan. I want them to remember that in sending an unsolicited card they are inflicting themselves on someone; that in following up with zero-balance billings they are adding insult to injury. When a consumer rebels against this hammering imposition, he learns anew the frustrating truth that you can't talk back to a computer. Credit-card issuers should understand that the start-up costs and burden of proof are on them, not on the consumer. This bill will not prohibit the issuance of unsolicited credit cards or prevent others from entering the credit card business. It will insist, though, that greater standards of care be exercised in the issuance of such cards.

Let me add this personal footnote. This is a society of incessant oversell of jobs, goods and claims. Exaggeration is the standard technique. It is hardly astonishing in this overblown environment that credit-card programmers oversell participating merchants and the consumers who are to patronize them. The inevitable result is widespread disappointment. Perhaps this explains why credit-card plans can involve relatively heavy losses compared with other forms of consumer lending, even though nothing in the record suggests that heavy losses are an inherent feature of these plans. I submit that extending some truth-in-lending principles to credit-card plans will administer them a natural antidote. Mr. President, a well documented article on consumer oversell appeared in the Sunday News of last Nov. 24. I ask unanimous consent that the article, entitled "Who Needs Money?" be printed in the RECORD.

SUPPORT FOR THIS MEASURE

Mr. President, the language of this bill is much like that of a Massachusetts credit card law that became effective Jan. 1. I want to salute the people of Massachusetts for pioneering in this and in truth-in-lending and in other consumer matters, and for influencing Federal legislation. William F. Willier, Professor of Law at Boston College, appeared before the subcommittee as a representative of the Massachusetts Consumers' Council and gave his view that Federal legislation would be desirable, since many credit-card systems operate nationwide.

Here is what Andrew F. Brimmer, member of the Board of Governors of the Federal Reserve System, declared in his statement to the subcommittee:

"Even though the liability for misuse of lost or stolen credit cards has been small, there is an important matter of principle as to the extent to which the consumer should bear this burden. I believe that the entire burden of loss arising from the misuse of lost or stolen credit cards before they are received or accepted by the customer should be borne by the issuer. After acceptance and use of the card by the customer, I believe that the liability imposed on the customer should be small, inasmuch as the issuers are better able to bear the losses and to control them. Some small liability on the part of the customer is probably desirable to encourage responsible handling of cards and prompt reporting when cards are lost or stolen. Finally, the customer should be clearly informed of his liability.

"In order to achieve this result, some legislation may be desirable since not all issuers will follow such a policy unless it is required by law. The legislation might be at either the State or Federal level. And clearly, to be effective, such legislation would have to apply to travel and entertainment cards, gasoline company cards, airline cards, and other credit cards as well as to bank credit cards. Credit cards issued by banks account for less than 10 percent of the total amount of credit outstanding under all types of credit cards."

Mr. President, this legislation is quite compatible with the statement of principles drawn up last fall by the Charge and Guarantee Card Committee of the American Bankers Association. Here are several points from that statement:

"(4) These services are designed for, and are to be offered only to, those individuals who are able to handle their financial obligations properly.

"(7) Banks should institute credit screening procedures on all potential customers prior to mailing cards to such customers.

"(8) Banks will make full and voluntary disclosure in understandable and readable terms of all details of these services, with special attention to advising the customer of his established credit limit and his contractual responsibilities.

"(9) Card issuing banks should develop practical means to reasonably protect customers against liability arising from lost or stolen cards."

Mr. President, I join with these and other persons and organizations in stressing the need for further protection of consumer interests. I believe that introduction today of this amendment to the Truth-in-Lending Act moves us toward that goal.

[From the New York Sunday News, Nov. 24, 1968]

WHO NEEDS MONEY?

(By Jack Metcalfe)

Suddenly, many American bankers have become shockingly open-handed. They have begun giving credit to virtually everyone and anyone in a wild splurge of generosity that is not at all characteristic of these skinflinty gentlemen.

This, in substance, is the opinion of a substantial segment of experts in the consumer field. They voiced their misgivings about widespread, often unsolicited distribution of bank credit cards in testimony last month before Sen. William Proxmire's Senate subcommittee on financial institutions.

Other witnesses representing banks and bankers were just as vigorous in defense of the new credit policy, denying that it tempted spendthrifts into bankruptcy, that it was widely abused or that it was likely to have an adverse effect on the nation's economy.

Predictably, Proxmire was not persuaded. A liberal and a champion of the new truth-in-lending-law, the Wisconsin Democrat announced later that he would back legislation early in the next Congress to keep banks from tempting people who can't afford credit to live beyond their means through unordered credit cards.

Thus, without saying so, the senator allied himself with the older generation of Americans, those who grew up believing, like humorist Ogden Nash, that bankers are just like everybody else—only richer—and that they are always happy to lend you money except when you really need it.

This traditional image is now just as out of focus as the time-honored virtues of thrift and frugality. A witness at Proxmire's hearings, President Johnson's adviser on consumer affairs Betty Furness, put it this way:

"Today, debt is actually sold as extensively as any commodity. We are constantly urged through advertising to buy on 'easy' terms, to open charge accounts, to travel now and pay later.

"Debt used to be frowned upon and discouraged. Today it's encouraged."

Miss Furness cited "excessive credit extensions" and "consumer extravagance resulting from inability to manage money well" as the two major villains in the soaring increase in bankruptcies.

While non-mortgage consumer debt has risen to a stupendous $100-billion level in the post World War II years, Miss Furness noted, the number of personal bankruptcies has kept pace. In every year between 1952 and 1967, the total personal bankruptcies filed in federal courts (where all are handled) showed an increase, reaching 191,729 in 1967; the total did dip in fiscal 1968, but only to 181,253.

Elaborating on her theme, Miss Furness zeroed in on the newest form of easy credit—the unsolicited credit card, which she called variously "laminated liability" and the "modern Aladdin's lamp."

"I am greatly troubled with the ethics of forcing unsolicited and unwanted credit cards into the consumer's home, especially when the issuer may have no idea whether the consumer is equipped to administer that little three-inch piece of plastic properly."

Obviously, the three sons of an irate Chicago householder were not. They were aged 9, 11 and 13, said Miss Furness, who reported that the father had received a total of 18 unsought credit cards for himself.

"Frankly," she added, "it rather surprises me to hear of bank advertising gimmicks—the parades, balloons, clowns and skywriting—aimed at promoting the use of credit cards.

"In the frenzy of competition among banks, traditional prudence seems to have been tossed aside . . .

"Unfortunately, there are many who, thanks to the bank's conservative image, rely on its offer of credit as some sort of evaluation that they are creditworthy. 'Why else,' one distraught man asked, 'would they be willing to lend me money?' "

Those who are already seriously in debt, Miss Furness continued, are likely to believe that all their worries would be over if they could just get a little more money.

"The arrival of a credit card provides the chance—the chance, that is, to bury themselves deeper in debt."

Another witness, Royal E. Jackson, chief administrator of the U.S. courts' bankruptcy division, likened the use of credit cards by "those who are up to their ears in debt" to "trying to drink yourself sober."

"It can't be done," Jackson added somewhat anticlimactically.

To bolster his contention that the easy availability of all kinds of credit cards is undoubtedly a reason for the terrific rate of personal bankruptcies, Jackson cited reports from various referees in bankruptcy.

(Referees are officials appointed by the judges of U.S. district courts to hear bankruptcy cases. While not exactly judges themselves, they rate being called "your honor"—and they are experts in the legal jungle of bankruptcy law.)

From Atlanta came the report of the case of a "Mr. X," described as a janitor making about $55 a week. Mr. X testified at his bankruptcy hearing that he had received a bank credit card without asking for it, that within a few months he had run up debts totaling more than $3,000 and that when the bank confronted him with his indebtedness, officials told him that in the future he should not make purchases bigger than $70 each.

From Montgomery, Ala., came the report of a compulsive spender, Mrs. Y, who was paying off previous debts out of her wages when she got a credit card from a local department store through the mail. The credit manager later said it was sent in error, and Mrs. Y, ignoring court warnings not to incur debts while she was in bankruptcy proceedings, went on a buying spree. She escaped prosecution on a technicality. In his report to Jackson, Referee Leon J. Hopper opined that while "she should have known better," the unsolicited card was the immediate cause of her compounded troubles.

The Los Angeles area, according to Referee James E. Moriarty, can be called the "consumer credit capital of the U.S." and as such has more than its share of the "suede shoe boys who are determined on separating the buying public from their assets." Where "easy and extended" consumer credit is hucksterred like any item of merchandise, Moriarty wrote Jackson, a variety of credit card problems are bound to spring up.

Moriarty said all kinds of cards—not just those of banks—figured in bankruptcy cases he hears. "In one proceeding involving a husband and wife . . . they had a total of 36 credit cards which were retained by the court: 18 from the husband and 18 from the wife, each listed as a creditor.

Practices of Los Angeles credit jewelers rated special mention by Moriarty, who noted that they have in recent years "branched out into such lines as radios, televisions, cameras, tape recorders and other household items." He added:

"These are the shops that charge inflated prices for inferior merchandise and, upon receipt of 40-50% of the total sales price, the merchant has not only been reimbursed for the cost of the merchandise but has also made a profit on the transaction. These are the merchants who prey on the uneducated and poor consumers."

Then, Moriarty noted, there is the category of debtors who might have a little larceny in their hearts. Like the classic case—appropriate to this season—of a Navy seaman second class who was temporarily stationed at Long Beach, Calif., in December 1962 and who got a credit card from a leading department store.

He ran up $1,700 in charges during 15 days of December, and shortly after New Year's filed for bankruptcy. The sailor then testified that he had "purchased Christmas presents for all his relatives and friends back East."

"Certainly, this type of person cannot be considered honest," wrote Moriarty, adding judicially: "But at the same time, the department store cannot be completely absolved of blame for letting a man whose salary is very limited run up such a large number of charges."

Then there are, says the referee, those more sophisticated buyers who "adopt a plan which may be called credit card kiting schemes."

One such use of gas and oil cards is both shady and popular. This is the purchase on credit of items like tires, then reselling them for cash. From Referee in Bankruptcy Joe Lee of Lexington, Ky., comes this account of one such case:

Charles William Morgan formed a corporation, Kentucky Colonel Homes Inc., to sell prefabricated houses. It was unsuccessful, but during the short period of time it was in business, credit cards were obtained in the corporate name from American Oil Co. and nine other gasoline firms. Morgan also took out credit cards in his own name from three oil companies.

When he went bankrupt, his company owed $5,377.07 to the 10 oil firms, including $1,179.33, the biggest single debt, to American. In addition, he owed $3,645.49 to three companies as an individual. He testified that he had used the credit cards for meals, lodging and living expenses for about a year.

Another flagrant misuse of credit cards was reported from Knoxville, Tenn., involving a former newspaper reporter who set out to see the world. He left town with $180 in cash and a fistful of credit cards and headed for Australia.

When he got there, he evidently discovered that he couldn't get a job without sitting out a six-month clearance period. So he came home, via Europe, Puerto Rico and the Virgin Islands. Back in the states, the errant newsman promptly filed a bankruptcy petition. His debts totaled $13,587.55, of which $11,177.96 was charged on credit cards. His assets were $8 cash, one share of stock worth $12 and personal effects valued at $300.

Most bankrupts don't think so big. A random sampling of Eastern Wisconsin cases showed that their take-home pay averaged between $85 and $120 weekly and their indebtedness ranged from $2,523.30 up to $3,886.47. This survey was limited to bankrupts who had been sent unsolicited credit cards, those who had used them had not run up bills for exotic travel but to make mundane purchases of clothing and household needs and for gas and auto repairs.

No such detailed information is available about New York debtors. But court officials say bankrupts in this area generally earn between $80 and $150 a week. If they are slightly more affluent than debtors elsewhere, they also tend to owe more, usually about $5,000. This load often includes a big bill—$2,000 owed to a department store or for doctors or for an undertaker's services.

These court sources are inclined to question just how much impact the increasing use of credit cards is having on bankruptcies

in this area. Considering the number of New Yorkers with crushing financial burdens, they also wonder why more debtors in this area don't avail themselves of bankruptcy as a means of wiping their slates clean and getting a fresh start. Still 3,511 bankruptcies were filed in the New York City and Long Island areas last year.

Not that this is recommended as a quick and easy escape route for that miserable soul, the honest debtor. It isn't even cheap; it costs $50 to file a bankruptcy petition.

There are personal bankruptcies and there are those involving businesses. In addition, bankruptcies may be voluntary—that is, when they are sought by the debtors. Or they may be involuntary, when a group of creditors asks the court to declare that a debtor is bankrupt so that his assets can be preserved and split up. Almost all of these involve businesses.

A bankrupt is not relieved of any taxes he owes, either federal, state, county, district or municipality. Nor is he freed of liability for alimony, child support, damages for malicious or wilful injury to someone else or his property or for a variety of other obligations, including embezzlements.

Bankruptcy court staffers say the only group of tough creditors who sometimes make a vigorous effort to get bankrupts to pay their bills are doctors. Most creditors in the New York area heave a philosophical sigh and write off their bad debts without trying to recover so much as one cent on the dollar.

That's partly because a bankrupt's property may be exempt from seizure. According to state laws, such belongings as the bankrupt's home, clothing, and furniture and the tools of his trade are off limits.

Even if a bankrupt does have some property that can be taken over by creditors, they frequently don't bother. It's more trouble to liquidate the assets than they're worth, especially if this property consists solely of the family's jalopy.

So, typically in New York, the only penalty for an honest debtor is the reputation of being a welsher. He may have trouble getting more credit. He may not.

There is no dispute that the number of bankruptcies has swelled enormously in the last two decades. But there is considerable argument over how serious this is, whether or not it indicates that the nation's economy is unhealthy.

High wages and employment have spurred credit buying to new records, a total of more than $80 billion in outstanding installment debt. Some $2 billion is expected to be charged this year on the bank credit card plans alone. What would this mean if America's uninterrupted spell of prosperity, now more than seven years old, should slack off?

In his subcommittee hearings, Sen. Proxmire questioned whether holders of credit cards might not be tempted to overextend themselves if they were squeezed financially during such a recession.

One witness, American Bankers Association spokesman Thomas L. Bailey, saw no problem.

"For many years," Bailey testified, "the American consumer has provided abundant proof of his ability to handle his own financial affairs. Certainly, the receipt of a credit card has not induced him to engage in a wild buying spree."

Restrictions of the kind Proxmire favored are neither "necessary nor desirable," Bailey said. The Federal Reserve System had studied the field, he said, and found "no evidence of any mounting incidence of consumer indebtedness since the recent burst of credit card . . . plans."

Nor, said the witness, have banks suffered serious losses from their credit card operations. The Federal Reserve's study showed that banks had to write off as bad debts only 1.97% of credit card business during the first six months of 1967.

So these credit card operations can be highly profitable. The Federal Reserve said the 197 banks offering such plans charged their 14 million card-holders monthly interest up to 1.5%, the highest allowable rate in most states. If the charges aren't paid off when due, this works out to a whopping 18% a year.

In addition, the banks collect from participating merchants, who numbered 390,805 when the Federal Reserve made its count. This fee, discounted from sales slips, varies widely. It can be as low as half of 1% or as high as 8%, with the average about 3.5%.

Bank credit cards are, of course, only a part, although the fastest growing part, of the "plastic credit" operation. The other principal types are the so-called travel and entertainment cards (Diners Club, American Express and the like, which charge a membership fee and generally expect payment within 30 days), oil company cards and department store cards, both for revolving credit and straight charge accounts.

As of last Dec. 30, the nation's plastic credit outstanding was $12 billion dollars. An estimated 200 million credit cards have been issued.

All share some problems. These cards can be lost or stolen and used fraudulently—a major headache for the card holder, a source of loss for the issuer and a rich lode for the underworld.

But only the banks and the oil companies have had many difficulties with credit cards which they have mailed out without being asked, since only these two groups have gone in on a large scale for this way of drumming up busines.

Despite drawbacks to the unsolicited cards, spokesmen for the banking industry defend this practice. Banks have found that it doesn't pay to ask prospective customers whether they would like to be sent a card; only seven-tenths of 1% say they do. But when cards are mailed out unasked to a "select" list, only 1% of the recipients feel strongly enough to send them back.

Presumably, a number of others do seethe in silence, but as many as 19% of the recipients do use their cards within three months.

So credit cards obviously are destined to be a permanent and growing part of the American way of life, even though they still aren't accepted at hot dog stands.

The bill (S. 721) is as follows:

S. 721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103 of the Truth in Lending Act (82 Stat. 146) is amended by redesignating subsections (j), (k), and (l) as subsections (p), (q), and (r), respectively, and by adding after subsection (i) the following:

"(j) The term 'adequate notice', as used in section 132, means a printed notice on any credit card issued to a cardholder, or on each periodic statement setting forth the account of a cardholder, which is set forth clearly and conspicuously, in accordance with regulations prescribed by the Board, so that a person against whom it is to operate could reasonably be expected to have noticed it and understood its meaning.

"(k) The term 'credit card' means any card, plate, coupon book or other credit device existing for the purpose of obtaining money, property, labor or services on credit.

"(l) The term 'accepted credit card' means any credit card which the cardholder has requested in writing or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor or services on credit. A renewal credit card shall be deemed to be accepted if it is issued within one year after a prior card has been paid for or used. A new credit card issued in substitution for an accepted credit card as a result of a change in the corporate structure or ownership of a card issuer shall be deemed to be an accepted credit card.

"(m) The term 'cardholder' means any person to whom a credit card is issued or any person who has agreed with the card issuer to pay obligations arising from the issuance of a credit card to another person.

"(n) The term 'card issuer' means any person who issues a credit card.

"(o) The term 'unauthorized use', as used in section 132, means a use of a credit card by a person other than the cardholder who does not have actual, implied or apparent authority for such use and from which the cardholder receives no benefit."

SEC. 2. Section 105 of the Truth in Lending Act (82 Stat. 146) is amended by inserting "(a)" before "The Board" and by adding at the end thereof a new subsection as follows:

"(b) The Board shall prescribe regulations governing the conditions under which card issuers may issue credit cards which the cardholder has not requested in writing. Such regulations shall prescribe minimum standards to be followed by all card issuers in checking the credit worthiness of prospective cardholders in order (1) to protect consumers against overextending themselves with credit obtained through the use of unsolicited credit cards, and (2) when the card issuer is a bank insured by the Federal Deposit Insurance Corporation, to safeguard the safety and soundness of the bank."

SEC. 3. The Truth in Lending Act (82 Stat. 146) is amended by adding after section 131 the following section:

"§ 132. Liability of Holder of Credit Card

"A cardholder shall be liable for the unauthorized use of a credit card only if the card is an accepted credit card, the liability is not in excess of fifty dollars, the card issuer gives adequate notice to the cardholder of the potential liability, the card issuer has provided a method whereby the user of the credit card can be identified as the person authorized to use it, the unauthorized use occurs before the cardholder has notified the card issuer that an unauthorized use of the credit card has occurred or may occur as the result of loss, theft, or otherwise, and the card issuer has taken such action, after being so notified by the cardholder, as is reasonably designed to advise those merchants or others with whom the credit card is likely to be used of the possibility that an unauthorized use thereof may occur. For the purposes of this section, a cardholder notifies a card issuer by taking such steps as may be reasonably required in the ordinary course of business to provide the card issuer with the pertinent information whether or not any particular officer, employee, or agent of the card issuer does in fact receive such information."

SEC. 4. The amendments to the Truth in Lending Act made by this Act shall become effective upon the expiration of six months after the enactment of this Act.

NEED FOR CONSUMER'S PROTECTION AGAINST THE DANGERS OF UNSOLICITED CREDIT CARDS

Mr. DODD. Mr. President, I am pleased to support the bill of the senior Senator from Wisconsin, and I congratulate him upon introducing this important measure.

It seems to me that one of the most striking financial phenomena in recent years has been the proliferation of "easy credit" plans for the American consumer.

Oil companies, department stores, jewelers, and commercial banks, issuing a barrage of plastic cards, allow the Jones' and their neighbors to eat, drive, and fly now, paying later.

In many ways the credit card represents vast convenience to the consumer. One card and no cash enable a customer

to purchase a wide variety of goods and services, no matter where he may be.

On the surface, such arrangements are quite simple. But a second glance will show that the credit card usually represents a network of complicated terms, many operating to the disadvantage of the unwary consumer.

Frequently, the exact terms of the credit plan are not spelled out for the cardholder until he finds himself in deep trouble. More often, the explanation is given, but only in small print or in accompanying brochures which quickly find their way to the trash can.

Some cards do not have adequate means of identifying the holder. Others give no notification of the holder's potential liability in cases of loss or theft.

But even more alarming, Mr. President, is the effect which such loose credit arrangements have on family budgets and individual spending.

In these days of high-pressured advertising, the American consumer is no longer primarily concerned with necessity and comfort. Status through consumption is becoming an accepted maxim of American society. Unfortunately, the lower income groups are most susceptible to this fallacy.

The dangers of such a trend are illustrated by the alarming rise of consumer bankruptcies paralleling the increased extension of consumer credit. The basic premise of a credit system, namely, that debtors will repay their debts, seems to be fading away.

The obvious conclusion is that our permissive credit institutions let people live so far beyond their means that many are finally driven to complete financial destruction. A sample shows that credit cards were cited as a contributing factor in more than half of the consumer bankruptcies filed last year.

In light of these facts, the practice of mass mailing unsolicited cards to individuals whose credit-worthiness is not established seems grossly negligent.

The financial understanding and responsibility of countless individuals is never considered until the damage has been done.

Furthermore, a party may be held responsible for the misuse of a card which he neither requested nor received. While he will eventually be able to clear himself of liability in most cases, he first may be forced to undergo lengthy and expensive proceedings, causing the near ruin of his credit rating.

In order to avoid such misfortune, after receiving an unwanted card, the consumer must take the trouble to cut the plastic cards into slivers so that they cannot be found and used fraudulently.

To allow this state of affairs to persist, Mr. President, is unwise and unnecessary. A few simple controls would bring about major improvements in the American consumer credit system.

It is with this goal in mind that I am pleased to cosponsor the bill proposed by my distinguished colleague the senior Senator from Wisconsin.

The solutions offered in this bill are not extreme, nor should they be controversial.

The enactment of Senator PROXMIRE'S proposals would effectively serve to protect both the consumer and his creditor by establishing guidelines of minimum credit-worthiness and potential liability limitations.

Adoption of this legislation, Mr. President, will surely be a major step in restoring the original intent of consumer credit, namely, healthy stimulation of the economy through increased convenience and protection for the consumer.

S. 722—INTRODUCTION OF BILL TO PROVIDE AN INCOME TAX CREDIT OR DEDUCTION FOR POLITICAL CONTRIBUTIONS

Mr. CANNON. Mr. President, at this time I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide an income tax credit or deduction for certain contributions to candidates for elective Federal office.

This bill is identical in content to title III of the bill which I previously introduced to revise the Federal election laws.

I am introducing a separate bill for the purpose of avoiding at a later date a point of order, either during the course of the proceedings before the Subcommittee on Privileges and Elections, or on the floor of the Senate, on the ground that tax measures should be referred to and considered by the Committee on Finance only. This separate bill on tax incentive should be referred to the Committee on Finance where it can be given the careful consideration of the members of that committee.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 722) to amend the Internal Revenue Code of 1954 to provide an income tax credit or deduction for certain contributions to candidates for elective Federal office, introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Finance.

S. 734—INTRODUCTION OF BILL TO REVISE THE FEDERAL ELECTION LAWS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to revise the Federal election laws, and for other purposes.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 734) to revise the Federal election laws, and for other purposes, introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Finance.

Mr. CANNON. Mr. President, President Johnson submitted at the beginning of the 90th Congress the Election Reform Act of 1967. I introduced that legislation which was numbered S. 1880 and referred to the Subcommittee on Privileges and Elections.

Following hearings and study the bill was reported to the Senate where, after full debate, it was passed on September 13, 1967, by a rollcall vote of 87 to 0 and referred to the House of Representatives. Regrettably, no final action was taken by the House prior to adjournment of the 90th Congress.

Mr. President, the existing Federal Corrupt Practices Act was passed in 1925—44 years ago. No experienced Senator has to be told of the flaws, deficiencies, and general obsolescence of that act. It simply was not adopted for the purpose of covering political campaigns for all eternity.

Remedial action is required from time to time to keep any legislation up to date. However, in this area of campaign contributions and expenditures, there has been a total failure to bring the Corrupt Practices Act into conformity with modern campaign practices.

The tremendous increases in costs of running for office, including the use of television and jet transportation, have left the Corrupt Practices Act in the stone age of election finance control. In the political parlance of today: it is time for a change.

Mr. President, failure to keep pace with changing trends is not due to the absence of legislative proposals. It is due, to be frank, to the apparent disinterest or reluctance of the Congress to act in this important field.

S. 636, in 1955, was reported after hearings and study but died at the end of the 84th Congress.

S. 2436 was passed by the Senate in 1960 and S. 2426 was approved by the Senate in 1961. Neither bill received favorable action by the House of Representatives.

S. 1880 which passed the Senate in 1967 and H.R. 11233, a similar bill, were considered by the House in 1968 and H.R. 11233 was reported in 1968, but too late to be given necessary consideration by the House membership.

During the 1968 campaign year, the expenditures made by candidates of the Democratic and Republican Parties and the American Independent Party were very extravagant, both in the primaries and the general election.

Expenditures far in excess of the limits set by the Corrupt Practices Act, even for national committees, coupled with a totally inadequate requirement of disclosure of the sources of contributions and channels of expenditures, point graphically to the need for remedial legislation.

Mr. President, the Corrupt Practices Act of 1925 attempted to place limitations upon expenditures by candidates for the Senate and House of Representatives. Under no conditions can a candidate for the House spend more than $5,000 or a candidate for the Senate spend more than $25,000 during a calendar year.

Interstate political committees were limited to expenditures of $3 million. But no Federal control was exerted over State or local political committees supporting candidates and primary elections were not considered at all.

Multiple national committees now spend up to $3 million each and contributors give up to $5,000 each to an unlimited number of committees. Thus, the best that can be said for the limitations set by the Corrupt Practices Act is that the sky is the limit. According to a report in the Washington Post on January 3, 1969, national fundraising committees supporting Richard Nixon disclosed a record $21 million raised to fi-

nance his campaign, and reported also from information filed in the House of Representatives that many large contributions exceeding $5,000 were given to Republican fundraising committees by individuals who recently have been announced as Nixon appointees in his new administration.

Mr. President, I ask unanimous consent that this newspaper article be printed at this point in the RECORD.

Mr. President, freewheeling campaign practices, such as those outlined by the Washington Post, have instilled in the minds of thousands—perhaps millions—of Americans that elective offices are bought and sold and elected officials must pay homage to the big contributors whose money helped them to win the election. If the people are ever going to have any faith in the integrity of the elective process, they must be told where money comes from and how it is spent.

In 1956 the nationwide, exhaustive survey of campaign contributions and expenditures conducted by the Subcommittee on Privileges and Elections under the chairmanship of Senator ALBERT GORE—a survey which, incidentally, never has been repeated—disclosed that 12 of the most prominent families in the United States had contributed collectively during the calendar year 1956, $1,153,735, of which $1,040,526 was given to the Republican Party and its candidates and only $107,109 was given to the Democratic Party and its candidates.

It is reasonable to assume that the proportions of the contributions from such families remain the same today.

Detailed and timely reports from all candidates for Federal office and all political committees—National, State, and local—open to study by the public, not only in Washington but also in the States where candidates reside and committees have their principle offices—will have a salutory effect upon this political financing problem.

My bill requires complete disclosure from every committee spending $1,000 or more per year and from every candidate for Federal office, covering receipts and expenditures and including primary as well as general elections.

Emphasis must be placed today upon almost total disclosure. Strict limitations on election finances is impractical and uninforcible.

This bill extends Federal jurisdiction so as to cover the following matters:

First. Over all primary elections, caucuses, and conventions to nominate or elect candidates, and over all presidential preference primaries.

Second. Over all political committees, National, State, or local, which receive or spend in excess of $1,000 per year in support of candidates for Federal office.

Third. Prohibit all firms which are negotiating for or performing Government contracts from making any contribution in behalf of a candidate, political committee, or party.

Fourth. Require each candidate and each political committee to file quarterly reports plus two additional reports before each primary or general election, in precise detail, with the Clerk of the House of Representatives, the Secretary of the Senate, and the clerks of certain U.S. district courts.

Fifth. My bill would require all candidates for Federal office, and all political committees receiving or spending $1,000 or more for Federal candidates, to file detailed financial reports with the Clerk of the House of Representatives, the Secretary of the Senate, and the clerks of Federal district courts where the candidates reside or where the principal office of the political committee is located, on the 10th day of March, June, and September of each year, and also by the 31st day of January. Additional reports are required to be filed in each case on the 15th and 5th days before the date of a primary or general election.

The purpose for the timing of these reports is to furnish specific information to the public concerning the amounts of money received, the names and addresses of the contributors, and the manner in which such money is expended. In this manner, American citizens will be able to draw their own conclusions as to the kind of financial support a candidate or political party is receiving in time to express their approval or disapproval on primary election day or general election day.

Unfortunately, political committees have not been filing detailed reports of campaign contributions and expenditures in compliance with the law. Articles appearing in the Washington Post on November 9, 1968, and again on November 13, 1968, show that many Republican fundraising committees did not meet the deadline for the filing of their reports in the House of Representatives. At this date, the FBI, at the direction of the Justice Department, is investigating the failure of 21 of the Republican Committees to file their preelection finance reports in accordance with the dates set by the Federal Corrupt Practices Act.

I ask unanimous consent that the Washington Post items of November 9 and 13 be inserted in the RECORD at this point in my remarks.

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

[From the Washington (D.C.) Post, Jan. 3, 1969]

RECORD $21 MILLION RAISED FOR NIXON BID

(By Walter Pincus)

President-elect Nixon's national fundraising committees reported they raised a record $21 million to finance his race against Hubert Humphrey and George Wallace.

More than $6 million of that total was reported received by the GOP committees between Nov. 1 and Dec. 31. Thus, it arrived either in the last four days of the campaign or after Nixon was elected.

Final 1968 filings from the 22 Republican committees, together with some 60 Humphrey-Muskie fund-raising groups and the single Wallace campaign organization, arrived at the House Clerk's office yesterday—nine days before they were due by law.

It marked the first time, in the memory of the House File Clerk employes, that the major parties had filed their dues fundraising statements before the deadline.

The FBI, at the direction of of the Justice Department, is investigating the failure of 21 of the Republican committees to file their pre-election finance reports at the deadlines set by the Federal Corrupt Practices Act.

Processing of the flood of incoming reports delayed their public release yesterday. The Nixon-Agnew filings, which arrived first, were made available late yesterday afternoon. The more numerous Democratic reports should be released today.

A quick review of the lists of late Nixon-Agnew donors disclosed contributions from:

David L. Packard, who was recently announced as Nixon's choice for Under Secretary of Defense. At least two contributions from Packard totaling $6,000 were listed.

Roy L. Ash, president of Litton Industries, who was selected by Nixon to study organization of the Executive Branch of the Government. Ash was reported giving $5,000. His colleague Charles B. Thorton, Litton board chairman, who gave $10,000 earlier, is listed giving another $7,500.

Robert O. Anderson, chairman of the board of Atlantic-Richfield Co., which recently made significant oil strikes in Alaska and last week voted to merge with Sinclair Oil Corp. A total of at least $21,000 was listed in $3,000 contributions to seven reporting committees from Anderson.

Charles E. Smith, whose real estate companies rent a substantial amount of Washington area office space to the Federal Government. Smith, his son and his son-in-law—all of whom work for his real estate business—jointly are listed as giving $5,000 to the Nixon-Agnew Victory '68 committee. Last October, Smith hosted a fund-raising cocktail party for Vice President Humphrey. With others in his firm, he was listed as contributing $15,000 to various Humphrey-Muskie committees.

Gene Autry, former cowboy star and chairman of the board of Golden West Broadcasters, owners and operators of a chain of radio and television stations. Autry and his wife are listed as giving $13,000 to various Nixon committees. Golden West's president Robert O. Reynolds, and his wife were listed as giving $5,000. In 1964, Autry gave $20,000 to President Johnson's campaign just before election day.

Frank L. Kellogg, president of International Mining Corp. Kellogg is listed in the latest report as giving $17,500 to various Nixon committees. Samuel B. Roman, a director of International Mining, is listed with his wife as giving $5,000.

David Van Alstyne, Jr., a partner in the securities firm of Noel Van Alstyne and board chairman of New Idria Mining & Chemical Co. Van Alstyne is listed as giving $19,000 in the closing days of the campaign.

William L. McKnight, former board chairman of Minnesota Mining & Manufacturing Co. McKnight, a longtime contributor to Nixon is listed as giving $24,000 in the latest filing.

Richard C. Pistell, board chairman of Goldfield Corp., which deals in zinc, lead and gold. Pistell is listed as contributing at least $17,500 to various Nixon committees.

The total reported raised for the Nixon campaign exceeds by some $4 million the previous record campaign receipts in 1964 by the Goldwater organization. That fundraising record was aided in large part by more than $8 million in small contributions of less than $100.

The GOP committees reported they had paid out, through Dec. 31, slightly more than $20.4 million on the presidential campaign. This would indicate there is still at least $600,000 available to cover remaining bills and some transition costs.

SPENT $7.4 MILLION ON NETWORK TV

The Federal Communication Commission yesterday reported presidential candidates spent $7.4 million for network television during last year's general election campaign—almost twice the amount spent during the 1964 election.

According to a survey of the three networks, the Republicans spent $4.2 million

for spots and programs time last year while the Democrats spent $2.5 million. The Wallace campaign bought network time costing $681,491.

In 1964, the Johnson-Goldwater organizations together purchased a total of $3.8 million in network time.

The amounts reported yesterday were only one part of the total television time purchased by the candidates. All three purchased both spot and program time in individual markets—or cities—around the country. No report is yet available on local time purchases.

The Humphrey-Muskie campaign, with its purchase of network time for showing of half-hour films, outspent the Republican in that category by some $30,000. The Nixon organization, however, purchased 110 network spot commercial spots costing $2.6 million. The Democrats bought 37 network spots costing $844,313.

[From the Washington (D.C.) Post, Nov. 9, 1968]

GOP Pressed for Tardy Fund Reports

(By Walter Pincus)

Clerk of the House W. Pat Jennings yesterday sent tardy notices to five national Republican committees which raised funds for Richard Nixon's successful presidential campaign but have not yet filed reports due five days before the election under provisions of the Federal Corrupt Practices Act.

Jennings, a former Democratic Congressman, administers the filing provisions of the law. He said yesterday this was the first time, according to long-time staff members, that a major party had failed to file its pre-election reports.

Yesterday—more than two weeks after they were due by law—three additional Republican committee reports representing $220,000 in campaign funds were delivered to the Clerk's office dated October 26.

The treasurer of one committee—and the notary who signed all three reports—said they had been completed before Election Day. Donald L. Miller, a Washington public relations man who serves as treasurer of the Committee for a Republican Congress, said yesterday he signed the report "last week . . . gave it to a messenger who took it back to the Republican National Committee."

"It was my understanding," Miller said in answer to questions, "that (the report) was to be sent (to the House clerk) that day." Miller's only explanation for its delay until yesterday was "perhaps the slowness of the mails."

Miller would not say who at the Republican National Committee sent the report to him for signing. "Give me a day," he said. "I can't tell you about it until I get to my office."

Under the law, national fund-raising committees are required to file two reports between Sept. 1 and Election Day. The first was due Oct. 26, the second Oct. 31.

Both the Wallace organization and more than 23 Humphrey-Muskie campaign committees filed the required reports prior to the election.

The Nixon organization—which is said to have more than 20 committees handling money—filed reports for only five committees before the election. They arrived at the Clerk's office Nov. 4, the day before the voting, and nine days after the legal deadline.

Late arrival of the five reports, and failure to file by all the Nixon-Agnew committees prevented public scrutiny of the sources of contributions before the election.

In Key Biscayne, Fla., yesterday, Nixon's immediate staff refused to discuss the handling of campaign fund reports. Ron Zeigler, Nixon's press secretary, cut off questioning on contributions, saying this was a matter for the campaign committee in New York.

J. William Middendorf II, treasurer of the Republican Nationnal Committee, said yesterday that "paperwork has been finished on a couple of more committees" and they will be mailed to the House Clerk "as soon as we can get the treasurers to sign."

Asked how many committees remain to file reports, Middendorf replied, "I just don't have the facts." Though he is GOP treasurer, Middendorf has not directed fund-raising for the Nixon campaign. That has been handled by former Eisenhower Budget Director Maurice Stans.

Stans has not been available to answer press questions on the delayed Nixon reports.

Middendorf said, "We're not trying to cover up things . . . I just think this law is terribly archaic and burdensome." He said lack of clerks had prevented filing on time.

Asked why two of the late reports received by the Clerk Nov. 4, had covering letters dated Oct. 22, Middendorf replied, "We postdated them . . . they were prepared the 28th or 29th."

House Clerk Jennings, in discussing the notices to the five delinquent GOP committees, stressed he had no "enforcement powers" to require disclosure. He said reminders such as those sent the Republican organizations, are often sent to House members who fail to file their required report. As for the law itself, Jennings termed it "inadequate . . . It should be revised."

Attorney General Ramsey Clark, who does have enforcement responsibility for the act, told a news conference Wednesday that the Justice Department—lacking a notice of any violation from the Clerk of the House—would not initiate any investigation of failure to file by the Republicans. Clark did say the purpose of the act was to advise voters—before election day—"from whence comes support of a candidate."

Clark's sensitivity toward his role in the GOP's delayed filings was best illustrated on Monday, election eve. At that time he first accepted—and then refused—a CBS network television news interview on the purposes of the campaign filing law. According to aides, he did not want to appear to be using his office to attack the Republicans the day before the elections.

[From the Washington (D.C.) Post, Nov. 13, 1968]

More Data Filed on GOP Funds

(By Walter Pincus)

Seven more Republican committees—which together raised nearly $1 million for the Nixon-Agnew campaign between August 8 and October 21—filed reports with the Clerk of the House yesterday, one week after Election Day and 17 days after the legal deadline set by the Federal Corrupt Practices Act.

The filings brought to 12 the number of Nixon-Agnew committees that have submitted reports required by law 10 days before the election. Together they represent contributions of about $7.5 million and spending of just over $7 million.

Nixon aides have said they spent between $17 million and $20 million on the campaign. Sources in the President-elect's campaign organization have said some 20 committees raised and spent money on the campaign.

Though Nixon aides admit there are still more committees that have not yet made their initial pre-election filings, yesterday's reports gave the first clear indication of who the larger donors were to the President-elect's successful campaign.

Among the more prominent names:

W. Clement Stone of Chicago, president of Combined Insurance, Co. of America. With his wife, Stone has been reported as contributing $64,000 to various Nixon-Agnew committees. Other reports show he gave at least $18,000 to Nixon's primary campaigns in Oregon and Wisconsin.

Max M. Fisher of Detroit. An industrialist and oil man, Fisher and his wife are listed as giving $54,000 to various Nixon committees. Fisher, who was George Romney's finance man, is general chairman of the United Jewish Appeal. During the campaign, Fisher acted as a liaison man between Nixon and Jewish groups. He was with the GOP candidate when he addressed B'nai B'rith, the Jewish service organization, in Washington and arranged a meeting in New York between Nixon and prominent U.S. Jewish leaders. Fisher was listed as giving just $500 to Sen. Barry Goldwater in the 1964 campaign.

Henry Salvatori of Los Angeles, Salvatori and his wife were listed as giving $40,000. President of a California oil tool manufacturing company, Salvatori was a major finance figure in the 1964 Goldwater campaign as well as in Ronald Reagan's successful gubernatorial effort in California.

Two top executives of the Ford Motor Co.—Benson Ford and John Bugas together with their wives accounted for $24,000.

L. B. Maytag, Jr., of Miami, president of National Airlines, is listed as giving $21,000 to the Nixon committees that have reported.

John Shaheen of New York is listed as giving $7000 by the reporting Nixon-Agnew committees. Shaheen is a financier who last year retained Nixon as his attorney to negotiate tax-exempt status for an oil refinery in Newfoundland, Canada. Recently, Shaheen proposed to build another refinery in Maine—a matter that already has been proposed by Occidental Oil Co., and is opposed by major domestic U.S. oil companies.

Richard J. Buck of New York, a vice president of the brokerage firm of Bache & Co., who with his wife was reported as giving $15,000. Buck, along with Nixon, is a also on the board of directors of Harsco Corp., a manufacturer of steel products.

Nicholas de Arroyo of Washington. The former Cuban ambassador to the United States, under the Batista regime, is listed as giving $9000 to Nixon-Agnew committees.

Kingman Gould, Jr., of Washington. The partner in Washington building ventures of D. F. Antonelli (who contributed to the Humphrey campaign), Gould and his wife are listed as giving $12,000 to the Nixon committees.

The Pews of Philadelphia, traditional GOP donors whose money stems from the Sun Oil Co., were listed as giving $22,000 to the Nixon-Agnew committees.

Arthur K. Watson of Armonk, N.Y., was listed as giving $10,000. A top official of IBM, Watson is the brother of J. Watson, Jr., who was a big donor to the Humphrey campaign.

Charles Luckman of Los Angeles. An architect who was listed as giving $16,250 to President Johnson in 1964, Luckman and his wife gave at least $7000 to Nixon, according to reports filed so far.

Federal law limits a donor to $5000 to one committee. But it puts no limitation on the number of committees that can receive contributions. Therefore, to handle donations above $5000 the campaign organizations in both parties set up special committees. The Democrats had more than 25 national groups. Many of the contributors to these committees gave more than $100,000.

Along with the seven new Nixon-Agnew committees, the Republicans yesterday also filed one report that was due five days before Election Day. Four other fundraising committees—plus the seven that filed yesterday—still must also file these reports.

Last week, House Clerk W. Pat Jennings, reminded the Republicans that the five-day reports were still outstanding. It was the first time such action had been taken against one of the two major parties.

Both the Wallace Campaign and the Humphrey-Muskie Democratic committees filed both their pre-election reports around the legal deadlines and before election day.

Aides at Nixon finance headquarters described their money reporting as "a logistical nightmare." They said nationwide fundraising had hampered the gathering of all the

fund reports. "Expense accounts are six months late," one finance aide said yesterday.

Nonetheless, like other groups filing on election eve, the Republican committees yesterday contained computer print sheets bearing the notation "List Run October 18." Unlike those filed earlier, however, the covering letters were dated November 8 or later. Earlier GOP covering letters had been dated October 22.

Yesterday's seven reports each said that money being reported had been collected between August 8—the day of the Nixon nomination—and October 21. Under the law, all contributions raised prior to September 1 should have been reported in the mid-September filing.

Mr. CANNON. Mr. President, the bill would require all clerks of the district courts, Clerk of the House, and Secretary of the Senate to receive, maintain, and prepare filing, coding, and publishing systems so as to provide broadest possible public disclosure and supervision over all campaign funds and candidates and committees.

There is a critical need for a new law governing Federal election financing and the reporting of those finances in detail.

An additional feature of this bill, Mr. President, is a new title, Income Tax Credit or Deduction for Political Contributions.

Election costs are so burdensome upon candidates and political parties that great efforts have been made to explore new sources of revenue for candidates and parties. Various proposals have been explored without much success. I believe that previous suggestions for modest tax credits or deductions have received greater approval than other plans.

Therefore, this bill will offer a tax credit of one-half of the amount of the political contribution but not to exceed a total credit of $20 per individual per calendar year. Alternatively, a contributor could claim a tax deduction not to exceed $100 per calendar year.

Two of my bills—S. 2426, passed by the Senate in 1961, and S. 2541, reported to the Senate in 1966—contained provisions, as reported, calling for a tax credit of one-half of the amount of a political contribution but not to exceed $10. Alternative proposals suggest a tax deduction not to exceed $100 in a calendar year.

Tax credits and tax deductions have been attacked on the grounds that a tax credit would be of real benefit only to the low-income wage earner; that a tax deduction would benefit the large wage earner more; that both types of incentives would be costly or difficult to administer, and so forth. Also, there is the problem of giving the benefit of a tax incentive to those who owe no tax and so forth.

However, almost every wage earner must file a return whether he pays a tax or not and some method could be devised to afford him a credit against taxes or even a partial refund. There are problems, very real problems, as we all know, in finding new and better methods for financing political campaigns. Existing, outmoded ceilings and limitations must be disposed of; reporting requirements must be broadened and made more detailed; the entire Corrupt Practices Act should be rewritten or repealed and a comprehensive new election reform act substituted for it.

Yet at the base of the political structure is money. Without it a political party and its candidates are helpless to reach the voters with their programs. Money is vitally needed but in my opinion, there should be a cooperative effort between the country and its people.

In view of the fact that only national or interstate committees are required to file financial statements with the Clerk of the House of Representatives, an accurate estimate of the total receipts and expenditures of the major parties cannot be made. However, the Democratic and Republican fundraising committees reported expenditures in excess of $35 million. Estimates going back as far as 1956 ranged as high as $150 million in total expenditures on a nationwide basis for that year. In consideration of the increased costs of campaigning during the past 12 years, that estimate reasonably could be raised to over $200 million for 1968.

Tax incentives such as tax credits and tax deductions are cooperative and mutually beneficial. Each would lose a little in revenues but gain far more in mutual trust and interdependence.

During its deliberations, I hope that the Senate will give careful consideration to the adoption of tax credits and tax deductions in preference to a system which merely depletes the Treasury without guaranteeing, in the true sense, any effective control over campaign spending.

S. 736—INTRODUCTION OF BILL FOR THE RELIEF OF THE SURVIVORS OF MARVIN R. FOLTZ

Mr. SCOTT. Mr. President, the 90th Congress enacted the Police Survivorship Act providing for compensation to any local policeman who is disabled, or to his survivors if he is killed, while apprehending persons suspected of having committed a Federal crime.

This measure was introduced by the Senator from Arkansas (Mr. MCCLELLAN) and I joined in cosponsoring it and worked for its passage in both the Subcommittee on Criminal Laws and Procedures and the full Judiciary Committee.

This act is an appropriate recognition of the contribution made by local police forces in this Nation's fight against crime. Local law-enforcement officers often supplement the activities of Federal law-enforcement personnel which lessens the need for a larger Federal force. In performing this duty, local officers are sometimes severely injured or killed. This is reason enough for the Federal Government to assume some responsibility toward the local agencies which often are able to maintain only minimal compensation programs.

I today introduce legislation to aid the family of a Lancaster County, Pa. police chief who was killed by bank robbers in 1967. My bill would permit the surviving wife and daughter of Chief Marvin R. Foltz to receive benefits under the Police Survivorship Act which was passed subsequent to Chief Foltz' death. Chief Foltz' family, which otherwise qualifies for assistance, is not now eligible for these benefits because of the effective date of the act.

Chief Foltz died attempting to apprehend three men who were in the process of holding up the Union National Mount Joy Bank in Maytown, Pa. He died a few minutes after being shot by one of the bank robbers, but did manage to wound two of the holdup men before his death. All three of the robbers were later apprehended, largely because of Chief Foltz' prompt response to the holdup alarm and this subsequent action.

Chief Foltz was an experienced policeman who had been a constable, a chief deputy sheriff for 10 years, and a department store security guard before becoming the East Donegal Township chief of police.

Both the bank involved and the East Donegal Township officials have assisted the Foltz family. However, the family really needs and deserves the benefits that the Congress provided for the survivors of policemen killed in the line of duty.

As I have stated, Chief Foltz' family would have qualified for assistance had the Police Survivorship Act been law at the time of the tragic bank robbery. Moveover, one of the compelling arguments for just this type of legislation was presented to the Subcommittee on Criminal Laws and Procedures, which held hearings on this measure, by the then legislative chairman of the Fraternal Order of Police, who brought the death of Chief Foltz to the attention of the subcommittee.

Delay in the legislative process should not penalize Chief Foltz' family. My bill is an act of simple justice on behalf of a man who continually risked his life to ensure the safety of the public.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 736) for the relief of the survivors of Marvin R. Foltz, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 739—INTRODUCTION OF BILL ON MEETING THE WELFARE CRISIS

Mr. MONTOYA. Mr. President, I introduce, on behalf of myself and Senator ANDERSON, Senator HARRIS, and Senator METCALF, for appropriate reference, a bill which would direct the Secretary of Health, Education, and Welfare to conduct certain demonstration projects to encourage recipients of aid to families with dependent children—AFDC—to seek employment.

The measure is identical to S. 4174, which I introduced just prior to the 1968 general elections and the ensuing congressional recess. As a result, final action was never taken on the previous bill. However, the Committee on Labor and Public Welfare did have an opportunity to request comments from the Department of Health, Education, and Welfare on the proposed measure, and in a letter dated January 18, 1969, to the chairman of the committee, former Secretary of Health, Education, and Wel-

fare, Wilbur Cohen, endorsed the legislation and recommended its enactment.

With this favorable reaction from Secretary Cohen, as well as the generally favorable reactions I have received from various State departments of welfare from whom I solicited comments, I am hopeful that prompt action will be forthcoming during this session of Congress, since I am firmly convinced that it would contribute to the solution of one of the most pressing problems of our time.

Mr. President, as I indicated to my colleagues here in the Senate on October 9, 1968, when I first introduced this measure, many people have said and with much reason that our present welfare system is bankrupt and must be completely overhauled. Many are pressing for some form of guaranteed annual income or a form of negative income tax to take its place.

Mr. President, I believe that one of the most terrible mistakes we could make in response to the welfare crisis would be to adopt a system which is based on the theory that millions of our citizens are to be handed out a dole and then forgotten. This would be wrong from so many viewpoints. It would be expensive; it would be difficult to carry out. But, most importantly, it would be in a very real sense represent a decision to put millions of people on the trash heap. It would be saying to those millions that you are so hopeless and we have so little confidence in you and in our country that all we are going to do is give you money and then relegate you to the nooks and crannies of America. Mr. President, this is not the right way, nor the best way for America.

We hear some who say that we are now such a productive Nation that it should be public policy to allow millions of people to live off the economy without producing anything which contributes to that economy. This is utter nonsense. How can anyone say that we do not have to rebuild our cities, plan better the development of our open areas, and develop our human resources? How can anyone say that when so many human needs go unnoticed and unmet? There is plenty to do in America, and I say that we had better get doing it. But, Mr. President, the way to make sure that we will not do anything is to adopt one of these schemes which is based on the theory that there is no work to do for many people and that they should be neatly discarded and then forgotten.

There is little doubt, Mr. President, that the present welfare system needs to be amended to improve the chances for people who have to depend on welfare to get off the rolls and into productive, independent lives. One thing which we must all keep in mind is that the very great majority of people who have had to go on public assistance do not want to be there. They want to get off. Mr. President, what we must make sure of is that the system works to help people get off the rolls and does not work in a way that gives people disincentives for getting off.

The Congress has, over the past 2 years, taken some important steps in that direction. We conducted a study of the system which led to some important changes in the welfare program, although we also took some action which I believe was unfortunate but which I believe we will correct in time.

But, before I describe some of those actions we took last year, let me give the Members of this body a brief description of those who are on welfare. The Federal Government assists the States in financing four separate programs of cash public assistance. Three of the programs are aimed at adults. The first is old-age assistance, which gives money to needy people over age 65. With the coming of age of the social security program and the increased benefits which we passed last year, only a small proportion of the aged must depend on public assistance today. Only one out of 10 aged people receives public assistance and half of those also get some social security benefit. Today, the typical person on old age assistance is a widow about 76 years of age. The number of people on old-age assistance is continuing to go down even though the number of older people continues to rise. It is not this program which has created the welfare crisis.

The next adult assistance program is the program which helps the States to finance payments to the blind. The number of blind people who have to depend on public assistance also is getting fewer and fewer. Only 80,000 of the blind have to depend on assistance and the number is going down each month. It is not this program which has created the welfare crisis.

The third adult category is aid to the permanently and totally disabled. This category of assistance has been going upward on a very gradual basis ever since it was set up in 1950. And it is likely that the numbers will continue to grow gradually until the social security disability program and workmen's compensation programs are modified to protect more workers and their families who are faced with the disability of the family breadwinner. But the numbers of disabled people who have had to go on public assistance has not gone up as fast as it would have if we had not had the social security program, the vocational rehabilitation program, and other programs which help treat and prevent disability. It is not this program which has created the welfare crisis.

The one federally assisted program which has shown continued and high rates of growth is the program of aid to families with dependent children—AFDC. This program now accounts for over two-thirds of all public assistance recipients and well over half of the funds. And this is the program which is growing at high rates even during a period of high employment, low unemployment, and unprecedented levels of economic activity. Mr. President, this is the program which is the cause of the welfare crisis. This is the program to which we must turn our attention whenever we are considering the public welfare problem. And it is this program toward which my legislation is directed.

Let me now briefly remind my colleagues of some of the more important provisions which the Congress enacted to deal with this growing crisis. And it is interesting to note, Mr. President, that during the period when Congress was considering these measures—from March 1967 to December 1967—this AFDC program added almost a half a million people to the rolls. Just think of that—during a 9-month period the rolls increased by well over 400,000 people. In the 1967 social security amendments, we took, I believe, several important and constructive steps to meet the welfare crisis. We required the States to supply adequate day-care services to the mothers in these families who are referred for jobs or training. We set up a special work-training program to be run by experts of the Labor Department and directed solely at AFDC recipients.

We recognized that there were only a very small proportion of able-bodied men on the AFDC rolls—less than 80,000 out of over 5½ million recipients—but we did not ignore them. We required that each of them be referred to the work incentive program within 30 days of coming on the rolls and we included other measures to assure that able-bodied men were trained and placed in jobs.

Finally, Mr. President, we required the States to ignore the first $30 a month in earnings of a public assistance family and one-third of the earnings above that amount. Thus, the Congress attempted to meet the problem of the growing rolls by measures which were designed to furnish support to the hundreds of thousands of AFDC families who want to get off the rolls and become self-supporting and independent. Mr. President, I believe we are on the right track. People do not want to be shoved aside and forgotten while the rest of the Nation progresses. They want to be a part of that action. They want to be independent and self-reliant. But we have a welfare system which not only does not help people get off the rolls but actually hinders them in their efforts to do so. And the proposals for a guaranteed annual income or negative income tax will not change that; rather, they would actually increase the ill effects in the present system.

While the Congress has dealt with what I believe are the three main ingredients of a successful attack on the problem—adequate day-care services, opportunities for work and sound training, and an earnings incentive—we have not dealt with the third area in an effective manner. There may be more need for day-care services and we may need to give more financial support to the training programs, but I feel certain that we have not acted correctly in the area of work incentives. Thirty dollars and one-third is just too small. For example, the public assistance recipient who sees that she gains only $1 in net income for every $3 of work after the first few days of each month may very well think that there is not much use in leaving her children with someone else for such a small gain. But, unfortunately, Mr. President, there is hardly any research or experimentation with various forms of work incentives on which the Congress

can base an informed and intelligent decision in the matter. After more than 30 years of the AFDC program, the Department of Health, Education, and Welfare still had not done one good study of the effect of the program on incentives to work or how the problem could be met.

I personally believe that the 1967 provision will turn out to be inadequate. And, unless we take steps now to get pertinent information we still will not know the best route to take when results under the 1967 provision are in.

I suggest that a much more promising approach would be to allow all recipients to earn the difference between their monthly grant from welfare and a reasonable standard of income. This is the kind of guarantee of annual income which I would like to see—a proposal which says to the recipient that he can earn up to the guaranteed level without losing any of his public assistance. Thus, instead of having a guaranteed level which is financed out of tax money, we would have a level which people could work toward. This is the type of proposal I would like to see studied.

As I indicated earlier, AFDC recipients want to work. A study conducted in the ghettos of New York City showed that the overwhelming proportion of the women on welfare wanted to get trained and placed in good jobs. And, I submit, it will go much better in the future of our country if we have children growing up today with the example of a parent going out to work and gaining the satisfaction of being independent, rather than the example of a parent who draws his dole and spends the long days in idleness. The parent could hardly have self-respect in such a situation, and he most likely would not have the respect of children, family, or friends.

Mr. President, my bill would direct the Secretary of HEW to conduct a substantial experiment in appropriate areas of the Nation of the kind of proposal which I have outlined. Instead of the $30 and one-third earnings exemption, ADFC families could earn the difference between their grant and the poverty level set forth in my formula.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a chart containing the formula of earnings exemptions which I have in mind for AFDC families, and setting forth specific examples of how the formula would be applied and the effect it would have in providing work incentives over and above the present law.

(See exhibit 1.)

Mr. MONTOYA. Mr. President, there would also be included in the legislation a built-in formula for raising the income level automatically—according to the Department of Labor cost-of-living consumer indexes—when the cost of living increases; that is, standards of income levels would be kept current with living costs. Moreover, no State would be permitted to lower its welfare payments as a result of the enactment of such legislation, nor to exclude provisions for added welfare benefits for those having "special needs"; that is, medical care, special diets, care by an attendant, and so forth.

The Secretary of Health, Education, and Welfare would be required to compare the results of my proposed system with the results under the law, and with one or two other alternatives if the Secretary believes it to be desirable. The Secretary would then prepare a formal report on the results of the experiment to the Congress. We would then be in a position to evaluate the proposals in an informed manner and arrive at a decision based on facts, not theories.

I believe the proposal which I have outlined will prove to be the most effective. I believe it would reduce the costs of poverty and other assistance programs over the long haul, simplify procedures for welfare eligibility and payment determinations, and add to the working force through reduction of impediments to employment. Moreover, I believe that my proposal will show that the proponents of the negative income tax and other proposals which would hand out millions of tax dollars for doing nothing are on the wrong track, both for the people involved and the Nation as a whole.

But I am willing to put my beliefs to the acid test of experience.

Mr. President, I also submit and ask unanimous consent for inclusion in the RECORD at this point the text of my bill, and I urge Senators to study it and then join me in securing its prompt passage.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and chart will be printed in the RECORD.

The bill (S. 739) to direct the Secretary of Health, Education, and Welfare to conduct certain demonstration projects designed to encourage recipients of aid to families with dependent children to seek employment, introduced by Mr. MONTOYA, for himself and other Senators, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") shall, under the authority contained in section 1115 of the Social Security Act, conduct demonstration projects under which recipients of aid to families with dependent children (under programs established pursuant to title IV of such Act) who participate in such projects will be permitted to earn, without having any reduction in the amount of the money payments otherwise payable to them under such programs, such amounts as may be necessary to bring the total annual income of the family unit to which they belong above the poverty level.

(b)(1) Participants in such demonstration projects will be permitted to earn (without having any reduction in the amount of the money payments otherwise payable to them under a program established pursuant to title IV of the Social Security Act) amounts as follows:

(A) in case such participant belongs to a family consisting of one member, $600 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $2,000;

(B) in case such participant belongs to a family consisting of two members, $800 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $2,600;

(C) in case such participant belongs to a family consisting of three members, $1,000 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $3,200;

(D) in case such participant belongs to a family consisting of four members, $1,200 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $3,800;

(E) in case such participant belongs to a family consisting of five members, $1,400 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $4,400;

(F) in case such participant belongs to a family consisting of six members, $1,600 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $5,000;

(G) in case such participant belongs to a family consisting of seven members, $1,800 annually, or, if greater, the amount necessary to bring the total annual income of his family up to $5,600; and

(H) in case such participant belongs to a family consisting of more than seven members, such amounts as the Secretary shall determine to be appropriate to carry out the purposes of the demonstration project.

(2) The amounts provided for in paragraph (1) of this subsection shall, when applied to any participant in a demonstration project under this Act who lives on a farm, be reduced by 30 per centum.

Sec. 2. Demonstration projects under this Act shall be carried on for a period not in excess of 12 months. The Secretary shall, at the earliest practicable time after the termination of such projects, make a report to the Congress on such demonstration projects together with any recommendations he may have for changes in the provisions of title IV of the Social Security Act which relate to earnings by recipients of money payments under programs established pursuant to such title.

The chart, presented by Mr. MONTOYA, is as follows:

EXHIBIT 1

TABLE OF EARNINGS EXEMPTIONS ALLOWED AID FOR DEPENDENT CHILDREN (AFDC) FAMILIES

Number of family members	Nonfarm		Farm (70 percent of nonfarm) [1]	
	Weighted cost standard	Offsetting standard	Weighted cost standard	Offsetting standard
1 member	$2,000	$600	$1,400	$420
2 members	2,600	800	1,820	560
3 members	3,200	1,000	2,240	700
4 members	3,800	1,200	2,660	840
5 members	4,400	1,400	3,080	980
6 members	5,000	1,600	3,500	1,120
7 members	5,600	1,800	3,920	1,260

[1] This is consistent with the social security poverty index, which has a 30-percent reduction for rural areas.

The effect of the above would be to exempt AFDC welfare recipients from having deductions made against their welfare payments for earning additional income. Thus, a nonfarm family of 4 members could earn the difference between welfare payments and income up to $3,800, or an additional $1,200, *whichever is greater.*

The following examples (based on a family of four) show how the formula would be applied, and set forth the work incentives contained in the formula over and above existing law:

1. *New Jersey (non-farm):* New Jersey pays a monthly assistance allowance of $280 for a family of four—or a total of $3360 per annum. This represents one of the highest public welfare payments in the 50 states, meeting 100% of basic needs. Yet, there must be incentive for these families to become

self-supporting, and by applying the above formula the effect would be as follows:

The $3360 in welfare benefits is but $440 below the non-farm weighted cost standard; hence, the family would be permitted to earn an additional $1200 since this is the greater amount. (*Comparison with Existing Law:* Under present law, if the mother in an AFDC family of four has annual earnings of $2200, she would have her assistance grant of $3360 reduced by $1227 to $2133 for a total income of $4333. Under this proposal, the family would have $3360 plus $1200 in earnings for a total income of $4560.)

2. *New Mexico (non-farm):* My own state of New Mexico pays $183.36 monthly to a family of four, meeting 95% of the $193 for monthly basic needs—for a total of $2200. This is $1600 below the $3800 weighted cost standard for a non-farm family of four, but is greater than the $1200 offsetting standard; hence the family would be permitted to earn an additional $1600 yearly without penalty to welfare payments. (*Comparison with Existing Law:* Under present law a family of four in New Mexico would have their grant reduced from $2200 to $1173, based on earnings of $2200 for a total income of $3373. Under this proposal, however, the family could achieve a total income of $3800 based on the same earnings.)

3. *Mississippi (farm):* The State of Mississippi pays but $40 per month to a family of four, although basic needs as established by the State are $194.09. Assuming that farm family costs are 70% of the cost-of-living of non-farm families, the $480 in welfare payments deducted from the $2600 cost standard would be $1180—the additional amount which the family would be permitted to earn since it is greater than the $840 offsetting figure. (*Comparison with Existing law:* Under present law, if a family had earnings of as little as $1080 no further assistance would be paid. But under this proposal, a family of four could have earnings of as much as $2810 and still receive the $480 in public assistance grants.)

S. 740—INTRODUCTION OF BILL TO ESTABLISH THE INTERAGENCY COMMITEE ON MEXICAN-AMERICAN AFFAIRS

Mr. MONTOYA. Mr. President, today, on behalf of myself and Mr. BROOKE, Mr. CRANSTON, Mr. FANNIN, Mr. GOLDWATER, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HUGHES, Mr. JACKSON, Mr. KENNEDY, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. METCALF, Mr. MONDALE, Mr. MURPHY, and Mr. YARBOROUGH, I introduce a measure to establish the Interagency Committee on Mexican-American Affairs as a statutory agency. Since its creation by President Johnson as a Cabinet Committee on June 9, 1967, the presently functioning Interagency Committee on Mexican-American Affairs has sought to identify the needs of the Nation's second largest minority group, provide guidance toward Federal programs that are already in existence, and to recommend new programs to meet the unique requirements of the Spanish-speaking segment of our population.

During the past year and a half, the Interagency Committee has made numerous program contacts at all levels of government as well as with private industry and organizations. Guidance and action have been provided both to community projects and in individual hardship cases. Research has been conducted and materials published to acquaint the population with Spanish-speaking Americans and to guide this community in solving its many problems. The Interagency Committee placement service has referred well over 2,000 job applicants to both Government and private industry.

Areas of action covered by the Interagency Committee include education, health, welfare and poverty, housing, migrant labor, civil rights, immigration, military, employment, economic development, and research. While progress has been made in attaining economic independence for this deprived minority group, it becomes evident that a great need exists for a stable organization to assume responsibility for the orderly and successful completion of such transformation. I would like to note at this point that the Presidential order establishing the present Committee is scheduled to expire in June 1969.

The economic plight of the Spanish-speaking American community is the most basic problem and is largely a result of lack of educational opportunity. From this fundamental exclusion have stemmed the chronic problems in health, employment, housing, and related fields. By almost any socioeconomic measure, the Spanish-surnamed Americans, as a group, are very distant from the legendary American dream. In a phrase, one might sum up the Spanish-speaking American as being at the "bottom of the heap." In jobs—nearly 80 percent work in unskilled or semiskilled jobs—porters, laborers, elevator operators, and so forth; in education—most Spanish Americans barely complete the eighth grade and many are functionally illiterate as in Texas where 40 percent of the Spanish-speaking population is illiterate; in income—nearly 50 percent of all Spanish-speaking American families fall below the poverty line of $3,200; in business—they own less than 1 percent of the U.S. businesses. Thus, the Spanish-speaking American is not only a numerical minority, his level of living and participation in the economy is so minor as to be difficult to measure.

The proposed Committee will expand upon the functions of the present Interagency Committee by involving all Americans of similar ethnic or cultural background.

Today, it is estimated there are 10 million Spanish-speaking Americans in the United States or 5 percent of the total population. Their diversity as a group is striking—ranging from native born Mexican Americans and Puerto Ricans to emigrants from Latin America. Their similarities in language and culture, however, are also striking.

The measure which I am introducing would provide for the alleviation of these conditions through a Central Government agency which can give impetus to an integrated Government-wide effort. I would cite examples of activities in which the Interagency Committee will engage:

The sponsoring of conferences similar to the ones held in the past dealing with problems of education and employment. Cooperation would be extended in conferences sponsored by other groups, involving government officials and private industry professionals as well as barrio residents and migrant workers, to hear complaints and make recommendations. The Committee will be concerned with the establishment of relationships with private groups and organizations who can offer solutions to specific problems.

The analysis of community needs as presented in conferences and to contact officers and development by the Committee staff of answers to these needs. The Committee would be responsible for consulting with and advising the cooperating agencies in policies and priorities, implementation of programs and enforcement of guidelines.

The continuation of research into problem areas. The Committee is envisioned as operating with a small staff of bilingual and bicultural specialists, and, therefore, is not intended to duplicate the massive data collection processes undertaken by Cabinet departments. Rather, the Committee will foster the necessary studies and will synthesize the information obtained from agencies and from hitherto untapped community resources so as to formulate viable policy leading to a more effective and efficient Government-wide approach.

In fulfilling its advisory and educative functions for both Government and community, the Committee will obtain information from departments and agencies on the extent, nature, operation, and provisions of ongoing or proposed programs of special relevance to the Spanish-surnamed community. The Committee, insofar as possible, will rely on the facilities and services of established agencies in such matters as general technical expertise. The Committee will endeavor to promote a better flow of information going from agencies to the community so that only special publications from the Committee itself will be necessary.

The establishment of an employment aid service to direct job applicants to available positions. This activity will involve a service to aid individuals in the preparation of proper application forms both for government and private industry; distribution of these forms to offices with outreach capability; assistance in procedures to lodge complaints of discrimination; and acquainting Government and private employers with methods and resources by which they can reach the talent within the community.

The stimulation of interest among Government agencies and private groups in funding technical assistance projects in localities which have demonstrated the need for and ability to organize such projects. The Committee will seek to conduct such activities through cooperating agencies rather than allocate new funds of its own. A portion of this task must be the total involvement of local groups and organizations.

Publicizing of all of these activities to encourage wider participation by private industry and organizations so that the burden of reform is ultimately lifted from the shoulders of Government and returned to the democracy of the people.

These are but a few of the activities through which the Interagency Committee, as proposed in my legislation, will serve to assist the Spanish-surnamed community. Basically, the Committee will not be a program agency in that

it will not, itself, fund programs. Instead, it will act as a community advocate. Its constituency will be nationwide—wherever there are Spanish-speaking Americans—and its scope will be sufficiently broad to cover the problem areas in more than a piecemeal fashion. So often, in our Government, we have found that the right hand does not know what the left hand is doing simply because of the division of efforts necessitated by our size. And so often the very people who are in greatest need of information and attention are the very ones who are bewildered by the vastness of our bureaucracy, our economy, and our society.

We need not, and cannot, await a national crises to prod us into completion of a job barely begun. Within the next few years we should eradicate all traces of the institutionalized discriminatory practices which still work to exclude the Spanish-surnamed American from skilled and white collar positions and which still hamper his advancement. Once the lines of communication are open between the Spanish-surnamed community and American employers, the community will naturally and easily find its way to all levels and manners of employment.

The most basic demand being made of our economy—and perhaps our greatest test—lies in making capitalism really work for all citizens. This is the nuts and bolts of the problem we confront. One southwestern professor of economics, accused of radical thinking, stated that he considered the free enterprise system the best one possible—so much so that he thought everyone should have a share in it.

We still have opportunity to prove that the free market economy and our whole system of Government can work for everyone, regardless of historical or ethnic origin. By the end of this century, this Nation must bring full economic participation to the Mexican-American community as well as to other underdeveloped groups of American citizens.

The establishment of an advocate Committee to aid in the uplifting of the Spanish-surnamed American is, I firmly believe, one of the tools we must utilize in this grand effort. I sincerely hope the Congress will act quickly upon this measure to insure the continuance of the Interagency Committee and its work which is not yet completed.

I ask unanimous consent to have the text of the bill printed 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. 740) to establish the Interagency Committee on Mexican-American Affairs, and for other purposes, introduced by Mr. MONTOYA, for himself and other Senators, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 740

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to assure that Federal programs are reaching all Spanish Americans and providing the assistance they need, and to seek out new programs that may be necessary to handle problems that are unique to the Spanish American community.

SEC. 2. (a) There is hereby established the Interagency Committee on Mexican-American Affairs (hereinafter referred to as the "Committee").

(b) The Committee shall be composed of—

(1) the Secretary of Agriculture;

(2) the Secretary of Commerce;

(3) the Secretary of Labor;

(4) the Secretary of Health, Education, and Welfare;

(5) the Secretary of Housing and Urban Development;

(6) the Secretary of the Treasury;

(7) the Attorney General;

(8) the Director of the Office of Economic Opportunity;

(9) the Administrator of the Small Business Administration;

(10) the Commissioner of the Equal Employment Opportunity Commission most concerned with Mexican-American Affairs; and

(11) such other officers of Federal departments and agencies as may be designated by the President or the chairman of the Committee (hereinafter designated) to serve at the pleasure of the person so designating such officer.

(c) The member referred to in subsection (b)(10) shall serve as chairman of the Committee. The chairman shall designate one of the other Committee members to serve as acting chairman during the absence or disability of the chairman.

SEC. 3. (a) The Committee shall have the following functions:

(1) to advise Federal departments and agencies regarding appropriate action to be taken to help assure that Federal programs are providing the assistance needed by Spanish-surnamed Americans; and

(2) to advise Federal departments and agencies on the development and implementation of comprehensive and coordinated policies, plans, and programs focusing on the special problems and needs of Spanish-surnamed Americans, and on priorities thereunder.

(b) In carrying out its functions, the Committee may foster such surveys, studies, research, and demonstration and technical assistance projects, establish such relationships with State and local governments and the private sector, and promote such participation of State and local governments and the private sector as may be appropriate to identify and assist in solving the special problems of Spanish-surnamed Americans.

SEC. 4. (a) The Committee is authorized to prescribe rules and regulations as may be necessary to carry out the provisions of this Act.

(b) The Committee shall consult with and coordinate its activities with appropriate Federal departments and agencies and shall utilize the facilities and resources of such departments and agencies to the maximum extent possible in carrying out its functions.

(c) The Committee is authorized in carrying out its functions to enter into agreements with Federal departments and agencies as appropriate.

SEC. 5. The Committee is authorized to request directly from any Federal department or agency any information it deems necessary to carry out its functions under this Act, and to utilize the services and facilities of such department or agency; and each Federal department or agency is authorized to furnish such information, services, and facilities to the Committee upon request of the chairman to the extent permitted by law and within the limits of available funds.

SEC. 6. (a) The chairman shall appoint and fix the compensation of such personnel as may be necessary to carry out the functions of the Committee and may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates for individuals not in excess of the daily equivalent paid for positions under GS–18 of the General Schedule under section 5332 of such title.

(b) Federal departments and agencies, in their discretion, may detail to temporary duty with the Committee such personnel as the chairman may request for carrying out the functions of the Committee, each such detail to be without loss of seniority, pay, or other employee status.

SEC. 7. Nothing in this legislation shall be construed to restrict or infringe upon the authority or any Federal department or agency.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the functions of the Committee under this Act, and any funds heretofore made available for expenses of the Interagency Committee on Mexican-American Affairs established by the President's memorandum of June 9, 1967, shall be available for the purposes of this Act.

SEC. 9. The Committee shall, as soon as practicable, after the end of each fiscal year, submit a report to the President and the Congress of its activities for the preceding year, including in such report any recommendations the Committee deems appropriate to accomplish the purposes of this Act.

Mr. MURPHY. Mr. President, I am pleased to join Senator MONTOYA in coauthoring this measure which would legislatively establish an Inter-Agency Committee on Mexican-American Affairs. The purposes of the Committee are:

First. To advise Federal departments and agencies regarding appropriate actions to assure that the Federal programs are providing the assistance needed by Spanish-surnamed Americans.

Second. To advise the Federal departments and agencies on the development of comprehensive and coordinated policies, plans and programs focusing on the specific problems of Spanish-surnamed Americans and to establish priorities thereunder.

Third. To mobilize government at all levels and the private sector to identify and attack the specific problems of Spanish-surnamed Americans.

As my colleagues know, the Mexican-American citizens are an important part of my State's population. Their contributions to my State and to the Nation are numerous and significant. In fact, Mexican Americans have contributed to every facet of California's life from Father Serra to the Mexican-American men who today are serving courageously in Vietnam. The last time I had seen statistics on the subject, Mexican-American soldiers had won more medals of honor than any other group. Despite their accomplishments there are problems confronting the Mexican-American community. I have been urging an increased effort to deal with the language problem which often confronts the Mexican-American children in my State to turn the language barrier from a liability to an asset. I coauthored in 1967 the Bilingual Education Act. On Monday of this week I wrote a letter to President Nixon, Secretary Finch, and Bureau of the Budget Director, Mr. Mayo, urging full funding of this program. I ask unani-

mous consent that the copy of the letter that I sent to the President be printed in the RECORD at this point. In addition, the Los Angeles Times, which has been such a strong supporter of this needed program, and in an editorial entitled "Breaking the Language Barrier," urged the full funding of the bilingual program. I ask unanimous consent that this editorial be printed in the RECORD at this point. I also ask unanimous consent that excerpts of my testimony last year before the Senate Appropriations Committee dealing with bilingual program be printed in the RECORD.

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

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

BILINGUAL PROGRAM

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

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

(1) Of 1.6 million Mexican-American children entering the first grade in the five Southwestern States, one million will drop out before they reach the eighth grade. In my own State of California, I understand that 50 per cent of the Mexican-American children drop out by the eighth grade.

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

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

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

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

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

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

BREAKING THE LANGUAGE BARRIER

Issue: Will Congress this year again fail to provide sufficient financial support for bilingual teaching programs in U.S. schools?

Congress in 1967 finally decided to help break down the language barrier that so limits the educational opportunities for non-English speaking students.

To date, however, appropriations have fallen far short of the $30 million authorized for bilingual education programs. The $7.5 million thus far allocated has not made much of a dent in the barrier.

Millions of Mexican-American youngsters have dropped out of school simply because they couldn't understand their teachers. Half of all Mexican-American students in California schools get no farther than the eighth grade according to Sen. George Murphy (R-Calif.), one of the sponsors of the bilingual teaching bill.

The Times urges Congress not only to appropriate the full amount authorized but also to consider voting additional funds to assists these educationally deprived children.

Lack of instruction in their native tongue is a major factor in the average grade level of 7.1 for Mexican-Americans, as compared to 9.0 for Negroes and 12.1 for Anglo-Americans.

Los Angeles schools have been making an increasing effort at bilingual teaching, with almost all the money coming out of local and state funds. Instruction in Spanish is now given to more than 5,000 students in city schools, mostly at the secondary level.

But money is not the only problem.

The number of Spanish-speaking teachers is far less than the demand, a problem that the Ford Foundation will try to solve with a $325,000 grant for language training program in education schools.

Resistance to bilingual teaching also has been noted among some principals and administrators, although such programs have been officially endorsed by school districts.

The answer is more and better bilingual teaching. Although additional funds will be required, the cost will be minor in comparison to the high price society pays for every dropout.

LETTER TO PRESIDENT NIXON FROM SENATOR GEORGE MURPHY

DEAR MR. PRESIDENT: I want to call your attention to and urge your support for full funding of the Bilingual Education Act.

"The critical need for this program is evident by the following appalling statistics: (1) Of the 1.6 million Mexican-American children entering the first grade in the five southwestern states, one million will drop out before they reach the eighth grade. (2) Mexican-Americans in the United States have an average grade level of 7.1 compared to a grade level of 9.0 for Negroes and 12.1 for Anglo-Americans.

In my own state of California, I understand that fifty percent of the Mexican-American children drop out by the eighth grade. Yet, evidence and experience suggest that this need not be. Many countries of the world have successfully solved the problem by instructing first in the youngster's mother tongue and as soon as possible instructing the youngster in the national tongue.

California is moving to attack this serious problem and to reverse the above appalling statistics. In 1967, Governor Reagan signed into law needed and enlightened legislation that permits instruction in Spanish in California's public schools.

Since the enactment of the Bilingual Education Act in 1967, which incidentally was conceived and initiated by the Congress over the opposition of the former Administration, there has been the greatest of interest in California in the promise and potential of the program. Last year, the Johnson Administration gave token endorsement to the program requesting only ten million dollars of the thirty million authorized. The House of Representatives failed to appropriate a single cent. Thereafter, I personally pleaded with the Senate Appropriations Committee to reverse the shortsighted action of the House and to fund the program. As a result, the Senate Appropriations Committee provided ten million dollars and we were able to hold 7.5 million dollars in conference.

Because of the critical nature of the problem, I urge your Administration to enthusiastically get behind the Bilingual Education Program and support its full funding. As a co-author of the Bilingual Education Act, I am confident that such an investment and such an endorsement by the Administration will be wise for the nation and will make a significant difference in the lives of many children.

S. 741—INTRODUCTION OF BILL TO AUTHORIZE THE ADDITION OF CERTAIN FEDERAL RECLAMATION PROJECTS IN THE PACIFIC NORTHWEST TO PARTICIPATE IN ASSISTANCE FROM THE FEDERAL COLUMBIA RIVER POWER SYSTEM

Mr. JACKSON. Mr. President, on behalf of myself and a number of colleagues, I introduce, for appropriate reference, a bill to authorize the addition of certain Federal reclamation projects in the Pacific Northwest to participate in assistance from the Federal Columbia River power system, and for other purposes.

This bill, previously designated as S. 3689, was introduced late in the second session of the 90th Congress. The measure was referred to the Committee on Interior and Insular Affairs, but further action before an adjournment was not possible.

The act of June 14, 1966 (80 Stat. 200) included a provision that reclamation projects authorized after the passage of the act might receive repayment assistance from net revenues derived from the marketing of commercial power through the Federal Columbia River power system. This repayment assistance returns to the Treasury the portion of the costs allocated to the irrigation purposes of a project which are in excess of the repayment ability of the irrigation water users.

There are a number of older irrigation projects existing in the Pacific Northwest which were authorized and constructed many years before repayment assistance from power revenues was being made available. It was originally anticipated that the irrigators would be able to repay the project costs within the customary repayment periods.

For a variety of reasons, chiefly the impact of the depression of the early 1930's, the repayment schedules could not be realized. The water users are now making payments to the extent of their ability, but the repayment contracts have been amended to extend the repayment periods beyond the 50-year period which is usual.

The bill which I am introducing today would make repayment assistance from the Federal Columbia River power system available to these older projects. If this is done, the repayment contracts can be amended to 50-year terms which will place these projects on a par with the newer projects which are being authorized under current policies.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 741) to authorize the addition of certain Federal reclamation projects in the Pacific Northwest to participate in assistance from the Federal Columbia River power system, and for other purposes, introduced by Mr. JACKSON (for himself and other Senators), was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

S. 742—INTRODUCTION OF BILL TO PROVIDE FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE KENNEWICK DIVISION EXTENSION, YAKIMA PROJECT, WASHINGTON, AND FOR OTHER PURPOSES

Mr. JACKSON. Mr. President, I introduce, for myself and my colleague, Senator MAGNUSON, a bill to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, in the State of Washington. This bill is identical to S. 370 which passed the Senate in the 90th Congress. Final action on this measure was not taken in the House prior to adjournment.

The purpose of this measure is to bring 6,300 acres of land in the Kennewick division under irrigation. This would be accomplished through appropriate amendments to the act of June 12, 1948, which authorized the Kennewick division. The act of 1948 authorized the Secretary of the Interior to construct extra capacity in the division's main canal to provide for future irrigation of approximately 7,000 acres. The bill I am introducing would make use of this extra capacity and bring the operating capacity of the division up to full efficiency.

This project has an extremely high benefit-to-cost ratio, in excess of 3.5 to 1.

While the Kennewick division extension is basically an irrigation development which will be especially suitable for the production of specialty crops, there would also be substantial benefits to wildlife resources.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 742) to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON) was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 743—INTRODUCTION OF BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONSTRUCT, OPERATE, AND MAINTAIN THE TOUCHET DIVISION, WALLA WALLA PROJECT, OREGON-WASHINGTON, AND FOR OTHER PURPOSES

Mr. JACKSON. Mr. President, I introduce for appropriate reference, on behalf of myself and my colleague, Senator MAGNUSON, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division of the Walla Walla project in Oregon and Washington. This measure passed the Senate with amendments in the 90th Congress, but no action was taken in the House.

The outstanding adaptability of this project to multiple-use water resource development in the southeast area of the State of Washington, plus the substantial benefits which will accrue to sport and commercial fishing in the Pacific Northwest make it a very desirable project.

Dayton Dam on the Touchet River will be the principal feature of the project. As a result of the control which the dam and reservoir will provide over the presently unpredictable flow of the river, 10,000 acres of prime row crop farmland will be brought under full irrigation. The nearby town of Dayton will receive 1,000 acre-feet per year of municipal and industrial water, and the Walla Walla Basin will enjoy the benefits of a lake ideally suited to the multiple recreation uses of fishing, boating, swimming, picnicking, camping, and waterfowl hunting. The project is badly needed as a flood control measure for the Touchet Valley, which has suffered perennial losses from spring flooding.

Potentially an outstanding salmon stream, the Touchet will provide a restored run of anadromous fish when the waterflow, temperature, and water quality of the stream can be controlled.

The Senate Committee on Interior and Insular Affairs, after full hearings and executive consideration in the last Congress found that the Touchet division is a true multi-purpose project that would advance maximum use of an important water resource, and would benefit both the region and the Nation as a whole. Each feature of the project is physically and economically justifiable, both individually and collectively. The project has the support of all Federal, State, and local agencies, and of the residents of the area directly affected.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 743) to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes, introduced by Mr. Jackson (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 744—INTRODUCTION OF BILL TO PROVIDE FOR BETTER ADMINISTRATION OF THE NATIONAL PARK SERVICE

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to provide for the better administration of the National Park Service and the power marketing programs of the Department of the Interior. Joining me in sponsoring this measure are Senators ANDERSON and Moss.

Mr. President, this measure will enable the National Park Service to retain sufficient personnel to meet, for the present at least, the growing demands of our people for ready admission to and services in our national parks, outdoor recreation areas and historic sites. Use by the public of such areas requires of course personnel for operation, control, protection, and guidance.

Yet, while more and more persons are using more and more units of our park system more and more often, the Park Service not only cannot engage additional personnel to meet these growing needs, but rather it cannot, under present law, maintain the number of personnel it now has.

So, too, with Interior's electric power marketing agencies. Such agencies include the Bonneville Power Administration, Southeastern Power Administration, Alaska Power Administration, and the Bureau of Reclamation. Our industrial development and expanding population require more and more electric energy. The Department of the Interior's programs have a highly important part in helping meet these needs.

Yet these agencies not only are not permitted to engage additional personnel to meet these growing demands; they cannot retain the number they now have.

This situation is the direct result of the enactment last year of the Revenue and Expenditure Control Act of 1968 under which the executive agencies are not

permitted to engage personnel in excess of the number employed on June 30, 1966. I am not questioning the wisdom, over all, of this law, but I do point out that some of its provisions should be waived with respect to certain agencies which have direct and growing responsibilities to the public.

Precedent for such action already has been established for Federal Aviation Administration Traffic Control Officers, for the Post Office, the FBI, and the CIA.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 744) to provide for better administration of the National Park Service and of the electric power marketing programs of the Department of the Interior, introduced by Mr. JACKSON, (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 745—INTRODUCTION OF BILL RELATING TO CLASS I BASE PLAN FOR THE DAIRY INDUSTRY

Mr. McGOVERN. Mr. President, on behalf of myself and the Senator from Wisconsin (Mr. PROXMIRE), I introduce, for appropriate reference, a bill amending the Agricultural Marketing Agreement Act of 1937, as amended. My amendment supersedes the present authority for the class I base plan.

The present authority was first included in the Food and Agriculture Act of 1965. The 1965 amendment was scheduled to expire December 31, 1969, but a 1-year extension was included in the 1968 farm bill, which extended several programs on a temporary basis.

Those familiar with the Federal Milk Marketing Program, who are acquainted with the dairy farmer leadership throughout the United States, are well aware of the immediate need to improve authority for the class I base plan as first enacted in 1965. The Senate Committee on Agriculture and Forestry has given a great deal of consideration to this matter, and I am confident the Committee is in agreement with the amendment proposed in my bill. The House of Representatives also considered need for this legislation and it was incorporated in the House version of the farm bill we passed in 1968. The amendment was not included in the report of the conferees which reconciled the Senate and House versions of their respective farm bills in 1968, but the measure was again considered as separate legislation and was passed by the House of Representatives in the closing days of the 90th session. At the same time, the Senate Committee on Agriculture and Forestry held hearings on the proposed legislation. Unfortunately, time ran out due to adjournment before action could be taken.

My bill amending the Agricultural Marketing Agreement Act of 1937, as amended, deals solely with the distribution of money among dairy farmers, which is paid by handlers for milk received from them under the terms of Federal Milk Marketing Orders. Passage of this legislation would require no expenditure by the Federal Treasury. It would impose no new regulation on the industry. The authority would be used by producers, that is dairy farmers, and only if approved by two-thirds or more participating in a referendum. I know of no agricultural legislation that received more support among dairy farmers than the class I base plan which first was enacted in 1965. This amendment involved some rather delicate techniques in marketing milk. Regretfully the interpretations made on the provisions of the bill as passed by Congress proved to be much too rigid for the rapid changes taking place in the dairy industry. The authority granted by the 1965 amendment was used in the Puget Sound area of Washington, and nowhere else. Experience in the Puget Sound market has clearly demonstrated the need for the amendments in my bill.

Because of the rigidities in the 1965 amendment, the authority has not been used in other milk marketing areas even though dairy farmers would like to institute class I base plans in many markets throughout the United States. The amendment to the Agricultural Marketing Agreement Act of 1937, as amended, which is in my bill would pave the way for farmers to make a great stride forward, and this should not be denied them for lack of early congressional approval.

The amendment included in my bill has the full support of dairy cooperatives throughout the United States and of the National Milk Producers Federation. It differs from the authority contained in the 1965 amendment in the following respects:

First. My bill contains no termination date. A termination date of authority provisions in the Federal Milk Marketing Orders is impractical in view of the procedures involved in instituting or amending milk marketing orders. Cooperative associations and dairy farmers are reluctant to develop class I base plans which have longrun effects on farm management practices unless they can be assured that the program will not be abruptly terminated.

Second. My bill would authorize use of "histories of marketings" by dairy farmers, not limited to a single period of time as was provided by the 1965 amendment. The provision in the 1965 amendment is discriminatory against young dairy farmers entering an already costly production enterprise.

Third. My amendment authorizes allocations of milk utilizations among dairy farmers, on the basis of their histories of marketing, and these allocations also would be subject to periodic adjustment. The 1965 amendment provides for allocating fluid milk utilization among dairy farmers for the same fixed period of time as was used for determining their histories of marketings. Under present authority, all market growth is set aside for new producers and the alleviation of hardship and inequity among producers before any market growth can accrue to the benefit of established producers. This provision provides hardship both to new producers and to established producers. New producers may receive allocations of fluid milk, month by month, within the range of zero to 100 percent depending upon the amount of market growth and the amount of milk delivered by new producers. Under these conditions new producers cannot make firm plans with any assurances of participation in the fluid milk sales of a market except through purchase of base from a producer discontinuing milk production or who may choose to reduce the size of his dairy herd.

Under the present authority established producers have no claim on fluid milk utilization resulting from market growth until after allocations are made to new producers. The established producers complain bitterly that this is unfair in light of the tremendous expenditures regularly made by established producers for the sole purpose of stimulating increased milk consumption through promotion activities and educational programs.

Fourth. My bill would permit reductions in histories of marketing and of fluid milk allocations to producers who fail to deliver their allocations of fluid milk utilization in a prior period of time. Such adjustment is precluded by the 1965 amendment. Dairy farmers, and particularly in those areas of the United States where milk production closely parallels the fluid milk requirements of a market, insist that a dairy farmer who receives price assurances through the class I base plan must be obligated to deliver his share of the requirements, in the interests of maintaining an orderly market.

Fifth. My bill provides authority wherein Federal orders can include rules under which a new producer may obtain a base and thereafter participate in the market—in the same market as established producers. The 1965 amendment precludes regular participation in a market by a new producer unless he acquires a base by purchase. This, as mentioned, is an extreme hardship for young farmers entering the business.

Sixth. My bill also provides specific authorization for adjusting prices to farmers on a seasonal basis. This is additional to authority for base plans and is used in several orders as a means of encouraging delivery of milk during the time of year when production costs are highest or when fluid milk requirements for consumers are at their highest level, and to discourage production at that time of year when milk production is normally in surplus. In years past adjustments in prices to producers were made through seasonal changes in prices charged handlers for class I fluid milk. The present intermarket movement of milk is now in such provisions that the seasonal adjustment in prices charged handlers is no longer a practical answer to the problem.

Seventh. My bill provides for individual voting by dairy farmers in referendums on class I base plans, but reinstitutes the representative voting by cooperative associations on behalf of their members with respect to base plans which do not reflect the utilization of milk and with respect to seasonal price adjustment plans.

It is imperative that this bill be given early attention by the Congress. Farmers in many markets are anxious to develop improved methods for adjusting prices among dairy farmers—producers—for the purpose of encouraging deliveries of milk consistent with the requirements of the markets. They can make no progress until such authority is approved. The Department of Agriculture has given a great deal of attention to this matter, and I am confident the new Secretary of Agriculture will support the amendment as did the former Secretary.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 745) to amend the Agriculture Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes, introduced by Mr. McGOVERN (for himself and Mr. PROXMIRE), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

SENATE JOINT RESOLUTION 35—INTRODUCTION OF JOINT RESOLUTION APPOINTING THOMAS J. WATSON, JR., AS CITIZEN REGENT, BOARD OF REGENTS, SMITHSONIAN INSTITUTION

Mr. ANDERSON. Mr. President, on behalf of myself, Senator FULBRIGHT, and Senator SCOTT, I introduce, for appropriate reference, a joint resolution providing for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution.

I am attaching to the bill a biographical sketch of Mr. Watson and ask unanimous consent to have this and the joint resolution printed in the RECORD at this point.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and biographical sketch will be printed in the RECORD.

The joint resolution to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

S.J. RES. 35

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, shall be filled by the appointment of Thomas J. Watson, Junior, a resident of Connecticut, in place of Jerome C. Hunsaker, resigned, for the statutory term of six years.

The biographical sketch, presented by Mr. ANDERSON, is as follows:

THOMAS J. WATSON, JR.

Watson, Thomas J., Jr., corp. exec.; b. Dayton, O., Jan. 8, 1914; s. Thomas J. and Jeannette (Kittridge) W.; grad. Brown U., 1937; m. Olive Field Cawley, Dec. 15, 1941; children-Thomas J. III, Jeannette, Olive, Lucinda, Susan, Helen. With Internat. Bus. Machines Corp., 1937-40, 46—, pres., 1952-61, dir., chmn, 1961—; dir. Bankers Trust. Trustee Rockefeller Found.; mem. corp. Brown U.; director Am. Mus. Natural History, Air Force Aid Society, Eisenhower Exchange Fellowships California Institute Tech. Pres of the National Council of Boy Scouts America, 1964—. Served with USAF, 1940-45; disch. rank lt. col.; sr. pilot. Member of International Chamber of Commerce (trustee U.S. council), Council Foreign Relations, Pilgrims of U.S., Newcomen Soc., Psi Upsilon. Episcopalian. Clubs: Hemisphere, N.Y. Yacht, Sales Executives, Links, Economic, Explorers (N. Y. C.); Indian Harbor Yacht, Round Hill (Greenwich). Home: Meadowcroft Lane, Greenwich, Conn. Office: Old Orchard Rd., Armonk, N.Y. 10504.

ADDITIONAL COSPONSORS OF JOINT RESOLUTIONS

Mr. BROOKE. I ask unanimous consent that, at its next printing, the names of the Senator from Pennsylvania (Mr. SCOTT) and the Senator from New York (Mr. JAVITS) be added as cosponsors of Senate Joint Resolution 14, designating January 15 of each year as "Martin Luther King Day."

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

Mr. DIRKSEN. Mr. President, on January 15, 1969, I introduced Senate Joint Resolution 6, a constitutional amendment dealing with prayer in public buildings. In addition to the cosponsors listed thereon, plus the 11 additional names of Senators added by unanimous consent on January 21, I ask unanimous consent that at the next printing the additional name of the Senator from Hawaii (Mr. FONG) be added as cosponsor on this joint resolution.

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

ADDITIONAL COSPONSOR OF RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania (Mr. SCHWEIKER) may be added as a cosponsor of the resolution (S. Res. 36), for installation and operation of suitable electrical public address systems in the Senate Chamber.

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

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Mr. BROOKE. Mr. President, I ask unanimous consent that, at its next printing, the names of the distinguished senior Senator from Hawaii (Mr. FONG), the distinguished senior Senator from Connecticut (Mr. DODD), the distinguished junior Senator from North Dakota (Mr. BURDICK), and the distinguished junior Senator from Vermont (Mr. PROUTY) be added as cosponsors of the concurrent resolution (S. Con. Res. 3) relating to the furnishing of relief assistance to persons affected by the Nigerian civil war.

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

SENATE RESOLUTION 66—RESOLUTION TO CONTINUE FOR 1 YEAR THE EXISTING AUTHORITY FOR THE COMMITTEE ON FINANCE TO EMPLOY SIX ADDITIONAL CLERICAL EMPLOYEES—REPORT OF A COMMITTEE

Mr. LONG, from the Committee on Finance, reported the following original resolution (S. Res. 66); which was referred to the Committee on Rules and Administration:

S. RES. 66

Resolved, That the Committee on Finance is authorized from February 1, 1969, to January 31, 1970, to employ six additional clerical assistants, to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 90-57, approved July 28, 1967, as amended.

SENATE RESOLUTION 67—RESOLUTION PROVIDING FOR ACQUIRING A MARBLE BUST OF CARL HAYDEN AND PLACING SUCH BUST WITHIN THE SENATE WING OF THE CAPITOL OR ANY OF THE SENATE OFFICE BUILDINGS

Mr. GOLDWATER (for himself and Mr. FANNIN) submitted the following resolution (S. Res. 67); which was referred to the Committee on Rules and Administration:

S. RES. 67

Resolved, That the Commission on Arts and Antiquities of the United States Senate (hereinafter referred to as the "Commission") is authorized and directed to provide for the design and sculpture of a marble bust of Carl Hayden. The Commission is further authorized and directed, subject to the provisions of Senate Resolution numbered 382 of the 90th Congress, adopted October 1, 1968, to accept such bust on behalf of the Senate and to cause such bust to be placed in an appropriate location within the Senate wing of the Capitol or any of the Senate Office Buildings, or any room, space, or corridor thereof.

SEC. 2. Expenses incurred by the Commission in carrying out this resolution, which shall not exceed $3,000, shall be paid out of the Contingent fund of the Senate on vouchers approved by the Chairman of the Commission.

SENATE RESOLUTION 68—RESOLUTION AUTHORIZING FUNDING OF THE SELECT COMMITTEE ON NUTRITION

Mr. McGOVERN. Mr. President, I submit an original resolution, and ask that it be referred to the Committee on Rules and Administration.

I have also sent to the desk a list of 54 cosponsors of the resolution. I ask unanimous consent that the resolution, together with the list of cosponsors be printed in the CONGRESSIONAL RECORD at this point in my remarks.

The VICE PRESIDENT. The resolution will be received, and, without objection, the resolution and the list will be printed in the RECORD, and the resolution will be referred to the Committee on Rules and Administration, as requested by the Senator from South Dakota.

The resolution and list of cosponsors are as follows:

S. RES. 68

A resolution to continue the Select Committee on Nutrition and Human Needs

Whereas the Senate has voted unanimously to establish a Select Committee on Nutrition and Human Needs to study the food, medical, and other related basic needs among the people of the United States:

Resolved, That the Select Committee on Nutrition and Human Needs as established under Senate resolution 281 is authorized to examine, investigate, and make a complete study of any and all matters pertaining to the lack of food, medical assistance, and other related necessities of life and health including, but not limited to such matters as (a) the extent and causes of hunger and malnutrition in the United States, including educational, health, welfare, and other matters related to malnutrition; (b) the failure of food programs to reach many citizens who lack adequate quantity of food; (c) the means by which this Nation can bring an adequate supply of nutritious food and other related necessities to every American; (d) the divisions of responsibility and authority within Congress and the executive branch, including appropriate procedures for congressional consideration and oversight of coordinated programs to assure that every resident of the United States has adequate food, medical assistance, and other basic related necessities of life and health; and (e) the degree of additional Federal action desirable in these areas.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969 to December 31, 1969, inclusive, is authorized: (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; (3) to subpena witnesses and documents; (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government; (5) contract with private organizational and individual consultants; (6) interview employees of the Federal, State, and local governments and other individuals; and (7) take depositions and other testimony.

SEC. 3. (a) The next to last sentence of Senate resolution 281 (90th Cong., 2d Sess.) is amended by striking out "and terminate its activities not later than June 30, 1969." and inserting in lieu thereof "on or before June 30, 1969 and December 31, 1969 respectively and terminate its activities not later than December 31, 1969."

(b) The last sentence of Senate resolution 281 (90th Cong., 2d Sess.) is amended by striking out "report" and inserting in lieu thereof "reports".

SEC. 4. Expenses of the committee in carrying out its functions shall not exceed $250,000 through December 31, 1969, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The list of cosponsors of Senate Resolution 68 is as follows:

Mr. McGovern, Mr. Anderson, Mr. Bayh, Mr. Boggs, Mr. Brooke, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Case, Mr. Church, Mr. Cook, Mr. Cranston, Mr. Dodd, Mr. Dole, Mr. Dominick, Mr. Eagleton, Mr. Fong, Mr. Fulbright, Mr. Goodell, Mr. Gravel, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Hughes, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Kennedy, Mr. Magnuson, Mr. Mansfield, Mr. Mathias, Mr. McCarthy, Mr. McGee, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pell, Mr. Percy, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Schweiker, Mr. Scott, Mr. Stevens, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio.

Mr. McGOVERN. Mr. President, the resolution would authorize the select committee to incur expenses through December 31, 1969, in a total amount not to exceed $250,000. In addition, it would amend Senate Resolution 281, 90th Congress, second session, so that the committee's termination date, July 1, 1969, is extended for an additional 6 months to December 31, 1969.

The select committee was established by the Senate on July 30, 1968. However, it did not receive authority to employ a staff or expend funds until October 4, 1968, when the Senate agreed to an authorized budget of $25,000 through January 31, 1969.

This limited budget did not enable the select committee to acquire the full complement of professional and clerical staff necessary to begin operations until this month. The committee, however, now is fully staffed and fully operational.

We began hearings on December 17, 1968. Since that time we have held 10 days of hearings. We have not, however, had an opportunity to conduct field hearings and studies or engage in other activities which the committee feels are essential to the fulfillment of its mandate from the Senate.

The extension of the committee's termination date from July 1, 1969, to December 31, 1969, will assure that the select committee has the time necessary to undertake intensive studies in the areas which the Senate has directed it to examine, and will permit the committee to operate at a level of activity necessary to carry out its mandate for the full year originally contemplated when it was established last July and to make its report to the appropriate standing committees of the Senate at the end of this year.

Mr. President, I ask unanimous consent that a memorandum explaining the mandate of the select committee, its activities to date, and the activities which it contemplates undertaking in the future be printed in the RECORD.

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

MEMORANDUM ACCOMPANYING SENATE RESOLUTION 68 AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS, JANUARY 27, 1969

The Select Committee on Nutrition and Human Needs has reported Senate Resolution 68 authorizing the Committee to incur expenses through December 31, 1969 not to exceed $250,000.

The mandate of the Select Committee, as set forth in S. Res. 281, 2nd Session, 90th Congress, is to conduct a complete study of all matters pertaining to the food, medical and other related basic needs among the American people. Matters within the Committee's mandate include:

(a) The extent and causes of hunger and malnutrition in the United States, including educational, health, welfare and other matters related to malnutrition;

(b) The failure of food programs to reach many citizens who lack adequate quantity or quality of food;

(c) The means by which this nation can bring an adequate supply of nutritious food and other related necessities to every American;

(d) The divisions of responsibility and authority within Congress and the Executive Branch, including appropriate procedures for Congressional consideration and oversight of coordinated programs to assure that every resident of the United States has adequate food, medical assistance and other basic related necessities of life and health; and

(e) The degree of additional Federal action desirable in these areas.

ACTIVITIES TO DATE

The Committee was established by the Senate on July 30, 1968. However, it did not receive authority to employ a staff or expend funds until October 4, 1968 when the Senate agreed to an authorized budget of $25,000 through January 31, 1969.

This authority enabled the Committee to take on a staff director and a secretary which were employed in early November. The Committee was not, however, with its limited budget, able to acquire the additional professional and clerical staff necessary to begin full operations until this month. It now has four professional and four clerical personnel, and it is believed to have acquired the full staff needed to fulfill its mandate.

The Committee began hearings on December 17, 1968. Since that time it has held 10 days of hearings. It has not, however, had an opportunity to conduct field hearings and studies or engage in other activities which it feels are essential to the fulfillment of its mandate from the Senate.

Because the Committee has not been able to become fully operative during the first six months of its one-year duration, and in order to assure that it has the time necessary to undertake intensive studies in the areas outlined below, the accompanying resolution provides for an extension of the Committee's termination date from July 1, 1969 to December 31, 1969. This extension will permit the Committee to operate at a level of activity necessary to carry out its mandate for the full year originally contemplated when it was established last July and to make its report to the appropriate standing committees of the Senate at the end of this year.

ASSISTANCE PROVIDED BY THE LEGISLATIVE REFERENCE SERVICE OF THE LIBRARY OF CONGRESS

The Select Committee has already received major staff assistance from the Legislative Reference Service of the Library of Congress. It will continue to use the facilities and personnel of the Legislative Reference Service as it undertakes the activities set forth in the next section of this memorandum.

Thus far, at the request of the Chairman of the Select Committee the following studies and research projects have already been prepared and submitted to the Committee.

1. "Federal Food Aid Programs" (10 pages): This is a brief summary of the legislative authority for the various Federal food aid programs including a discussion of food aid policy, and the authority contained in the following legislation:

Section 32, Act of August 24, 1935, as amended, and related legislation.

Section 402, Mutual Security Act of 1954, as amended.

Section 6, National School Lunch Act and related legislation.

Section 416, Agricultural Act of 1949, as amended, and related legislation.

Section 407, Agricultural Act of 1949, as amended.

Section 202, Agricultural Act of 1949, as amended.

Section 709, Food and Agriculture Act of 1965.

Section 379c, Agricultural Adjustment Act of 1938.

Section 210, Agricultural Act of 1956 and Act of August 19, 1958, as amended.

Act of July 3, 1956, as amended, and Act of August 17, 1961.

Section 505, Agricultural Act of 1958.

2. "Proposal for Study by the Senate Select Committee on Nutrition and Human Needs" (23 pages): This study proposal was prepared with the guidance of the Committee staff in order to assure that the research expertise of the Legislative Reference Service is available to the Committee as it determines how to carry out its mandate from the Senate. This study includes proposals in connection with the following matters:

(a) Identification of low-income people.

(b) Existing sources of help for the poor including income maintenance, Federal food programs, health and medical services, training and employment services and the interrelationships of programs for the poor.

(c) A section on health and nutrition discussing the need for study of the consequences of food insufficiency, minimum nutritional requirements, reasons for nutritional insufficiency, the detection, diagnosis and correction of malnutrition, nutrition education, nutrition research, food nutrition and the private sector.

(d) Administrative organization alternatives raising issues with respect to the administration of public assistance programs on the State and Federal levels and the administration of food programs including food stamps, school lunch and other food assistance.

3. "Legislative Background of Federal Food Aid Programs" (55 pages): This study has provided the Committee with a complete and detailed legislative history of the following programs:

Section 32, Act of August 24, 1935 and related legislation; Amendments to Section 32.

Section 402, Mutual Security Act of 1954 as amended.

National School Lunch Act and related legislation.

National School Lunch Act.

The Colmer Committee.

Section 416, Agricultural Act of 1949.

Section 416 Amendments.

Special Milk Programs.

Section 709 of the Agricultural Act of 1965.

Food Stamp Program.

The Child Nutrition Act of 1966.

In addition, the Committee staff has requested and received many other studies by the Legislative Reference Service which are generally available to the public.

The Staff of the Select Committee will continue to work very closely with and use the services of the Legislative Reference Service. The LRS will be particularly helpful in pulling together current and past research studies on matters relating to nutrition and basic human needs. Summaries will be prepared by LRS on all available research from time to time as specific requests are made by the Committee.

FUTURE ACTIVITIES

The Committee believes the fulfillment of its mission requires that it have the resources and time necessary to undertake the activities described below.

1. Examination and evaluation of Federal programs

Intensive surveys and analyses of food assistance and other nutrition-related programs and activities of the Federal government are already in the planning stage. These studies will emphasize the Federal, State and local administrative machinery for the delivery of food and related services through the food stamp, commodity distribution, school lunch, elementary and secondary education, pre-school, health services and other nutrition-related programs. The examination will be undertaken simultaneously on two levels.

First, the Committee expects to conduct field hearings and inspection trips in from six to twelve states. These field investigations will be supplemented by intensive surveys by private consultants designed to evaluate state and local administration of federal programs.

These consultant studies will focus upon a limited number of states and encompass, among other topics an analysis of the source of food and other related services available to the poor; the nature, quality and location of State and local program administration; the relationships among programs and administering agencies; participation levels and certification procedures; local impediments to participation; the extent and nature of the needs among the local population and the extent to which such needs are met and how; and breakdowns between the Federal, State and local administering agencies particularly with respect to the implementation of Federal guidelines, and including differences in perspectives about policies and program intent.

Second, and concurrently, the Committee staff will work closely with the staffs of Federal departments and agencies, including the Departments of Agriculture and Health, Education and Welfare, the Office of Economic Opportunity, and the Bureau of Indian Affairs, and with the Legislative Reference Service of the Library of Congress which will assist the Committee in compiling information and in the conduct of specific research projects. These activities will encompass, among other topics an examination of existing laws, regulations and guidelines with a view toward determination of Federal restrictions on local participation, certification, administration, etc., and the extent to which Federal red tape impedes local administration; an analysis of State plans on file with the Federal agency, the restrictions imposed by States on program participation and administration and Federal sanctions of or impediments to such restrictions; a review of Federal monitoring of local programs, including the extent to which the Federal administering agency does or does not have knowledge necessary to evaluate State and local program administration; comparisons of program participation and characteristics of participants and an evaluation of Federal efforts to assure that particular needs are being met through the provision of the right services. This would include analyses of income levels and other standard of living characteristics of participants, and non-participants, and the extent to which Federal programs are designed and implemented to meet the needs of such persons.

These activities, together with further public hearings in Washington are expected to provide the Committee with evaluative materials which will form the basis of its assessment of present nutrition-related programs.

2. The making and implementation of Federal policy

Related to administrative evaluation studies is a study of policy-making in the Executive and Legislative branches of the Federal government.

This study will encompass such matters as the coordination of and relationships among Federal agencies and programs, including the relationships between foreign and domestic food assistance efforts and between domestic food assistance efforts and the development of space and combat foods, and the use of interagency committees and councils; federal research activities and the use of information gained from research including mechanisms for locating hunger and malnutrition; the setting of program and budget priorities among and for human needs programs; the development of guidelines and regulations and the implementation of Congressional policy and legislative intent; the pressures and influences on policy-making; the relationships between nutrition, agriculture, welfare and other policies and their implementation.

3. The role of the private sector

The Committee will also assess the present and possible future roles of the food processing industry and other private for-profit and not-for-profit organizations in meeting nutrition and other basic needs, including Federal regulation of and restraints on the private sector. This study would cover the following topics: the fortification of existing foods and development of new foods to meet the nutrition needs of the poor, including existing efforts of the food industry alone and in cooperation with AID and USDA; the packaging, advertising, and marketing of present foods and the effect of food industry practices upon the poor; political and economic restraints upon food manufacturers; Federal regulations affecting food fortification; and the future development of local food processing businesses and agricultural cooperatives and the extent to which such endeavors have and can meet the needs of low income groups.

4. Needs of particular population groups

The Committee will also focus upon the special nutrition-related problems of particular groups of people such as Indians, migrants, Spanish-surnamed Americans, the elderly children and infants and pregnant women. These studies will encompass an evaluation of current programs to meet the needs of such groups and the participation of such groups in general assistance programs. It will also attempt to assess the need for special assistance for such persons.

Each of these areas of study will be undertaken through a combination of staff, consultant, administrative agency and Library of Congress research and through public hearings. Through these efforts, the Committee expects to develop recommendations for a coordinated program or programs to assure that the nutritional needs of our citizens are met.

The accompanying budget for the Select Committee on Nutrition and Human Needs requests a total expenditure authority of $250,000 for the eleven-month period from February 1, 1969 through December 31, 1969. The Committee believes that this is the minimum that is essential for the support of an adequate staff and for the conduct of the activities described above. The budget does not contemplate an increase in the number of professional or clerical personnel presently employed. It does, however, allow for a substantial sum which the Committee believes necessary to undertake research projects and intensive field surveys under contract with private full and part-time consultants.

Without this requested expenditure authority, and without an extension of the Committee's termination date to December 31, 1969, the Committee does not feel that it can adequately undertake those activities which it considers necessary for the fulfillment of its mandate from the Senate.

Mr. SCOTT. Mr. President, I am cosponsor of the resolution to extend for 6 months the Select Committee on Nutrition and Human Needs. This select committee was established by unanimous vote and has a mandate to study the problems of hunger and malnutrition. It is also committed to recommending ways to assure that the nutritional needs of all our citizens are met.

The legislation, which was approved in July, provided 1 year for the committee to accomplish this. Operating funds for it were not authorized until October 1968. Therefore, it was mid-December before

hearings could begin. During these past 2 months, the committee has taken testimony from the Secretaries of the Departments of Agriculture and Health, Education, and Welfare. The Office of Economic Opportunity also provided witnesses. Experts have reported on health, medicine, nutrition, and malnutrition, disease, vitamin deficiency, and child welfare.

During my own testimony in support of the creation of the Select Committee on Nutrition and Human Needs, before the Subcommittee on Employment, Manpower, and Poverty, I stated that we would go look throughout America and may very well find it a shocking place, but that we do not intend to leave what we find undisturbed or without change for the better.

Therefore, I wholeheartedly support extending the Committee on Nutrition and Human Needs to December 31, 1969, so that we have sufficient time to take a penetrating look at human needs, and decide on some changes.

Mr. JAVITS. Mr. President, there has been included in the RECORD a resolution for the extension of the Select Committee on Nutrition and Human Needs, and a request which seeks authorization for it, of which I am a cosponsor.

Mr. President, today, Senator GEORGE MCGOVERN, chairman of the Select Committee on Nutrition and Human Needs, has introduced a resolution which authorizes that committee to incur expense through December of this year not to exceed $250,000. As the ranking minority member of this committee, I cosponsor that resolution.

The mandate of the committee, as set forth in Senate Resolution 281, second session, 90th Congress, is to conduct a complete study of all matters relating to the food, medical and other related basic needs among the American people. The original termination date for the committee's study is July 1 of this year. However, the committee was unable to acquire the professional and clerical staff necessary to begin full operations until last month due to a limited budget.

The committee hearings, which began December 17, have produced evidence to a shocking degree that there is, indeed, hunger and malnutrition in the United States which affects millions of our fellow citizens. In order fully to examine the causes and effects of this serious situation, and its relationship to existing Federal food and health programs, the committee needs to conduct field hearings and engage in other activities which are essential to the fulfillment of its Senate mandate.

Testimony before the committee has revealed that, at present, nutrition activities in the Federal Government have led toward neither the effective gathering nor application of knowledge in this area. There has been division of responsibility among congressional committees, with fragmentary coordination and overlapping activities.

We have also learned that, in 41 States, less than 50 percent of the hard-core poor—families of four with less than a $2,200 annual income—participate in food assistance programs in those areas. These low participation rates are not adequate to meet basic nutritional needs. In addition, of the over 23 million poverty-level citizens, 14 million are receiving no food assistance.

Mr. President, this alone would give us all cause for grave concern. However, we have seen, through films shown to the committee, and heard, from distinguished witnesses, of the lack of adequate food. Most recently, on January 22, the committee received the preliminary results of the first nutrition survey ever conducted in the United States. Those findings, to say the least, were shocking. Dr. Arnold Schaefer, who is conducting the survey, stated that studies to date clearly indicate that there is malnutrition in our Nation occurring in an unexpectedly large proportion of the survey sample population.

To hear, that, in the wealthiest Nation in the world, there is high vitamin deficiency, growth retardation falling below national average among children, and severe dental problems among children over 10 years old is indeed horrifying. As Dr. Schaefer stated:

> It is unreasonable in an affluent society to discover such signs as those seen to date.

Every American should, and must, be concerned, when problems encountered in our Nation's poverty groups seem to be very similar to those encountered in developing nations of the world.

This already morbid situation is made just so much more intolerable, when we realize that it has a most serious effect, and consequences on our millions of children who suffer from malnutrition, hidden hunger and related illnesses, due to lack of an adequate and nutritious diet. Our children are the hope of our Nation. The committee heard testimony today that by the time a child reaches 4 years old, some 90 percent of his brain growth has occurred. It is during this critical period that the brain is most vulnerable to nutrient deficiencies with the likelihood of irreversible changes being produced that remain throughout life.

Of equal concern is the fact that some of the above changes can begin occurring before birth if the mother suffers from vitamin deficiencies. It has been estimated that over 750,000 women a year deliver a child without comprehensive prenatal care. Where such women have severe vitamin deficiencies or related illnesses, the child never has a chance. Mr. President, hunger for food is greater than hunger for knowledge. Who knows how much has already been lost to our country in mental ability and productivity due to the inhibiting mental and physical effects of prolonged malnutrition—both to parent and child?

All of the above data has been revealed in testimony before the Select Committee on Nutrition and Human Needs. Our work is just beginning. We must not only find solutions and answers to the problems and questions concerning hunger and malnutrition; but we must determine how best the resources of the Federal Government through its food and health programs, can be mobilized to find a permanent solution to this shocking problem. Such mobilization must be in cooperation with local government, the private sector, educational institutions, and voluntary organizations. These, and other methods, will be explored by the committee.

I am gravely concerned about this situation. During the 90th Congress, I authored and introduced an amendment to the agriculture appropriation bill which was offered to eliminate certain restraints on what the Secretary of Agriculture alleged to be a legal disability to use funds which he already had for food programs. Furthermore, in my effort to draw the attention of colleagues to the problem, I arranged two special showings of the CBS documentary, "Hunger in America," for the Members of Congress and their staffs. In addition, I joined in sponsoring Senate Resolution 281, which established the select committee.

Because I believe that food and health needs are related to income support and welfare systems, I plan to introduce legislation providing Federal standards of welfare payments and for increased aid for certain States unable otherwise to meet national standards.

Finally, Mr. President, I have outlined only a few of the many logs that are creating a logjam of malnutrition and are thus holding back the great streams of good health, mental ability, and human productivity from millions of American citizens. With this in mind, I cosponsor Senator MCGOVERN's resolution, which will extend the committee's life, to contribute to the objective that hunger and malnutrition will forever be eradicated from our midst.

Mr. WILLIAMS of New Jersey. Mr. President, last week in an address to the Senate, I mentioned the reddened hair which announces death for Biafran children. It is not only Biafran children who suffer this ghastly protein deficiency disease. Recent studies indicate that American children suffer from the same diesase and similar outrageous malnutrition. While the condition in Biafra blights our consciences, this condition in the United States blights our sensibilities more deeply. Let us consider those forgotten people who die by inches because of famine.

These people are poor. There are 27 million poor in the United States but 20 million of them are handicapped because they are under 16, over 60, or physically or mentally hampered. These 20 million poor have difficulty obtaining food. Yet only 6 million poor or nearly poor persons participate in family food programs. Many of the hungry are children. Two to four million poor children should get assistance under the national school lunch program but they do not.

While Secretary Freeman made outstanding and meritorious changes to help millions of persons heretofore unhelped, he had indicated that more must still be accomplished. He stated that 9.5 million children now attend schools where meal service is not available and pointed out that these children are the ones who would most benefit from such programs. Over 1 million of these children are potentially eligible for free or reduced price lunches. This means that

a great percentage of these children are hungry. Hungry children cannot be expected to learn.

What happens during lunch to these millions of hungry children? Children can be very cruel. Poor, hungry children without money for food must suffer the indignity of making up excuses to other children for not eating. They must suffer the accusations that they do not have any money for lunch. They must hungrily observe their classmates eat; or subserviently cull the remains of finished classmates' lunches.

Hunger can cause brain damage and retarded growth rates, but let us not forget the damage to the spirit caused by this hunger and poverty. Inferiority feelings as well as physical destruction are the real prices of our inaction. Culture and society tries to harness and inject restraints and values into children's wild energy—restraints considered essential for the mature adult. But we cannot, if we are mature adults deserving the adjective enlightened, permit hunger and malnutrition to continue.

I am cosponsoring the distinguished Senator from South Dakota's resolution because we must know the problem in detail before we can adequately solve it. The resolution would enable us to know the problem. Basic need would be identified. An individual satisfies primary needs before seeking more complex ones such as security, meaning, and fulfillment. Although elaborate psychological theories embellish this view, they only restate what appears obvious to the commonsense. One must have food, shelter, and clothing, the basic necessities by any definition.

This study is a first step toward an understanding of the minimum essentials which an individual in our society requires. The average expenditure for food in the United States is $1,500. The average migrant laborer only earns $1,200. Should we be surprised that some people are underfed when they earn less per year than the average person spends on food?

This situation is somewhat like the childhood nonsense game where two people discuss life—What is life? A magazine. How much does it cost? Ten cents. I only have a nickel. That is tough. What is tough? Life. What is life? A magazine, and so forth. Hunger is one of the ways of life for the poor. The dominant society seems to say, eat food to stay healthy, or buy food stamps. The poor ask how much do they cost? The rich say $1,500. The poor say they only have $1,200. The dominant society answers that that is tough. What is tough? Poverty, hunger, sickness, ignorance, unemployment—that vicious cycle of basic needs which we really do not know enough about so that the poor can afford life. We are a rich country, we do know. Five years ago there were 151,720 beauty shops. Last year, $30 billion was spent on war in Asia. Today we are very close to putting a man on the moon. Let us redirect a very small part of our wealth to the understanding of the hunger and needs of the infant, the pregnant mother, and the migrant laborer. Let us not overlook the lonely aged person or the forgotten transient. Let us consider the needs of all our citizens before hope is starved and trust famished.

Mr. RANDOLPH. Mr. President, I am privileged to cosponsor the Senate resolution requesting extension of the Select Committee on Nutrition and Human Needs through December 31, 1969, and requesting $250,000 for its operations during this period.

Last July the Senate unanimously voted for the establishment of this select committee. This was a significant step in the effort to better identify and analyze the problems of hunger and malnutrition. However, the committee was not authorized to expend funds and employ staff until October, and its spending authority was severely limited. It is essential that the committee continue its vital work and complete its mission.

There is no doubt that hunger and malnutrition exist too prevalently in this country; clear evidence confirms this. However, the extent of the problem has caused considerable controversy in recent months. It is my feeling that the committee's proposed field hearings and inspection trips will be meaningful in resolving this controversy and in bringing about a coordination of existing food programs. I will urge and support adequate funding of these endeavors.

Surveys indicate that many of our schoolchildren are slow learners—suffering a degree of mental retardation from inadequate nutrition. Others suffer from vitamin deficiencies and stunted growth. The U.S. Public Health Service is conducting an extensive survey to determine the extent, causes, and effects of hunger and malnutrition. Last week the select committee received a preliminary report of this survey from the Chief of Nutrition at the U.S. Center for Control of Chronic Diseases. The findings seem to reinforce those of previous studies concerning the prevalence of physical and mental retardation, disease, and deformity.

It has been estimated that millions of Americans suffer from the effects of malnutriiton. This is shameful in our land of prosperity and advanced technology. We are aware of the Federal and State programs to provide food for low-income families. However, this has not been adequate. One of the aims of the select committee is to determine where there have been failures and to recommend corrective action.

SENATE RESOLUTION 69—RESOLUTION TO MAKE PUBLIC CERTAIN RECORDS OF PROCEEDINGS OF SENATE TAKEN IN EXECUTIVE SESSION IN 1898

Mr. KENNEDY submitted a resolution (S. Res. 69) to make public certain records of proceedings of the Senate taken in executive session in 1898, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. KENNEDY, which appears under a separate heading.)

SENATE RESOLUTION 70—RESOLUTION TO PAY A GRATUITY TO LULA M. TOWLES—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 70); which was placed on the calendar:

S. RES. 70

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Lula M. Towles, widow of George A. Towles, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 71—RESOLUTION TO PAY A GRATUITY TO LOUIS C. STREETS—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 71); which was placed on the calendar:

S. RES. 71

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Louis C. Streets, widower of Clementine E. Streets, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of her death, a sum equal to six months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 72—RESOLUTION TO PAY A GRATUITY TO ELEANOR S. WHELAN—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 72); which was placed on the calendar:

S. RES. 72

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Eleanor S. Whelan, sister of Joseph M. Whelan, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 73—RESOLUTION AUTHORIZING THE PRINTING OF THE 69TH ANNUAL REPORT OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION AS A SENATE DOCUMENT—REPORT OF A COMMITTEE (S. REPT. NO. 5)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S.

Res. 73), and submitted a report thereon, which report was ordered to be printed and the resolution was placed on the calendar, as follows:

S. RES. 73

Resolved, That the sixty-ninth annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1966, be printed, with an illustration, as a Senate document.

SENATE RESOLUTION 74—RESOLUTION PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 74); which was placed on the calendar:

S. RES. 74

Resolved, That the following-named Members be, and they are hereby, elected members of the following joint committees of Congress:

Joint Committee on Printing: Mr. Jordan, of North Carolina; Mr. Allen, of Alabama; and Mr. Scott, of Pennsylvania.

Joint Committee of Congress on the Library: Mr. Jordan, of North Carolina; Mr. Pell, of Rhode Island; Mr. Cannon, of Nevada; Mr. Cooper, of Kentucky; and Mr. Thurmond, of South Carolina.

SENATE RESOLUTION 75—RESOLUTION AUTHORIZING THE REVISION AND PRINTING OF THE SENATE MANUAL FOR USE DURING THE 91ST CONGRESS—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 75); which was placed on the calendar:

S. RES. 75

Resolved, That the Committee on Rules and Administration be, and it is hereby directed to prepare a revised edition of the Senate Rules and Manual for the use of the Ninety-first Congress, that said Rules and Manual shall be printed as a Senate document, and that two thousand additional copies shall be printed and bound, of which one thousand copies shall be for the use of the Senate, five hundred and fifty copies shall be for the use of the Committee on Rules and Administration, and the remaining four hundred and fifty copies shall be bound in full morocco and tagged as to contents and delivered as may be directed by the committee.

SENATE RESOLUTION 76—RESOLUTION TO CONTINUE THE SPECIAL COMMITTEE ON AGING

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 76); which was referred to the Committee on Rules and Administration:

S. RES. 76

Resolved, That the Special Committee on Aging, established by Senate Resolution 33, Eighty-seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through January 31, 1970.

SEC. 2. It shall be the duty of such committee to make a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people, including but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

SEC. 3. The said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

SEC. 4. A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

SEC. 5. For purposes of this resolution, the committee is authorized (1) to employ on a temporary basis from February 1, 1969, through January 31, 1970, such technical, clerical, or other assistants, experts, and consultants as it deems advisable: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (2) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, to employ on a reimbursable basis such executive branch personnel as it deems advisable.

SEC. 6. The expenses of the committee, which shall not exceed $214,000 from February 1, 1969, through January 31, 1970, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SEC. 7. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970. The committee shall cease to exist at the close of business on January 31, 1970.

FEES FOR GRAZING LIVESTOCK ON PUBLIC LANDS

Mr. CANNON. Mr. President, in the face of urgent pleas and dire warnings of disaster for the livestock industry in the West, the Bureau of Land Management and the Forest Service have decided to raise livestock grazing fees on public lands.

I feel this is a terrible mistake, as these increases will hurt an industry that is in poor economic shape even now.

I am calling upon the new administration to rescind the order at this time, and to wait until the Public Land Law Review Commission completes its report to the American people in 1970, before further action is taken on grazing fees.

I ask unanimous consent that a few of the many letters I have received from Nevada livestockmen pointing up the problem be printed at this point in the RECORD.

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

McGILL, NEV.

DEAR SENATOR CANNON: I'm a cattle rancher in eastern Nevada and I would like you to lodge an official protest with Secretary Orville Freeman and Secretary Stewart Udall against this proposed grazing fee increase and their proposal to change the present fee formula based on the price of livestock.

I would like the Public Land Law Review Commission to complete its report before any changes are made.

We are caught in a cost-price squeeze and according to a study made by the Department of Agriculture Statistical Reporting Service we are receiving only a 2% return on our investment.

If we are burdened with new fee increases it will mean financial disaster for a lot of us.

The Bureau of Land Management under the Taylor Grazing Act of 1934 was intended to stabilize the livestock industry and not as a revenue measure.

Please do what you can to keep the present fee formula based on the price of livestock which is the only fair way. The price of cattle has remained about the same for the last 15 to 20 years yet we have had ever increasing operating costs.

It seems only fair that the grazing fees remain the same as the market value of the livestock.

The livestock industry and other industries directly dependent on them need your help. Thank you.

Yours truly,

JOHN C. PESCIO.

CARLIN, NEV.,
January 2, 1969.

Hon. HOWARD CANNON,
Senate Office Building,
Washington, D.C.

DEAR SIR: Thank you very much for supporting the livestock industry in its struggle against the proposed grazing fee hike.

The cost-price squeeze is so great now that even a small increase would jeopardize our livelihood.

None of us wants to give up our business, but many would be forced to do just that if this increase in fees goes into effect.

Please continue to do all in your power to stop this devastating proposal.

Sincerely,

Mr. and Mrs. TONY SESTANOVICH.

JIGGS, NEV.,
January 4, 1969.

Hon. HOWARD W. CANNON,
Senate Chambers,
Washington, D.C.

DEAR SENATOR: Thank you for the support you have given the livestock people in opposing the raise in grazing fees. We do feel this raise is premature inasmuch as the fee study is not complete.

Unfortunately the general public is unaware of the tremendous investment many people have in the public lands in the way of fencing, reseeding, developing water and general conservation practices. The fee is actually a very small part of what livestock people pay to use and improve the lands for the generations to come.

We are pleased to have the understanding of our representatives in Washington.

Very truly yours,

BARNES RANCHES, INC.,
By FERN I. BARNES.

ELKO, NEV.,
December 11, 1968.

Senator HOWARD CANNON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CANNON: It came as a very big shock to me when I heard of the proposed

increase on grazing fees on both the B.L.M. and the Forest Service land.

This proposed increase amounts to 400%. This increase will put many livestock people out of business as the Public Domain Forage and carrying capacity is not anywhere near this amount of money.

I strongly am opposed to this and do not believe it is right for the people in the livestock industry to continue to be asked to pay an increase in grazing fees.

We are well aware as to the original intent of the Taylor Grazing Act and we strongly urge the use of the original policy where the Grazing Act was figured on the price of the livestock.

Sincerely yours,

ALEX HEGUY & SONS,
JOE W. HEGUY.

RENO, NEV.,
December 13, 1968.

Senator HOWARD W. CANNON,
U.S. Senate,
Washington, D.C.:

Regarding increases of Bureau of Land Management rates in Nevada we believe that Nevada livestock producers can not economically afford the proposed increases if the necessity of increases arises from the increased budget required by BLM staff. We urge that you introduce legislation cutting the size of the BLM staff. Please keep us advised of the status of this matter cordially.

STUART B. WEBB,
President, Nevada National Bank of Commerce.

BLUE EAGLE RANCH,
Tonopah, Nev., December 26, 1968.

Senator HOWARD CANNON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CANNON: I received quite a jolt on November 15th when I heard of the proposed grazing fee increase. I am in the process of buying a range cow operation. Judging by past records I figured the ranch could pay for itself and provide a living for my family and myself. If this becomes law, everything that we have put into this outfit will be lost.

We graze our cattle on very poor range at its best. There is no way the Department of Agriculture Statistical Reporting Service could compare the cost or return of operating on this type range to that privately owned. As if this isn't enough, they propose to change the grazing fee formula leaving the door open for as many increases as it takes to bring grazing on public lands to an end.

I certainly appreciate the fine work you have done in the past. Once again we need your help now. I hope you will lodge an official protest with the Secretary of Agriculture and the Secretary of Interior in our behalf.

Thank you very much.

Sincerely,

CARL J. HANKS.

ELKO CHAMBER OF COMMERCE,
Elko, Nev., December 12, 1968.

HON. HOWARD CANNON,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR CANNON: On February 2, 1968 we wrote you regarding the grazing fee formula change proposed by the U.S. Forest Service. Due to the late action of the Forest Service and Bureau of Land Management in changing this fee structure we again urge that you do everything in your power to forestall any action until the Land Law Review Commission has completed its study and presented its case to Congress. The impact of the proposed changes on the ranchers, businesses and local economy is quite obvious and of vital concern to everyone in Elko County.

Respectfully yours,

Dr. JOHN H. MARTIN, Jr.,
Vice President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistance legislative clerk proceeded to call the roll.

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

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

ESTABLISHMENT OF NATO MEDITERRANEAN FLEET AND DISCUSSION OF MARITIME DISCONTINGENCY FORCE FOR THE ATLANTIC

Mr. SPONG. Mr. President, Soviet seapower has reached a formidable stage. Today, the Soviet Union operates the largest submarine fleet in the world and the foremost fishing fleet. Its oceanographic research vessels outnumber all the other oceanographic research vessels throughout the world. And, its merchant marine fleet contains a greater percentage of modern ships than the similar fleets of the Western nations.

Because of the totalitarian nature of the Soviet Government, the vessels generally associated with civilian activities can easily be converted to military use; and the entire maritime operation can be engaged for military and political purposes.

Overall, the strength of the U.S. Navy is unsurpassed. But, the Soviet naval advances represent new and growing challenges.

In responding to these challenges, two recent developments within the North Atlantic Treaty Organization can prove of great significance. These are establishment of a NATO Mediterranean fleet and discussion of a maritime contingency force for the Atlantic.

First, the Mediterranean fleet.

The NATO Defense Ministers, who met January 16, 1969, in Brussels, agreed to establishment of a limited multinational fleet for the Mediterranean. The fleet, as envisioned by the Defense Ministers, would operate much as the Matchmaker Squadron did in the Atlantic prior to the creation of Stanavforlant, the permanent NATO naval fleet for the Atlantic. It would come together periodically for exercises and maneuvers, which would symbolize the unity of NATO and its determination to deter aggression. The force would be strictly defensive in nature, designed not to threaten any nation, but to help secure all Mediterranean nations and to serve as a warning to any would-be aggressor. Initially, Greece, Turkey, Italy, Great Britain, and the United States would probably participate in the Mediterranean fleet.

Although creation of a continuously existing force along the lines of Stanavforlant would be preferable, I am pleased with this development. On April 22, 1968, after visiting Stanavforlant, I endorsed the idea of a comparable Mediterranean fleet, citing the Soviet naval buildup in the area and the need for a symbol of NATO political and military solidarity.

Since that time, the Soviet Union has withdrawn a number of her vessels from the Mediterranean Basin. Her potential for returning them nevertheless remains, and this means the United States and NATO cannot relax vigilance. The Mediterranean fleet to be created can well serve as an indication that vigilance will not be relaxed.

We go only so far in establishing the force at this point because of a number of problems—both internal and external. Within the alliance, there are political questions which account for the reluctance of some members to participate; there are economic limitations on others, and there are rivalries among certain of the NATO members which could disrupt the fleet. Externally, there are fears among some members that such a force might involve all NATO members in an unwanted or undesirable situation. Certainly, this possibility exists. But a similar pitfall surrounds most military operations—both offensive and defensive—demanding that we avoid the lure of hasty, unwarranted action and internal bickering. And, not to create the force denies a means of expanding cooperation in NATO, of shoring up the alliance's southern flank, and of deterring aggression in one of the world's busiest waterways.

Second, officials at NATO's Atlantic headquarters in Norfolk, Va.—Saclant—have been working on defense plans for the North Atlantic which would include use of what has been referred to as a NATO maritime contingency force. Earlier today, diplomatic sources in Brussels confirmed agreement on plans for such a force.

Although it is premature to discuss actual details of the contingency force, reports have suggested that as many as 50 vessels might be trained for rapid assembly and deployment should a crisis arise in the North Atlantic. Such a fleet would undoubtedly serve as another means of elevating the Western naval position. I would also like to note that Saclant is particularly qualified to develop plans for the contingency fleet; first, because primary responsibility for NATO activities in the Atlantic rests here and, second, because of Saclant's experience with Stanavforlant.

Both the Mediterranean fleet and the contingency force concept represent the multinational approach in our defense efforts—an approach preferable to the unilateral one, both from an economic and political standpoint. Such an approach has an appeal the advantage of which should not be underestimated. For these reasons I believe both the Mediterranean fleet and a NATO maritime contingency force could be valuable additions to NATO and Western naval operations.

EXECUTIVE PROCEEDINGS OF THE SENATE IN 1898 MADE PUBLIC

Mr. KENNEDY. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 69

Resolved, That any records of the proceedings of the executive sessions of the Senate for April 25, May 18, and May 31, 1898 (see references in Congressional Record, 55th Congress, second session, volume 31, part 5, pages 4244, 4994, and 5352) now in the custody of the National Archives, be made available to the public for examination.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 69) was considered and agreed to.

GRANT TO ILLINOIS CENTRAL QUESTIONED

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a telegram I sent to Hon. John A. Volpe, Secretary of Transportation, in connection with the $25 million grant to the Illinois Central.

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

January 25, 1969.

Hon. JOHN A. VOLPE,
Secretary of Transportation,
Washington, D.C.:

The twenty-five million-dollar grant to Illinois Central at same time they were negotiating a $95,000 position for Allan Boyd, the Director of Transportation, raises serious questions of propriety. Strongly recommend that this grant be held up pending thorough investigation.

JOHN J. WILLIAMS,
U.S. Senator.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

U.S.S. "PUEBLO"

Mr. STENNIS. Mr. President, the Navy is now conducting a court of inquiry into the loss of the *Pueblo*. The duty of this court of inquiry is to determine the facts of the incident as they pertain to the Navy, and on the basis of those facts, to recommend to the Chief of Naval Operations what action should be taken. The court of inquiry is not a trial court, but a proceeding more in the nature of a grand jury.

The court of inquiry may, depending upon the facts, recommend several actions ranging from commendation to court-martial. It has been reported by the press that one of the matters being considered by the court of inquiry is whether or not any Navy personnel, particularly the commander of the U.S.S. *Pueblo*, violated Navy orders or were derelict in their duty to the extent that the disobedience of orders, or the dereliction of duty, permitted the ship to be taken by hostile forces.

Without commenting on the merits of the case as to that question, or as to any question that the Navy inquiry relates to, I point out that a Navy court of inquiry has the authority to take testimony on a question of that kind and to make findings on it. In fact, it is its duty.

However, the fact that such testimony is taken on that question does not imply that any person is guilty or even accused of a wrongful act.

It is my understanding that the authority of the Navy court of inquiry is limited to an examination of only the aspects of the *Pueblo* case as are wholly within the jurisdiction of the Navy. I assume the Navy officers in charge convened the court of inquiry because they believed it to be the proper procedure. This is their prerogative and responsibility. They are acting through a sense of duty, I feel sure.

However, after studying all the information material to the overall issue, as well as the available facts that pertain just to the Navy, I think it is entirely possible that because its jurisdiction is limited, the Navy court of inquiry will not be able to investigate all phases of the *Pueblo* incident that should be examined.

Not until the full facts are known about all the relevant circumstances that existed, and events which took place before, during, and after the seizure of the *Pueblo*, will it be possible to ascertain the reasons the ship was lost and take protective measures against another such incident.

Although the *Pueblo* is a Navy ship, the responsibility for the policies and conditions under which its officers and men served were shared by other authorities at higher levels in the Department of Defense.

On the basis of facts now being developed, it might be that the Senate Armed Services Committee would find it necessary to determine the facts of the case as to is own responsibility, as well as the Navy and other authorities in the Department of Defense.

Even though we wanted to begin an investigation immediately, it is impractical and virtually impossible to conduct more than one investigation of this incident at a time. Witnesses are required for the Navy hearing now in progress on the west coast. Also, it would not be proper to interfere with the hearing now in progresss.

It may be that when the Navy court of inquiry is completed, much of that testimony would be useful in other hearings on the issue.

If, after this Navy court of inquiry is completed, it appears that further investigation is necessary, the Senate Armed Services Committee will proceed.

Should the committee proceed, it will not be limited to the proof before nor the findings by the Navy court.

Whatever action is taken by the committee should be taken as soon as possible after the Navy court of inquiry is completed. I have, therefore, informed the Secretary of Defense that it is likely the Senate Armed Services Committee will desire to make a study of the *Pueblo* incident. I also requested that the witnesses not be transferred or allowed to accept other commitments which would prevent their being readily available.

I want to say with emphasis that, in my opinion, it would be highly impractical—it should not happen—for the committee to proceed now into hearings on the investigation—and that is just the rudimentary part of the study—until after the Navy has completed its inquiry and has made its findings, as I would expect it to do very soon thereafter.

Certainly, I want to say that our committee is not wanting to influence the Navy and its findings as a result of its proceedings, or other conclusions in any way. The Navy has a direct, primary responsibility in the field of its inquiry.

I hope and believe that all the Congress will be patient. I believe all informed people will be patient. I hope the people of the country as a whole will inform themselves as to just what the situation is and await accordingly.

There is no intimation from what I have said here as to what our committee feels about what the Navy should do. I believe in putting responsibility where responsibility belongs. I have no idea what, according to the Navy's standards, its conclusions will be. That is our position. I hope that is clear.

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

Mr. STENNIS. I yield.

Mr. HOLLAND. First, I congratulate heartily the distinguished Senator from Mississippi upon the stand he has taken. It is, of course, right that the Navy court of inquiry should proceed in a deliberate way to fulfill its duty to the Navy, and under the Navy precedents and Navy jurisdiction. I am happy, however, that the Senator, speaking as chairman of the Armed Services Committee of the Senate, has, in effect, given notice to the Defense Department and to the Navy Department that his able committee, which he heads so capably, does stand ready, if it feels conditions justify it, to make a committee inquiry and a senatorial inquiry into this matter at the completion of the hearings now underway.

Mr. President, I say this because I think that while the Navy Department must proceed under Navy rules, regulation, precedents, and traditions, the Senate represents the people of the United States. The Senator knows, and every Senator knows, that there is great confusion in the minds of the people of the United States right now about this entire incident. I think it was a salutary thing for the Senator to say, as he has today upon the floor of the Senate, that his committee is watching this matter deliberately and without prejudging of any sort, is holding itself ready, and is giving notice to the Navy authorities and to the authorities of the Defense Department, that, if in its judgment it feels it must go into it after the naval court of inquiry has completed its proceedings, his committee will do just that.

I thank the Senator.

Mr. STENNIS. I thank the Senator very much.

I am glad to get the response of the Senator from Florida. I believe his response will be similar to that of almost every Member after Senators really get

into the facts and see this matter in its true perspective.

Let me say to the American people that it is time to be patient about this matter and withhold conclusions, and let these procedures go forth in the regular way. However it comes out, I think the Navy ought to continue to have much responsibility with regard to its officers. If we tried to shift that responsibility and have it another way, we would destroy a great department and a great tradition, the Navy.

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

Mr. STENNIS. I yield.

Mr. HOLLAND. Mr. President, I am so happy that the Senator has emphasized the matter of public patience and senatorial patience. The Senator from Florida has taken exactly that course to answer the myriad of letters he has received from disturbed citizens, mostly from the State of Florida but some from elsewhere.

I think it is incumbent upon all of us to allow the naval court of inquiry to complete its duties in the fullest and most deliberate way and then decide, after we have seen the record and after we have seen the judgment of the court of inquiry, what should be done. I am glad the Senator has voiced the necessity for patience, because I think the public needs to be patient just now.

I thank the Senator for the wise statement he has made.

Mr. STENNIS. I thank the Senator. As far as the Navy and the Defense Department are concerned, I have not really discussed this matter with them. I did not want to try to influence them, and I did not want them, frankly, to try to influence me at this time. I have obtained the facts as I could. I think the public will be fully informed in time.

I yield the floor.

CLARK CLIFFORD'S POSTURE STATEMENT

Mr. PROXMIRE. Mr. President, as all thinking men and women know, there is now a very clear choice for the United States and the Soviet Union to make. The two nations can either make serious attempts to limit their military arsenals or they can continue to escalate the arms race. Then, each country would place new burdens on its people and on its economy, would defer expenditures to meet critical domestic needs, and move the hands on the doomsday clock closer to midnight as each side raised the ante in a gigantic war of nerves.

No one has pointed out the problems we face and the choices we must make more clearly than has former Secretary Clark Clifford in the "posture" statement he made about the Pentagon's view of the military situation.

There are constructive steps we can take to meet these overriding problems. It is abundantly clear that the Senate should ratify the nonproliferation treaty now. It has been too long delayed and should be acted upon promptly.

It is also clear that now is the time to make arrangements with the Soviet Union to talk about all the great problems of disarmament. To escalate further by producing more missiles and more warheads and then spend billions for anti-ballistic-missile systems to defend against the added weapons created, is a ridiculous thing to do. We must make every effort to reach agreement.

The Washington Star in an editorial last Friday, January 24, had some very sensible things to say about both Mr. Clifford's valedictory statement and the need to deescalate the arms race. I ask unanimous consent that it be printed in the RECORD.

CLIFFORD'S VALEDICTION

There is a three-course dinner for thought in Clark Clifford's first and final "posture" statement on the Pentagon's view of the world military situation. The interest is compounded by the Soviet offer for disarmament negotiations that greeted the Nixon administration as it assumed office.

By the end of 1969, Clifford said, the U.S. missile superiority will have eroded. The Soviets will have caught up. Both sides will have more than 1,000 ICBMs, ready to fire from protected, underground shelters. In addition, he said, the USSR is "moving vigorously" to catch the United States in sea-based missiles.

It was not Clifford's purpose to throw a scare into the American public with his revelation that the missile gap is closing.

The outgoing secretary's point was that the United States and Russia both have a hard choice to make. They must either move into a new and limitless round of arms development. Or they can try to negotiate a limit to the costly and deadly madness.

The Soviets have greeted the new administration with an offer to talk about all aspects of disarmament, including intercontinental missiles and anti-missile systems. "When the Nixon government is ready to sit down at the negotiating table, we are ready" a Kremlin spokesman said.

There should be no delay. The first order of business should be the prompt ratification of the non-proliferation treaty. And as soon as it can possibly be arranged, the United States should press, with all appropriate caution, for full-scale arms talks with the Soviets.

Both nations need relief from the economic burden of another upward spiral of the arms race. The world needs some lifting of the oppressive nuclear cloud that presently covers its horizon. This period of change and of renewed beginning may be the best opportunity for real progress.

THE PEARSON-ANDERSON COLUMN TELLS OF CRIME AND VIOLENCE

Mr. BYRD of West Virginia. Mr. President, in today's Washington Post, columnists Drew Pearson and Jack Anderson reveal the awesome dimensions of the wave of crime and violence which threatens our Republic.

In the column, Pearson and Anderson discuss the contents of a hitherto unpublished report by the National Commission on the Causes and Prevention of Violence.

The report catalogs the statistical evidence of the corruptness which threatens to undermine our free society.

Importantly, however, Pearson and Anderson quote the report as stating:

The intricacies of crime statistics have little meaning for the average citizen. . . . He appears less impressed with numbers and rates and trends than with the fact that there seem to be increasingly large sections of his city where he cannot walk safely even in daylight, much less at night, and that it is now dangerous in many communities for bus drivers to carry cash or for taxis to pick up fares in certain parts of town after dark. . . . It has also prompted many citizens to arm themselves for self-protection.

Mr. President, I have not yet seen the report in question, but from the Pearson-Anderson account it appears to be a document that all of us would do well to read.

I ask unanimous consent that the Pearson-Anderson column be printed in the RECORD.

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

[From the Washington Post, Jan. 28, 1969]

THE WASHINGTON MERRY-GO-ROUND: REPORT SHOWS VIOLENCE GRIPPING UNITED STATES

(By Drew Pearson and Jack Anderson)

Probably the most sobering document President Nixon has found on his desk is a "progress report" on violence in America, depicting the country in the grip of a fury that has erupted on the campuses and exploded in the ghettos, that stalks the streets and may even lie in wait for himself behind some dark window.

The unpublished report, prepared by the National Commission on the Causes and Prevention of Violence, raises more questions than it answers. But seven task forces are still digging for the root causes of some of the most turbulent years in American history.

In the fast five years, the report points out:

1. "239 violent urban outbursts, involving 200,000 participants, have resulted in nearly 8,000 injuries and 191 deaths, as well as hundreds of millions of dollars in property damage."

2. 370 civil rights demonstrations and 80 counter-demonstrations have occurred, involving more than a million participants.

3. Hundreds of student demonstrations "have resulted in seizure of university facilities, police intervention, riot, property damage and even death."

4. Antiwar protests "have involved some 700,000 participants in cities and on campuses throughout the country."

The Commission also cited the soaring crime statistics, particularly the homicide rate, noting: "A dramatic contrast may be made between Manhattan Island, with a population of 1.7 million, which has more homicides per year than all of England and Wales with a population of 49 million. And New York's homicide rates are by no means the highest among American cities."

Concludes the Commission: "The elimination of all violence in a free society is impossible. But the better control of illegitimate violence in our democratic society is an urgent imperative and one within our means to accomplish."

Even before he was sworn in, President Nixon had decided to devote his first 100 days to cooling the passions that have inflamed the country. He will deliberately avoid controversy and conflict. In the language of the streets, he has told intimates he intends to "cool it."

The magnitude of the headache Mr. Nixon has inherited is summarized in the report on violence which the Commission submitted to President Johnson on Jan. 9.

We have obtained a bootleg copy of the report, which covers all forms of American violence from political assassinations to highway accidents. Here are some highlights:

"The Commission has heard testimony from student protest leaders who defend the

legitimacy of violent law-breaking, and who urge that rightness of the ends they seek and 'illegitimacy' of the present social order entitle them to oppose both prosecution and punishment. It has also heard a distinguished academician say that from the standpoint of the social order it is unwise to prosecute and punish every act of civil disobedience."

"Those who would violate valid laws to win rights they are now denied must stop to consider how those rights can be preserved in a society where their opponents are free to follow the same course. One must ask whether any society can survive if its members rely on genuine disobedience of the law as a source of political energy."

"Those who believe in the rule of law cannot rest content with condemning those whose conscience commands them to defy the law. Law itself must be responsible to social change and to the correction of injustice. Our legal system has not yet corrected the injustices our society inflicts on minority groups . . . If respect for law is to sustain the social order, we need to sharpen the ability of the law to clear the paths to peaceful change."

"In a democratic society where ultimate power resides in the people, access to the mass media is essential for groups desiring peaceful social change. If important, discontented segments of our society are denied the right to be heard, subsequent resort to violence by these groups may perhaps be expected.

"The key to much of the violence in our society seems to lie with the young. Our youth account for an ever-increasing percentage of the population. The thrust of much collective violence—on the campus, in the ghettos, in the streets—is provided by our young people.

"The intricacies of crime statistics have little meaning for the average citizen . . . He appears less impressed with numbers and rates and trends than with the fact that there seem to be increasingly large sections of his city where he cannot walk safely even in daylight, much less at night, and that it is now dangerous in many communities for bus drivers to carry cash or for taxis to pick up fares in certain parts of town after dark . . . It has also prompted many citizens to arm themselves for self-protection."

"Of the automobile accidents that account for 50,000 deaths each year in the United States, there is evidence that a substantial number result from the psychological and physiological effects of alcohol upon drivers, as well as from other factors in our culture and in the psychology of driving that promote and urge to violence."

MASS EXECUTION

Mr. RIBICOFF. Mr. President, yesterday in a public square the Iraqi Government hanged 14 men. Nine of the number were Jews.

It is difficult to express with words the shocks and abhorrence that grip civilized men when they learn of such an inhuman act. We must forcefully condemn this deed of the Iraqi Government. And if, as Israeli Premier Eshkol said, "the sole and only crime of these nine martyrs consists in their being Jews," then we must bring to the attention of the world the Iraqi Government's policy of heightened discrimination against Iraqi Jews during recent years.

Secretary of State Rogers correctly stated:

> The spectacle of mass public executions is repugnant to the conscience of the world.

To my way of thinking a mass public execution can only be described as a senseless act of barbarism.

But let us see this sorrowful event in its even larger setting, as did U.N. Secretary U Thant when he said:

> Mass trials and executions are always to be deplored, and are particularly abhorrent and dangerous when they are carried out in such a way as to inflame the emotions of the populace.

The Middle East hovers at the edge of full-scale war—a war that could become so broad and bitter as to encompass the great and small nations of the world.

Clearly there must be a peace treaty that acknowledges the permanent nationhood of Israel, her territorial boundaries and other rights.

Mr. President, genuine peace—the United Nations fervent call for a "lasting peace"—depends on a political settlement.

Unfortunately the day when fruitful negotiations and such a settlement will help give the world security and much needed calm is made more distant with the event of cruel acts such as that of the Iraqi Government yesterday in Baghdad's Liberation Square.

Mr. SCOTT. Mr. President, I rise today and join the Senator from Connecticut to deplore the public execution in Iraq of 14 persons accused of spying for Israel.

Mass secret trials, followed by public executions, can only inflame emotions and decrease the opportunity for peace and stability in an already troubled region of the world. The explosive situation in the Middle East is all too well known. President Nixon in his press conference yesterday referred to the need to defuse that situation.

I agree with Secretary of State William Rogers who declared:

> The spectacle of mass public executions is repugnant to the conscience of the world.

Such actions are abhorrent to the conscience of civilized mankind and detrimental to the efforts of men of good will to reach a just and peaceful accord.

In the past, Arab guerrilla raids into Israel have posed a continuing threat to Israel's very existence. This latest tragedy represents a most dangerous escalation.

THE FITZGERALD AFFAIR

Mr. PROXMIRE. Mr. President, last Friday the Washington Star editorialized about the case of Mr. A. E. Fitzgerald. On November 13, 1968, Mr. Fitzgerald testified before the Subcommittee on Economy in Government of the Joint Economic Committee, of which I am chairman.

He testified at our request. He had no prepared statement but answered questions which the committee put to him. He was asked about the cost overrun of the C–5 airplane. He testified that it was $2 billion more than was the original estimate.

At that point in the hearing and before he answered the question, I asked a representative of the Air Force if Mr. Fitzgerald was authorized to answer the question. The Air Force said that Mr. Fitzgerald did have such authority and that it was proper for him to testify on any C–5 cost overrun.

But shortly after the date of his testimony, on November 25, the Air Force said that a September 6, 1968, notice that his status was changed from schedule A to that of the career service was a mistake. It was called a "computer error."

Still later, a memorandum was written from the administrative assistant to the Secretary of the Air Force, Mr. John Lang, to the Secretary detailing three ways "which could result in Mr. Fitzgerald's departure." One of these was suggested but "not recommended since it is rather underhanded," the memo read.

As the Star rightly points out, this issue transcends even the problem of Mr. Fitzgerald's future employment. That is important, and it is of great consequence both to him and to us all.

The issue at stake is the right of Congress to perform its constitutional function. If an employee is penalized for giving testimony when asked by an appropriate committee of Congress, then our system will be unable to function as it should.

I hope that very soon we will receive assurances that Mr. Fitzgerald will not be fired nor penalized. That would be one way for the Pentagon to reassure Congress that its right to ask for and receive appropriate information will not be abridged.

I ask unanimous consent that the very fine editorial on the Fitzgerald case, published in the Washington Star on Friday, January 24, 1969, be printed in the RECORD.

[From the Washington Star, Jan. 24, 1969]

THE FITZGERALD AFFAIR

Harold Brown, then Air Force Secretary, received a most extraordinary memorandum from his administrative assistant the other day. It described three alternative techniques for firing A. Ernest Fitzgerald, the efficiency expert whose testimony to a Senate subcommittee on the burgeoning costs of the C–5A super transport plane has embarrassed the Air Force.

The Pentagon has long been noted for its back-stabbing and infighting. But we had always supposed that these things were accomplished with some finesse. Thus we are more than a bit taken aback that such delicate business as how best to fire an employee would be written up in a memorandum. May we also assume that the author made extra copies for the files?

The Air Force's bureaucratic ham-handedness is unfortunate. But the substantive issue is rather more serious. The apparent plot to fire an efficiency expert for his candor represents grossly improper behavior on the part of the public officials involved. Moreover, it hardly speaks well for the military's efficiency in administering its whale-sized chunk of the federal budget.

The new Secretary of Defense should call on the carpet those individuals responsible for this regrettable incident.

PROPOSED EEC TAX ON SOYBEAN OIL AND MEAL: A THREAT TO THE U.S. FARMER AND THE NATION

Mr. FULBRIGHT. Mr. President, I have always believed in the benefits of the reciprocal trade program initiated in 1934 by Secretary of State Cordell Hull. I still believe in that program for several im-

portant reasons. When trade between nations is as free as possible, industries are made stronger and more competitive, the consumer is given a wider choice of products, monopolies are thwarted, and the general welfare and incomes of people are improved in all the trading nations. All this can take place, however, only if trade barriers by all nations are reduced on a reciprocal basis. If one country reduces its trade barriers unilaterally while others increase theirs, domestic industries, employees, and farmers in the country which reduces its barriers are injured.

Mr. President, I am sure that the 91st Congress will express its concern over the impact of foreign goods in our markets. Last year, more than 90 Senators sponsored or cosponsored bills to impose mandatory quotas on imported products. Already a number of quota bills have been introduced in the 91st Congress.

During the import quota hearings before the Senate Finance Committee, Executive branch spokesmen told us that foreign countries not only would retaliate if we passed those bills, but also would have the right to retaliate under the General Agreements on Tariffs and Trade. Therefore, those countries which threatened to retaliate against us should realize that we, in turn, cannot condone actions on their part which adversely affect our commerce. Trade must be a two-way street.

In this regard, Mr. President, a most disturbing situation has developed which could affect my State severely and a number of other States with high levels of agricultural production. In addition, Mr. President, the situation affects the entire Nation, because it threatens a $500 million export market which is critical in our struggle to maintain a surplus in our balance of payments. I am referring, Mr. President, to the European Economic Community's proposed internal tax on soybean meal and oil. This $60 a ton tax on soybean oil would constitute an effective tariff barrier of over 50 percent, which would cut severely our exports of soybeans. The proposed tax is without doubt a protectionist measure on the part of the European community, to which we must react.

It is appropriate to review our trade policies since World War II, and our relationships with the European countries. We all know the poverty and devastation which World War II wrought on Europe—these nations were penniless after the war, with neither gold nor productive facilities to supply their needs. We responded generously with Marshall plan and other economic assistance amounting to over $20 billion, much of which was on a grant basis. We also adopted a deliberate policy of lowering our tariffs without demanding reciprocity from those war-torn countries. International agreements, such as the General Agreements on Tariffs and Trade were concluded, with certain built-in biases to aid European economic recovery. Among these biases were the GATT provisions regarding import quotas, subsidies, and the waiver from the most-favored-nation obligation in the case of common markets. The European countries and Japan were allowed to retain and expand their import quota and licensing arrangements, to subsidize their exports, and to impose special border taxes on imports—as we dismantled our tariff barriers.

Looking at what we did then from today's vantage point, one might say the only mistake we made was in assuming that those countries would always be down and unable to repay us, while we would always be so rich and powerful that we would never need to be repaid. This has not been the case.

It is this fundamental change in economic relationships which has been responsible for the views of many in this body with regard to our troop commitments in Europe, and many other matters incident to the commercial relations between the United States and Europe.

While tariffs have been reduced by all the developed countries, other barriers which are even more protective have been allowed to stay, and in some cases have grown while these tariff reductions took place. One such barrier which cuts into our own exports is the variable levy system of the European economic community.

The EEC common agricultural policy, which is being progressively extended over wider areas of foreign products, is aimed principally at making the community self-sufficient in agriculture. In order to make this policy effective, the EEC has adopted variable import levies and export subsidies, which restrict imports and cause unfair competition with our exports to markets in other countries. The latest proposed proliferation of the community's protective agricultural policies endangers one of the principal agricultural products in America—soybeans. In 1968, our soybean, vegetable oil, and meal exports to the European Common Market totaled $457 million—one third of our agricultural exports to that market. A loss of that market would hurt the U.S. balance of payments severely.

I frankly do not understand how we can afford to maintain our six divisions in Europe in the face of European policies which cut off the main sources of foreign exchange earnings.

Mr. President, to condone such an action by the European community would not be in the interest of free trade. If we do not react, but turn the other cheek, other countries who wish to safeguard their domestic interests at our expense will be encouraged to increase their own protectionism. The result of a failure to react to the proposed agricultural policy of the European community would be to invite protectionism on a grand scale by others. This is not fair to American farmers, industries, and workers; and it must be avoided.

Mr. President, the adverse effects of the EEC agricultural policy have been recognized by the Congress as far back as 1962. When the Trade Expansion Act of 1962 was being considered, a provision was included in that act which warned the foreign countries that we would not condone an increase in their nontariff barriers, including variable import levies. Remedies under that act were invoked during the now famed "chicken war" a few years ago. Unfortunately, section 252 of the Trade Expansion Act and the chicken war have not been a sufficient warning to these countries. Therefore, I am afraid we may have to invoke the provisions of that section again unless the EEC rejects the proposed tax on soybean products.

And, Mr. President, retaliation on a $500 million scale will make the so-called chicken war—which involved only about $22 million—look, in comparison, like a skirmish between quarreling children.

Hopefully, our European friends will see reason, as many of us did, when they threatened to retaliate against us if we imposed mandatory import quotas. We did not act, and now, they must realize that the shoe is on the other foot. To avoid retaliation, they must not act.

Mr. President, I urge the President, and the departments of Government responsible for maintaining healthy trade relationships throughout the world, to use all the powers available to them to prevent a decision by the EEC which would threaten our volume of soybean exports.

I ask unanimous consent that there be printed in the RECORD the texts of communications I have received from Mr. L. C. Carter, Mr. Rodney L. Borum, and former Secretary of Agriculture Orville L. Freeman.

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

ARKANSAS GRAIN CORP.,
Stuttgart, Ark., December 19, 1968.

Hon. J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.:

We are seriously concerned relative to the imposition of taxes on soybean meal and soybean-oil in the EEC. The proposed tax will directly affect Arkansas farm income. Buyers in these countries are major customers of Arkansas Grain Corporation. While disguised as a "domestic internal tax" on these commodities, it amounts to the same as an import tariff. For complete explanation contact F. Molner, Soybean Council of America, Washington, D.C. Respectfully request your immediate attention to this matter which is so vital to Arkansas soybean producers.

L. C. CARTER,
Executive Vice President and General Manager.

U.S. DEPARTMENT OF COMMERCE,
BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
Washington, D.C., January 7, 1969.

Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: This is in reply to your letter of December 26, 1968 to Secretary Smith concerning the possible imposition of a domestic tax on soybean meal and oil by Northern European Nations.

Apparently the concern of your constituents relates to a proposal for a tax on certain domestic and imported oils, meals and oilbearing materials consumed in the European Common Market.

This proposal was made by Vice President Sicco Mansholdt of the Commission of the European Communities to the December 10 meeting of the Council of Ministers of the European Economic Community. The particular problem that the proposed tax is designed to alleviate is the huge butter surplus which has arisen as a result of the Common Agricultural Policy.

The United States Government has followed these developments closely and has expressed its concern regarding the possible effect on American trade. On December 16, United States Ambassador J. Robert Schaetzel presented an aide memoire on the subject to Vice President Mansholdt. So far no specific proposal for taxes on fats and oils has been agreed on by the Commission for submission to the Council.

We recognize the important consequences that a tax of this sort could have for American soybean producers, processors and foreign traders and we will continue to give the matter our careful attention.

The Departments of State and Agriculture, which have primary jurisdiction in this matter, are following developments closely and the United States Government is taking every opportunity to present its very strong views on the matter to the European Economic Community.

Sincerely,

RODNEY L. BORUM,
Administrator.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 17, 1969.

Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Thank you for your letter of January 14 expressing concern about the Common Market proposal to impose a consumption tax on oilseeds and oilseed products. Vegetable oils would be taxed $60 per metric ton and oilcake and meal $30 per metric ton.

I feel that this matter of continued open access to the European Community markets for our soybeans and soybean products is one of the most important trade problems to confront American farmers since I became Secretary of Agriculture. If this proposed action by the Community should take place, I can think of nothing that would do more to turn back the clock on the effort we have made to improve access to foreign markets for our farm products.

My views are fully shared by responsible officials of this Administration and the U.S. Government has formally told the officials of the Community that their proposed action would reduce sharply the Community's imports of oilseeds and oilseed products and would result in a massive impairment of the present access available to American exports under GATT. We made it clear that this would leave us no choice but to retaliate on a large scale against the products their countries sell us. You may have seen in newspaper stories the thought that our retaliation might include such important exports as European automobiles, typewriters, office equipment, wines, and similar items that Americans buy from them in large amounts.

When I was in Europe recently, at a press conference in Paris I said that if the Community persists with this plan, our action in return would make the chicken war look pale in comparison. What we, in fact, are saying to the Community is that what it does to its agriculture is more than an agricultural matter—it concerns the whole economy of Western Europe. If the cost to help European agriculture is high, then let their industry pay the expense—but not ask the United States to pay it.

We have the strong support of American agricultural and trade groups in our efforts to keep Community markets open and we are making representation to the Community through all available channels. This is a very important matter on which we all stand together.

Our latest information is that the Council of Ministers of the European Community may consider this tax proposal later this month, but is not expected to take final action before April 1969.

Sincerely,

ORVILLE L. FREEMAN.

PROPOSED ECONOMIC POLICIES OF THE NIXON ADMINISTRATION

Mr. JAVITS. Mr. President, as Chairman of President Nixon's Council of Economic Advisers, Paul McCracken will have a key role in setting the new administration's economic policies. It is, therefore, of the greatest importance to Congress and the people to know what Dr. McCracken's views are on such vital issues as inflation, unemployment, interest rates, the balance of payments, wage-price guidelines, and other such issues.

Congress will have to await the appearance of Dr. McCracken before the Joint Economic Committee on February 17 for a full statement of his views and the proposed economic policies of the Nixon administration.

In the meantime, and as a good indication of his outlook, I invite the attention of the Senate to a long interview with Dr. McCracken, published in the New York Times on January 24. While the interview took place on January 9, it was authorized for publication by Dr. McCracken on January 21 and can therefore be taken as an authentic representation of his views.

It is clear from this interview that Dr. McCracken approaches economic policy issues with an open mind, without ideological bias.

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

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

MCCRACKEN HAILS ECONOMY'S TREND: CALLS SURPLUS IN JOHNSON'S FINAL BUDGET RIGHT MOVE TO HELP CONTROL INFLATION

(By Eileen Shanahan)

WASHINGTON, January 23.—The man who will head President Nixon's Council of Economic Advisors believes that the basic economic policy of the Government—after some serious mistakes—has been left heading in the right direction by the Johnson Administration.

Paul W. McCracken, who will officially become council chairman as soon as his nomination is approved by the Senate, expressed this view in an interview with staff members of The New York Times.

The interview took place in the Washington office of the Times on Jan. 9. Mr. McCracken last Tuesday authorized the publication of his remarks.

Although the interview took place before the publication of President Johnson's final budget which projected a surplus of $3.4-billion, Mr. McCracken cited a surplus of about that size as the proper one for the budget in the coming fiscal year.

Mr. McCracken said that such a budget surplus was the right policy to begin bringing inflation under control if it was coupled with the proper degree of credit restraint on the part of the Federal Reserve System.

Mr. McCracken described the proper Federal Reserve posture as a "lesser rate of monetary expansion" than prevailed in 1968, but "not contraction."

He said that monetary policy appeared to be on this course not but that he was not certain it could be kept there and that the situation must be watched.

Even if the Federal Reserve were to pursue what he believed to be wrong policies, he does not believe it should be denied its traditional independence from Administration control, Mr. McCracken said. At least, he added, this is what he has believed in recent years.

Mr. McCracken, who served as a member of the Council of Economic Advisers from 1956 to 1959 and has just left an economics professorship at the University of Michigan, said that his views on this issue "shift a bit, depending upon whether I am an academic or in Washington."

"Back in the mid-fifties," he said, "I began to think that the Federal Reserve ought to be under the Administration. As I look back over the last 10 years, I find the mistakes have not been inherent in the organizational structure

"The Administration and the Federal Reserve, I think, have to be in close communication. They have to be in a position to explain what they are doing, and the Administration has to be in a position to explain what it thinks ought to be done."

KEY PROBLEMS GIVEN

Mr. McCracken said that he believed the most important economic problems before the nation were bringing inflation under control without causing unacceptably high levels of unemployment, bringing the balance of international payments more securely into surplus and "bringing the disadvantaged groups into the mainstream of national life."

He warned, however, against what he called "economic hypochondriacs"—Government officials with excessive concern over every small "wiggle" in the business statistics, and attempts to offset such small trends. That kind of policy, he said, can produce a "careening course" for the economy.

On other issues, Mr. McCracken said:

"Interest rates do not have to be so high as they are now, although he sees forces in the economy that will tend to keep them somewhat higher than their long-term historical levels. Among these forces are the enormous demand for capital from the housing industry to support a needed level of home construction of one and three-quarter million to two million annually in the near future.

President Kennedy's proposal to give the President authority to change tax rates with narrow limits—for purposes of stimulating of restraining the economy—is politically impractical. But he finds interesting an idea recently put forth by his colleague-to-be on the council, Herbert Stein, that the President should annually recommend a tax surcharge, which might be either negative or positive and Congress should then review and act on the recommendation.

Mr. McCracken sees the period ahead as a difficult one for economic policy, in part because he thinks it is harder to cope with inflation than with the underemployment that the Democrats faced when they came into office in 1961.

He said, in fact, that he believes there may be some sort of "malevolent law" that puts Republicans in power, at times "when it is hard to be a hero."

INTERVIEW EXCERPTS

Q. How do you feel about the particular visibility of the council during the Johnson Administration, namely its confrontations with industry on pricing situations?

A. I think it might be as well to see less of that. I have never been persuaded myself of the anti-inflationary productivity per man hour of high-level people spending their time on telephones.

Q. You are not sure of the value of the private arm-twisting then, as well as the public denunciations?

A. I realize at times you get drawn into these things. But in general I think high-level man hours might better be spent on matters more fundamental to the problem. It is very easy when you see a price or wage adjustment to say that the people who made those decisions are responsible for the inflation—without raising the question as to

what created the environment which produced those decisions.

Q. What do you think of the wage-price guideposts?

A. The difficulty is that when you start really to need the guideposts, then you are not sure what the arithmetic is. Take this past year. The price level has gone up 4 to 5 per cent. Should Washington say wage rates now ought to go up 8 per cent, 5 per cent, 5 per cent for the price rise and 3 per cent for real? But nobody will say that.

[President Johnson's] Cabinet Committee on Price Stability suggested rolling it back part way, taking account of just part of the price increase. But what does this mean to a specific union or a specific company?

CHIEF ECONOMIC PROBLEMS

Q. What do you view as the chief economic problems that you should assign top priority to as you come to Washington?

A. One is the problem of how you cool down this inflationary economy without at the same time tripping off unacceptably high levels of unemployment. In other words, if the only thing we want to do is cool off the inflation, it could be done. But our social tolerances on unemployment are narrow.

Q. Is there a tolerable level of unemployment?

A. I think the tolerable level is probably zero. That is, so long as there is unemployment, this is going to be an issue because there is unfinished business here. On the other hand, I don't think there is any steady state relationship between the price level and unemployment.

I do find myself impressed, however, with this—that [from 1958] to about 1965, the rise in the price level was minimal and we got some decline in unemployment. But after 1965, the successive reductions in unemployment per point rise of the cost of living index have been rather small.

Q. That suggests that you begin getting real inflation when you begin getting below 4 per cent unemployment.

A. Our experience this time would suggest that somewhere in that zone, price-cost pressures intensify.

Q. We are now at the lowest point of unemployment since the Korean war, 3.3 per cent. Doesn't that give you some room to let it rise a little bit without causing some grave social problem and a huge political outcry?

A. I am no expert in the political dimensions of these matters. I suspect if the unemployment rate rose from 3.3 per cent up toward 4, there would be political flak. At the same time, the inflationary situation has become rather serious in this country.

Getting back to your original question, another problem is the external problem, the balance of payments. The overheated domestic economy has also played a major role in the deterioration of our external payments.

You look at the relationship between the rate of increase in imports and the rate of increase in gross national product and you will find that at about the 5 to 6 per cent rate of increase for the gross national product, which is, roughly a kind of noninflationary rate, you get about the same rate of increase in imports. But you let the rate of increase in G.N.P. go up to 8 to 10 per cent and the "normal" relationship is to have imports rising at the rate of 15 to 18 per cent per year.

There is no mystery about it of course. In a large economy where imports are fairly small, if you overheat the domestic economy, the spillover of demand creates a high leverage on imports.

FURTHER FISCAL ACTIONS

The third major problem is, of course, the whole continuing problem of bringing the disadvantaged groups in the population more into the mainstream of national life.

Q. Do you favor any further fiscal or monetary actions at this time to cope with inflation and excessive demand, or should we be patient?

A. I would say that, looking at 1968, monetary policy clearly has been too expansionist, particularly after the tax increase. We presumably took the fiscal [tax] action to try to cool off the economy and then the turn in monetary policy tended to neutralize this.

Q. Are we now seeing a classic pattern of swinging back too sharply to restraint, policies that could throw the economy into reverse? A. That is a key question. It must be watched.

Q. It could be, you say? A. It could be, but that has not yet developed.

What would be the signs that would tell you—early—that there had been too sharp a swing towards tightness? A. Well, certainly one would be the rate of monetary and bank credit expansion.

Q. Do you mean if it dropped to zero or something like that? A. That would be too severe.

Q. Have you seen any signs, as yet, that the Federal Reserve is tending to throw us into reverse? A. No, and I am sure this is not their intention.

Q. On inflation. Let's assume that the Federal Reserve continues a policy of moderate expansion in money and credit—though less than we had for so long—and assume the budget is in balance, which it is. Would you expect that combination alone to cool inflation off? A. Yes, I would.

Q. And presumably without an abrupt rise in the unemployment rate?

A. I think without an abrupt rise. At least, I would be hopeful that we could effect a fairly smooth transition. This is a sticky thing.

BALANCED BUDGET

It is tempting to say we shall cool down inflation without any rise in unemployment. And, obviously, so long as there are people unemployed we have unfinished business here. But I think we cannot confidently say that we can deal with this inflationary problem without affecting unemployment.

Q. You suggest that the present budgetary and emerging monetary policy looks pretty good. Am I right in assuming that barring a major change in the war situation, a balanced budget should be continued in fiscal '70? A. Yes.

Q. What about a surplus, and, if so, of what size for '70? A. When I say a balanced budget, obviously I don't mean one with a zero surplus. I am talking about expenditures being essentially covered by revenues. But I don't see any reason in this context to go deliberately for a huge surplus.

Q. You are really talking about a zero range surplus—from a deficit of $2-billion to a surplus of $2-billion?

A. Something like that, if we were just dealing with the domestic problem. But we have the international payments matter, and there you start getting into things that have symbolic importance. For that reason, I would like to move the zone up to a surplus of $2-billion, or something like that.

The international problem is pertinent on the large surplus, too. Theoretically, at least, if you run a large surplus, you are liable to find yourself with fairly low interest rates. But low interest rates could produce trouble.

Q. A capital outflow? A. Yes. Of course, if we had some kind of serious decline in the stock market, you could have the same problem.

Q. Because of what? A. Because there have been substantial foreign purchases of stocks. This is why the apparently improved balance-of-payments situation is a heavily cosmetic situation. If this improvement were occurring because we were improving our trade balance, then one could be more sanguine.

A. If the policies now in effect work as you expect them to, and the cooling-off process occurs, shouldn't the trade balance improve, too? A. It ought to.

Q. What should be the objective on the balance of payments? A. I think there would be a great therapy to be had from our running a surplus for a while. It doesn't have to be a large one. It would be very helpful if we could demonstrate that if it is necessary, we can run a surplus.

Q. For a year or two. A. Yes.

Q. Beyond that, do you share the widely held view that a deficit of the order of $1 billion, after you have achieved this demonstration effect, is probably tolerable? A. Probably.

THE RIGHT POSTURE

Q. Granted that you think inflation is an urgent problem, do you envision any need for action early in the new Administration? You suggested before we were rather in the right posture now.

A. We are getting on the right course now. If we can keep the revenue-producing capacity of the tax system in close line with Government expenditures and if we can stay on a course of lesser rates of monetary expansion—not contraction, but lesser rates of expansion—I think then we ought to be able to work ourselves out of this inflation.

Q. If you found, later on, that the fiscal and monetary actions already taken are on the way to causing an excessive slowdown in the economy, what steps should be taken then?

A. Well, I never have been impressed with the quick turnaround capability of economic policy instruments. Therefore, it is important not to get into a situation where you have to try to pull that off. The trouble is, if you try to pull it off, what you are apt to have is an over-correction the other way. Then you will start getting the policy itself producing a careening course for the economy. As I survey history, I find myself increasingly impressed with the proportion of economic instability that can be attributed to the erratic course of policy.

Q. The logical deduction from what you're saying is that you just shouldn't get too nervous over small squiggles in economic activity.

A. That is probably a good way to put it. We have been to some extent, I think, economic hypochondriacs. You get a wiggle in a statistic, statistically within the error of tolerance of the data, and everyone runs to get the thermometer.

Q. Is it not possible to argue that the past eight years of uninterrupted prosperity—a record the Nixon Administration is going to find hard to beat—may have resulted from the willingness to move fast against any sign of economic illness?

A. You are not going to get any speeches from me that the last eight years have been all bad. It has been, in many ways, a very remarkable performance. There isn't any question about that.

Now there have been a couple of major factors which have been helpful. Some of the major changes in defense spending came at a time that helped keep the economic expansion going. And while the disinflation of the late fifties was overdone, I would very much rather have come in as chairman of the council in 1961 than now, when we have become concerned about inflation.

IMPACT OF TRUCE

In fact, I think there is some kind of malevolent law about the rhythm of political life that puts some of us here when it is hard to be a hero.

Q. What about the impact of an end to the Vietnam war? Would you address yourself to the opportunities and dangers of that.

A. Well, of course, they are fundamentally opportunities. As one looks at our experience in other transition periods, I don't see why we need to be very apprehensive about what might happen in the interlude. The transi-

tion problem is far less, relative to the size of the whole economy, than in the post-Korean period. Of course, the jobs that are curtailed may be in one state and the expanding industries across the country. You have a problem of meshing these two.

Q. If the current rate of inflation is too much, what is the tolerable level?

A. I think we have to feel our way along here. We don't really have much experience in trying to cool an economy in orderly fashion. We slammed on the brakes in 1957, but of course, we got substantial slack in the economy. I wouldn't attach a figure as to what our objective ought to be at any point in time, any more than I would really attach a figure as to what our objective ought to be for unemployment. In both cases, we want them as low as possible.

But over the next two or three years, we certainly ought to be slowing down significantly the rate of price inflation so that we don't get the increases factored into wage and price decisions.

Q. To do that, you'd have to cut the recent rate of inflation in half, at least? A. I suspect so, yes.

COLLEGES SHOULD NOT YIELD TO MILITANTS' BLACKMAIL, WARNS PROFESSOR HOOK

Mr. DODD. Mr. President, recently there came to my attention the text of a speech which Prof. Sidney Hook, of New York University, one of the country's foremost philosophers, made in May of last year at a dinner marking his retirement as head of the university's philosophy department. I invite the attention of Senators to the speech because I consider it one of the most eloquent statements of the dangers that now confront our Nation's campuses.

In his article Professor Hook warned that the extremist revolt which has been sweeping the campuses of our country could result in the destruction of academic freedom. He said that the rationally committed must oppose the emotionally committed; and he called upon college administrations not to yield to the blackmail of the so-called militants.

Professor Hook said:

Under the slogans of "students' rights" and "participatory democracy," the most militant group of students are moving to weaken and ultimately destroy the academic freedom of those who disagree with them.

Dr. Hook made the point that on every campus there are always some legitimate grievances. But he said that instead of seeking to resolve these grievances peacefully through existing channels of consultation and deliberation, the campus extremists seek to use these grievances as an instrument for the destruction, first, of our free universities, and then of our society. He quoted one of the leaders of SDS at Columbia as saying:

As much as we would like to, we are not strong enough as yet to destroy the United States. But we are strong enough to destroy Columbia!

According to Professor Hook:

The first casualty of the strategy of the campus rebels is academic freedom.

It is manifest in their bold and arrogant claim that the university drop its research in whatever fields these students deem unfit for academic inquiry and investigation. This note was already sounded in Berkeley. It is focal at Columbia. It is a shameless attempt to usurp powers of decision that the faculty alone should have. After all, it is preposterous for callow and immature adolescents who presumably have come to the university to get an education to set themselves up as authorities on what research by their teachers is educationally permissible.

Professor Hook was bitter in his criticism of those university professors and officials who have refused to face up to the campus rebels. He said intelligence was not enough to overcome fanaticism; for this courage is also necessary.

What is of the first importance—

Said Professor Hook—

is to preserve, of course, the absolute intellectual integrity of our classrooms and laboratories, of our teaching and research against any attempt to curb it. We must defend it not only against the traditional enemies, who still exist even when they are dormant, but also against those who think they have the infallible remedies for the world's complex problems, and that all they need is sincerity as patent of authority. Fanatics don't lack sincerity. It is their long suit. They drip with sincerity—and when they have power, with blood—other people's blood.

Mr. President, I ask the unanimous consent that the full text of Professor Hook's speech be printed in the RECORD.

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

STUDENT REVOLTS COULD DESTROY ACADEMIC FREEDOM—COLLEGES SHOULD NOT YIELD TO MILITANTS' BLACKMAIL, PROFESSOR WARNS—ONLY COURAGE TAMES FANATICS

(By Sidney Hook)

I began my college career in the fall of 1919, almost a half century ago. My academic lifetime spans half a dozen revolutions in American education. But have no fear, I am not going to reminisce. I want to stay young, at least in spirit, and I learned from my teacher, John Dewey, whom I observed closely for the last 25 years of his life, what the secret of staying young is and that is *not* to reminisce about the past. Actually, I never heard John Dewey reminisce until he was in his nineties, and that was as a reluctant response to my deliberate prodding in order to extract biographical data from him.

However, there is a way of talking about the past that is not merely reminiscence or idle reverie. It occurs when we make comparisons of the past and present for the sake of a present purpose or for the sake of finding a new way out of present difficulties.

Fifty years ago when I began my college studies, it would be no exaggeration to say that the belief in academic freedom was regarded as faintly subversive even in many academic circles. The AAUP [American Association of University Professors], organized by two philosophers, Arthur Lovejoy and John Dewey, was in its infancy without influence or authority. Today, except in some of the cultural and political backwaters of the U.S., academic freedom, although not free from threats, is firmly established. In some regions it has the support of law.

Fifty years ago, the power of the chief university administrator was almost as unlimited as that of an absolute monarch. Today the administrator is a much harried man with much less power and authority among faculty, and especially students, than his forebears. Today there may be temperamentally happy administrators but their present life is an unhappy one. There seems to be an open season on them, and to such a degree that for the first time in history there is an acute shortage of candidates for the almost 300 vacant administrative posts in institutions of higher learning. When I did my graduate work at Columbia, Nicholas Murray Butler was both the reigning and ruling monarch. I don't believe that in his wildest dreams he could have conceived of the Columbia scene today. The strongest argument I know against the resurrection of the body is that if it were within the realm of possibility, Nicholas Murray Butler would have risen from his grave and would now be storming Morningside Heights.

Having been an administrator in a small way myself, I have learned what an ungrateful job it is, and at the same time how necessary. Without administrative leadership, every institution (especially universities, whose faculties are notoriously reluctant to introduce curricular changes) runs downhill. The greatness of a university consists predominantly in the greatness of its faculty. But faculties, because of reasons too complex to enter into here, do not themselves build great faculties. To build great faculties, administrative leadership is essential. In the affairs of the mind and in the realm of scholarship, the principles of simple majority rule or of "one man, one vote" do not apply. The most "democratically" run institutions of learning are usually the most mediocre. It takes a big man to live comfortably with a still bigger man under him, no less to invite him to cast his shadow over the less gifted.

TARGETS OF ABUSE

The paradox today is that as administrative power decreases and becomes more limited, the greater the dissatisfaction with it seems to grow. The memory of favors or requests denied remains much stronger than the memories of requests granted. Faculties are fickle in their allegiance. Overnight the most beloved of administrators can become the target of abuse, a figure of obloquy in the eyes of the very faculty, or a large section of it, which he himself has helped to build. In the very year that Clark Kerr received the Meikeljohn medal for academic freedom, the faculty at the University of California campus at Berkeley panicked in consequence of the events resulting from the *fourth* student sit-in.

In effect it repudiated him by adopting a set of resolutions that made him the scapegoat for the student lawlessness that it conspicuously refused to condemn. The faculty even voted down a motion that would have given the students complete freedom of speech except to urge the commission of *immediate acts* of force and violence. Another example: Vice President Truman of Columbia University was vigorously applauded at Columbia's commencement last June for, among other things, opening new avenues of communication with students. Only a few days ago he was roundly booed by a section of the Columbia faculty.

Why any scholar (and administrators are largely recruited from the ranks of scholars) should want to become a *full-time* administrator has always puzzled me. The duties, sacrifices and risks seem altogether disproportionate to the rewards. In speaking of administrators, one is tempted to characterize them with the words Lecky used in his great history of European morals about the fallen women of Europe . . . "The eternal priestesses of humanity blasted for the sins of their people." Well, university administrators are no longer priests, but whenever a crisis arises they are sure to be damned if they do and damned if they don't.

SYNTHETIC STORMS

One thing seems clear. In the crisis situations shaping up throughout the country, administrators are not going to enjoy a peaceful life. Their prospect of weathering the storms that will be synthetically contrived for them depends upon their ability and willingness to win the faculty for whatever plans and proposals they advance in the name of the university. For if they per-

mit students or any other group to drive a wedge between them and the faculty, they will discover the sad fact of academic life that in such rifts the faculty will either play a neutral role or even assume a hostile one.

Not only on good educational grounds, therefore, but on prudential ones as well, the administration must draw the faculty into the formulation of institutional educational policy. I say this with reluctance because it means the proliferation of committee meetings, the dilution of scholarly interest, and even less time for students. But this is a small price to pay for academic freedom and peace.

In talking about academic freedom, nothing signifies the distance we have come in the space of my lifetime so much as the fact that we now are concerned with the academic freedom of *students*. For historical reasons I cannot now explore, academic freedom in the United States meant *Lehrfreiheit*, freedom to teach. *Lehrfreiheit*, freedom to learn, has only recently been stressed. It does not mean the same as it meant under the German university system that presupposed the all-prescribed curriculum of studies of the *Gymnasium*. If academic freedom for students means freedom to learn, then two things should be obvious. There is no academic freedom to learn without *Lehrfreiheit* or academic freedom to teach. Where teachers have no freedom to teach, students have obviously no freedom to learn, although the converse is not true.

Second, student's freedom to learn was never so widely recognized, was never so pervasive in the United States as it is today—whether it be construed as the freedom to attend college or not, or the freedom to select the *kind* of college the student wishes to attend or his freedom of curricular choice *within* the kind of college he selects. Above all, if academic freedom for students means the freedom to doubt, challenge, contest and debate within the context of inquiry American students are the freest in the world, and far freer than they were when I attended college.

I recall an incident when I was a student in a government class at CCNY. The teacher conducted the class by letting the students give reports on the themes of the course. All he contributed was to say "next" as each student concluded. But when in reporting on the Calhoun-Webster debates, I declared that it seemed to me that Calhoun had the better of the argument, that his logic was better than Webster's although his *cause* was worse, the instructor exploded and stopped me. After emotionally recounting his father's services in the Civil War, he turned wrathfully on me and shouted: "Young man! When you're not preaching sedition, you are preaching secession!" Whereupon he drove me from the class. (The "sedition" was a reference to an earlier report on Beard's economic interpretation of the Constitution that he had heard with grim disapproval.) And this was at CCNY in 1920! The incident wasn't typical, but that it could happen at all marks the profundity of the changes in attitudes toward students since then. John Dewey's influence has made itself felt even in the colleges today.

MORAL PREMISE

Of course, there is still a large group of potential college students who are deprived of freedom to learn because of poverty or prejudice or the absence of adequate educational facilities. And as citizens of a democratic society whose moral premise is that each individual has a right to that education that will permit him to achieve his maximum growth as a person, our duty is to work for, or support, whatever measures of reconstruction we deem necessary to remove the social obstacles to freedom of learning. It is perfectly legitimate to expect the university to study these problems and propose solutions to them. All universities worthy of the name already do. This is one thing. But to therefore conclude that these problems must become items not only on the agenda of study but for an agenda of action is quite another.

For it therewith transforms the university into a political action organization and diverts it from its essential task of discovery, teaching, dialogue and criticism. Since there are profound differences about the social means necessary to achieve a society in which there will be a maximum freedom to learn, the university would become as partisan and biased as other political action groups urging their programs on the community. Its primary educational purpose or mission would be lost. It would be compelled to silence or misrepresent the position of those of its faculty who disagreed with its proposals and campaigns of action. Class and group conflicts would rend the fabric of the community of scholars in an unceasing struggle for power completely unrelated to the quest for truth.

OBJECTIVITY IMPERILED

If the university is conceived as an agency of action to transform society in behalf of a cause, no matter how exalted, it loses its *relative* autonomy, imperils both its independence and objectivity, and subjects itself to retaliatory curbs and controls on the part of society on whose support and largesse it ultimately depends.

This is precisely the conception of a university that is basic to the whole strategy and tactics of the so-called Students for a Democratic Society. I say "so-called" because their actions show that they are no more believers in democracy than the leaders of the so-called Student Non-Violent Co-ordinating Committee are believers in non-violence. And indeed the leaders of the SDS make no bones about that fact. In manifesto after manifesto they have declared that they want to use the university as an instrument of revolution. To do so, they must destroy the university as it exists today.

I wish I had time to list some of the clever stratagems they have devised to focus their opposition. On every campus there are always some grievances. Instead of seeking peacefully to resolve them through existing channels of consultation and deliberation, the SDS seeks to inflame them. Where grievances don't exist, they can be created. In one piece of advice to chapter members, they were urged to sign up for certain courses in large numbers and then denounce the university for its large classes!

Freedom of dissent, speech, protest is never the real issue. They are, of course, always legitimate. But the tactic of the SDS is to give dissent the immediate form of violent action. The measures necessarily adopted to counteract this lawless action then become the main issue, as if the original provocation hadn't occurred. Mario Savio admitted after the Berkeley affair that the issue of "free speech" was a "pretext"—the word was his—to arouse the students against the existing role of the university in society.

SEEK TO DESTROY

One of the leaders of the SDS at Columbia is reported to have said: "As much as we would like to, we are not strong enough as yet to destroy the United States. But we are strong enough to destroy Columbia!" He is wrong about this, too—the only action that would destroy Columbia would be faculty support of the students!—but his intent is clear.

Actually, the only thing these groups, loosely associated with the New Left, are clear about is what they want to destroy, not what they would put in its stead. In a debate with Gore Vidal, Tom Hayden, one of the New Left leaders, was pointedly asked what his revolutionary program was. He replied: "We haven't any. First we will make the revolution, and then we will find out what for." This is truly the politics of absurdity.

The usual response present-day academic rebels make to this criticism is that the university today is nothing but an instrument to preserve the status quo, and therefore faithless to the ideals of a community of scholars. Even if this charge were true, even if the universities today were bulwarks of the status quo, this would warrant criticism and protest, not violent and lawless action in behalf of a contrary role, just as foreign to their true function. But it is decidedly not true!

There is no institution in the country in which dissent and criticism of official views, of tradition, of the conventional wisdom in all fields, is freer and more prevalent than in the university. The very freedom of dissent that students today enjoy in our universities is in large measure a consequence of the spirit of experiment, openness to new ideas, absence of conformity and readiness to undertake new initiatives found among them.

ARROGANT CLAIM

The first casualty of the strategy of the campus rebels is academic freedom. It is manifest in their bold and arrogant claim that the university drop its research in whatever fields these students deem unfit for academic inquiry and investigation. This note was already sounded in Berkeley. It is focal at Columbia. It is a shameless attempt to usurp powers of decision that the faculty alone should have. After all, it is preposterous for callow and immature adolescents who presumably have come to the university to get an education to set themselves up as authorities on what research by their teachers is educationally permissible.

Unless checked, it will not be long before these students will be presuming to dictate the conclusions their teachers should reach, especially on controversial subjects. This is standard procedure in totalitarian countries in which official student organizations are the political arm of the ruling party. Already there are disquieting signs of this. At Cornell a few weeks ago—before the martyrdom of Dr. King—a group of Black Nationalist students invaded the offices of the chairman of the economics department and held him captive in order to get an apology from a teacher whose views on African affairs they disagreed with. Only yesterday, another group at Northwestern demanded that courses in "black literature" and "black art" be taught by teachers approved by the Negro students.

And there are spineless administrators and cowardly members of the faculty who are prepared to yield to this blackmail. Under the slogans of "student rights" and "participatory democracy" the most militant groups of students are moving to weaken and ultimately destroy the academic freedom of those who disagree with them.

Let us not delude ourselves. Even when these militant students fail to achieve their ultimate purpose, they succeed in demoralizing the university by deliberately forcing a confrontation upon the academic community that it is not prepared to face and the costs of which it is fearful of accepting. In forcing the hand of the academic community to meet force with force, the citadel of reason becomes a battlefield. The students glory in it, but the faint of heart among their teachers turn on their own administrative leaders. These militants succeed in sowing distrust among students who do not see through their strategy. They also succeed in dividing the faculties.

EMBITTER RELATIONS

There is always a small group—a strange mixture of jurists and opportunists desirous of ingratiating themselves with students—who will *never* condemn the violence of students but only the violence required to stop

it. These students succeed, even when they fail, in embittering relations between the administration and some sections of the faculty. They succeed, even when they fail, in antagonizing the larger community of which the university is a part, and in arousing a vigilante spirit that demands wholesale measures of repression and punishment that educators cannot properly accept.

How is it possible, one asks, for events of this character to happen? There have always been extremist and paranoidal tendencies in academic life, but they have been peripheral—individuals and small groups moving in eccentric intellectual orbits. But not until the last four or five years has the norm of social protest taken the form of direct action, have positions been expressed in such ultimatistic and intransigent terms, have extremist elements been strong enough to shut down great universities even for a limited time.

There are many and complex causes for this. But as I see it, the situation in the university is part of a larger phenomenon, viz., the climate of intellectual life in the country. I do not recall any other period in the last 50 years when intellectuals themselves have been so intolerant of each other, when differences over complex issues have been the occasion for denunciation rather than debate and analysis, when the use of violence—in the right cause, of course!—is taken for granted, when dissent is not distinguished from civil disobedience, and civil disobedience makes common cause with resistance, and readiness for insurrection. A few short years ago, anti-intellectualism was an epithet of derogation. Today it is an expression of revolutionary virility.

FANATICISM RAMPANT

In the fifties I wrote an essay on "The Ethics of Controversy," trying to suggest guidelines for controversy among principled democrats no matter how widely they differed on substantive issues. Today I would be talking into the wind for all the attention it would get. Fanaticism seems to be in the saddle. That it is a fanaticism of conscience, of self-proclaimed virtue, doesn't make it less dangerous. This past year has presented the spectacle of militant minorities in our colleges from one end of the country to another, preventing or trying to prevent representatives of positions they disapprove of from speaking to their fellow-students wishing to listen to them.

The spectacle shows that we have failed to make our students understand the very rudiments of democracy, that to tolerate active intolerance is to compound it. If we judge commitment by action, the simple truth is that the great body of our students is not firmly committed to democracy or to the liberal spirit without which democracy may become the rule of the mob.

I do not know any sure way or even a new way of combatting the dominant mood of irrationalism, especially among students and even among younger members of the faculty whose political naivete is often cynically exploited by their younger, yet politically more sophisticated, allies. What is of the first importance is to preserve, of course, the absolute intellectual integrity of our classrooms and laboratories, of our teaching and research against any attempt to curb it. We must defend it not only against the traditional enemies, who still exist even when they are dormant, but also against those who think they have the infallible remedies for the world's complex problems, and that all they need is sincerity as patent of authority. Fanatics don't lack sincerity. It is their long suit. They drip with sincerity—and when they have power, with blood—other people's blood.

We need more, however, than a defensive strategy, safeguarding the intellectual integrity of our vocation against those who threaten it. We need—and I know this sounds paradoxical—to counterpose to the revolt of the emotionally committed the revolt of the rationally committed. I do not want to identify this with the revolt of the moderates. There are some things one should not be moderate about. In the long run, the preservation of democracy depends upon a passion for freedom, for the logic and ethics of free discussion and inquiry, upon refusal to countenance the measures of violence that cut short the processes of intelligence upon which the possibility of shared values depends.

These are old truths but they bear repeating whenever they are denied. Even tautologies become important when counterposed to absurdities.

We as teachers must make our students more keenly aware of the centrality of the democratic process to a free society and of the centrality of intelligence to the democratic process. Democracy has our allegiance because of its cumulative fruits, but at any particular time the process is more important than any specific program or product. He who destroys the process because it does not guarantee some particular outcome is as foolish as someone who discards scientific methods in medicine or engineering or any other discipline because of its failure to solve altogether or immediately a stubborn problem.

COURAGE NEEDED

There is one thing we cannot deny to the intransigent and fanatical enemies of democracy. That is courage. Intelligence is necessary to overcome foolishness. But it is not sufficient to tame fanaticism. Only courage can do that. A handful of men who are prepared to fight, to bleed, to suffer and, if need be, to die, will always triumph in a community where those whose freedom they threaten are afraid to use their intelligence to resist and to fight, and ultimately to take the same risks in action as those determined to destroy them.

Yes, there is always the danger that courage alone may lead us to actions that will make us similar to those who threaten us. But that is what we have intelligence for—to prevent that from happening! It is this union of courage and intelligence upon which the hope of democratic survival depends.

GREEK-TURKISH ECONOMIC COOPERATION PROJECT

Mr. JAVITS. Mr. President, I have on several previous occasions brought to the attention of the Senate the work of the project for Greek-Turkish economic cooperation. Reports on this matter were presented on June 3, 1965, on October 20, 1965, on January 19, 1967, and on December 15, 1967.

I now present a report on this important project through the calendar year 1968.

Mr. President, first I should like to submit for the RECORD the substantive text of a report which I presented to the North Atlantic Assembly on November 20, 1968. That report was presented to the North Atlantic Assembly in my capacity as trustee of the Special Committee on Developing NATO Countries, of which I was chairman, and which has now been dissolved, its principal functions having been successfully discharged. I have been requested by the North Atlantic Assembly to act as the custodian of the responsibilities of that committee and it is in this capacity that I have presented my report to the North Atlantic Assembly itself.

Several developments, falling outside of the scope of the report presented to the North Atlantic Assembly, should be reported. Chief among these is the fact of a highly successful meeting of the Eastern Mediterranean Development Institute, which took place in Brussels on November 14 and 15, 1968. The meeting was attended by a representative group of industrialists, bankers, and businessmen from Greece and Turkey, and also from the other countries of the North Atlantic Alliance. A broadly representative board of directors of the Eastern Mediterranean Development Institute was elected, and that institute was launched on what promises to be an extremely successful career.

Second, in December 1968, the work which has been done on the development of the basin of the Meric-Evros River was carried a further step forward, in the course of meetings between myself, Mr. Rubin, executive director of EMDI, and Mr. Paul Hoffman, director, and Mr. Paul-Marc Henry, deputy director of the United Nations Development Program. It is anticipated that a UNDP project team will be visiting Greece and Turkey shortly, and that further steps in the development of mutually desirable relationships between Greece and Turkey will thus have been taken.

Mr. President, I ask unanimous consent that the report be printed in the RECORD.

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

REPORT OF SENATOR JACOB K. JAVITS, AS TRUSTEE FOR THE SPECIAL COMMITTEE ON DEVELOPING NATO COUNTRIES, OF THE NORTH ATLANTIC ASSEMBLY, NOVEMBER 1968

It may be said at the outset that initiative taken by the Assembly (then the NATO Parliamentarians' Conference) has been demonstrated to have been a valuable contribution to development and to amelioration of relations between two important countries of NATO. The work of the Project and of the Institute have been founded on the conviction that an enterprise which is essentially private in its nature, and which has relied on the mutuality of interest in the private sector on both sides, can carry on important functions even during a period marked by a variety of governmental difficulties. That this is so is, of course, attributable largely to the fact that both of the directly interested nations have continued to give their interest and their support to the project. It is also due to the willingness of businessmen, industrialists and bankers, not only of Greece and Turkey, but also of North America and Western Europe, to make a strenuous effort toward cooperative and mutually beneficial results. In great measure, the benefits of this project go beyond its own limits, and demonstrate the feasibility of mobilizing the great resources of private enterprise toward a broadly statesmanlike end.

The technique here used may therefore suggest possibilities for much useful work, beyond the parameters of the Greek-Turkish enterprise itself. I should therefore mention at the outset the important role played by my former colleagues on the Special Committee, particularly the Deputy Chairmen of that Committee, Messrs. Spanorrigas of Greece and Gülek of Turkey, and its Rapporteur, Mr. Westerterp of the Netherlands. In the work of the Institute, of which (as was the case with the Special Committee), I have the honor to be Chairman, Messrs. Gülek and Governor Karol Arliotis of Greece, and Mr. George James of the United States, have given time, energy, and skilled guidance. Much credit is due to them, and to the devoted service of former Ambassador Sey-

mour Rubin, the Executive Director of the project, and Mr. Albert Zumbiehl, his European associate.

Finally, the Honorable Seymour J. Rubin of the United States and M. Albert Zumbiehl of France have consented to continue with the Institute as Executive and European Directors, respectively. Much is owed to them for the success of the project so far.

I may come now to the organizational framework as it presently exists.

As was reported in November 1967 to be the intention, the Eastern Mediterranean Development Institute was in fact organized as a non-profit corporation under the laws of the District of Columbia of the United States. A meeting of the nucleus of its Board of Directors was held in Athens, in May, 1968. At that meeting a number of important organizational decisions were taken.

It was decided, first of all, that branches or sister organizations, depending on the legal and other relevant considerations in the two countries, should be established in Greece and Turkey. Informally, steps have already been taken in this direction, continuing and expanding upon the systems of liaison which has proved its merit. In both Greece and Turkey, assurances of financial support for these national operations have been given, with a special fund already created in Greece and partially contributed in Turkey.

Secondly, it was decided to expand the Board of Directors so as to include important and representative business and financial interests in North America and Western Europe. I am glad to be able to report that invitations extended by me to a number of such persons have been accepted, and that the first order of business of the current meeting of the Institute (in Brussels on Nov. 15, 1968) will be to fill out the Board. Those who have been offered and have accepted membership on the Board have shown past interest in the project, have expressed willingness to help in the future, and are indeed a distinguished group.

Thirdly, it was emphasized at the Athens meeting that important decisions of the Institute must reflect also the agreement of the Turkish and Greek members. This is an obvious requirement, but one which nonetheless deserves mention specifically. It reflects my strong personal conviction, shared by my colleagues, that useful work in this—as in many other areas of international activity—must rest on the interest, and involvement, indeed the commitment of those directly affected, and with most at stake. The Institute must not, and will not, be an organization which seeks to tell our Greek and Turkish friends what is good for them. Its work must arise out of their conviction that they wish done what the Institute can do, and out of their full participation in its work, at all stages from planning to implementation. In such circumstances, the Institute can perform a valuable catalytic function, can help to mobilize outside resources, can act as a liaison with various international and national organizations. But a basic responsibility for decision must be recognized to rest with the Greek and Turkish participants.

Brief mention may be made of the financial arrangements for the Institute, and of plans for the future.

A generous grant has again been made by the Ford Foundation to help in the establishment of the Institute. I have already mentioned the financial support given or committed on the Greek and Turkish sides. Mr. George James of the Mobil Corporation of the United States has carried to other American and Canadian companies his own conviction in the worth of this work, and has mobilized substantial financial assistance. As a result, the matching requirement of the Ford Foundation grant has already been met. It is hoped that interest in Western Europe, where connections with Greece and Turkey are strong and traditional, will be reflected in additional support.

Since the Institute plans to have no substantial staff of its own, but to rely heavily on the expertise available to its membership, these arrangements should carry the Institute through calendar year 1969. During 1969, it is hoped to transform the Institute into a broadly based organization, with a substantial membership in the business and financial communities, as well as in professional circles. Hopefully, the Institute would then be supported by numerous but relatively smaller contributions with individual projects being the beneficiaries of collateral financing by foundations or others—as was, for example, the case with the generous financing of the studies of the Meric/Evros River by the Thyssen and Volkswagen Foundations. Administrative costs will thus be kept to a minimum, with available resources being used for directly productive projects.

As will be recalled, at the meetings of November, 1967, both of the Assembly and of the International Advisory Commission of the Project for Greek-Turkish Economic Cooperation, a Work Program was approved. This document suggested that the work of the Institute might be divided into two main categories: in the general category was the continuation of efforts to encourage fruitful contacts and discussions, in the context of the international organizations of which Greece and Turkey are both members, and with emphasis on the private sector; in the specific category was work on the various projects already or to be undertaken—the Meric/Evros work, tourism, agriculture, cultural exchange, and so forth.

I am pleased to be able to report that much has been done, in both categories.

New contacts have been established and existing ones strengthened. During the meetings in Athens of May, 1968, for example, special sessions, both formal and informal, were arranged between members of the Greek and Turkish investment banking communities, and between institutions financing economic development. These meetings were a more specific followup of meetings which it has been my practice to arrange in Washington during the meetings there of the Governors of the World Bank and the International Monetary Fund. Thus, the May meetings in Athens, with a few but deeply interested participants, were followed by a useful breakfast meeting held at my invitation in the Capitol in Washington, where participation included not only the official representatives of Greece and Turkey, members of the investment banking communities in both countries, and in the United States, but also representatives of the World Bank and the International Finance Corporation.

Nor have these sessions been merely discussions, useful though discussions of this sort is. Specific proposals have been elaborated for a study of complementary investment opportunities and policies. Here a memorandum was prepared by Mr. Rubin, but only after consultation with and strong encouragement from the financiers of industrial development in Greece and Turkey. The memorandum was subsequently circulated to and discussed with the World Bank and the IFC. The breakfast meeting to which I have alluded, of October 3, 1968, was thus held on the basis of much preparatory work, and has resulted in specific proposals being elaborated in consultation with the Turkish and Greek sides. An informal agreement has been reached to exchange information relating to laws and practices which might affect complementary or even joint financing of projects. As a further step toward implementation of these proposals, and again with the full participation of the Greek and Turkish investment bankers, a survey is being discussed with the Agro-Industrial Development Company, an American-based organization which combines the resources of several companies in the agricultural-industrial field, and which has also the participation of Adela—a highly successful enterprise in whose initiation I and the NATO Parliamentarians' Conference played a vital role.

I go into this matter in some detail for several reasons. The proposal to bring together the investment and banking interests concerned with economic development is important in itself, since it cuts across all fields of economic development, and not merely a single industry, however important. But this project also illustrates the progress of a project, from a general discussion arranged by the Institute to the elaboration in close consultation with all concerned of a proposal, the revision of that proposal after consultation with the competent international organizations, subsequent discussion of methods of implementation, and then placing the proposal before capable private organizations. It is of course too early to say what will be the outcome. It is not too early to say that the working out of a project in this manner is, in and of itself, important.

With respect to specific projects, I am unfortunately not able to report much advance in our projected work on tourism, a field which is by all objective appraisals an extremely desirable one for cooperation, with much mutual benefit to be derived. Despite much work, and many assurances of willingness to meet, it has been difficult to follow up on the useful meeting of November, 1966, and the subsequent informal talks in the following year. Nonetheless, it may be reported that this was one of the subjects discussed during the May visit of the Greek Minister of Commerce to Ankara, and it may be said that the difficulties appear to be procedural rather than substantive.

On other fronts, work is progressing, with organizations such as the FAO and the OECD participating. The most important and indeed dramatic results, however, have been achieved in connection with the Meric/Evros project.

In October, 1967, at a conference in Frankfurt, Germany, the report was finalized of the tripartite (German, Greek, Turkish) expert commission set up to make a reconnaissance survey of the Meric/Evros River basin. The economic—and political—significance of this cooperative work on this border between Greece and Turkey is evident. Although the work on the study was done by private experts, under private auspices, it received the full support of governmental authorities on both sides. The report, when completed, was forwarded to several international institutions, notably the World Bank and the United Nations Development Programme, which had taken a strong interest in this project from the outset.

As I have previously indicated, I received some months ago the visit of the Bulgarian Ambassador in Washington, who expressed the interest of his government in the matter—an interest which is both natural and useful, since the river originates and flows for almost 60% of its length in Bulgaria. As has been indicated in the report made by our own tripartite expert commission, Bulgarian cooperation would substantially improve the cost-benefit ratios of work to be done on the Greek-Turkish segment of the river. The Bulgarian authorities having further indicated their interest, and after this interest having been made known both to the United Nations Development Programme and the Greek and Turkish authorities, a further meeting took place between myself and the Bulgarian Permanent Representative to the United Nations in Geneva, under the auspices of the UNDP. In early October of this year, Mr. Rubin was informed by the UNDP

that the Bulgarians would be pleased to receive a UNDP exploratory mission.

During the week of October 30-November 6, thus, a small UNDP mission has visited Sofia, Athens and Ankara. It should be underscored that this is an exploratory mission, particularly insofar as any plans beyond the boundaries of Greece and Turkey are concerned. It is nevertheless an important fact that the UNDP is discussing with Greece and Turkey the possibility of further steps looking toward a full scale feasibility study of the Meric/Evros region, that Bulgaria, as one of the riparian states, has been informed, and that this important regional and multinational project continues to progress, with United Nations participation.

It may be further pointed out that discussions in Washington growing out of the interest in the United States in a Water for Peace programme have centered on the Meric/Evros and the work of the Institute. After the international Water for Peace Conference in Washington, in the summer of 1967, much attention has been focussed on multinational projects. In this context, the work of the Institute has attracted attention, and it has been suggested that this work might provide the starting point for two fields of investigation. One such field would be the utilisation of the *technique* of the Meric/Evros study—that is, the use of private scientists, privately sponsored, but with full governmental support and approval. Here it may be that in certain cases more can be achieved, to the greater satisfaction of all, than would be the case if rigorous channelization through governmental departments were the rule. The second such field is the possibility of experimenting with computerization, in order to keep data both current and immediately available. Here work done by the FAO is relevant, and the establishment of a data storage, information retrieval and possibly a research center has been preliminarily discussed, with it having been suggested that a start might be made in a seminar on the subject of international river basins, which could be sponsored jointly by the Water for Peace office and the Institute. As a measure of the interest in this matter, a representative of the Water for Peace Programme will address the November 15, 1968 meeting of the Institute.

All of this represents much useful and tangible work. But I feel that most important, among the achievements to which the Special Committee, the Project for Greek-Turkish Economic Cooperation and the Institute can lay claim to a greater or lesser degree, is the greater measure of confidence in Greek-Turkish relations, both in the private and the governmental sector. Mr. Rubin has recently been able to inform the Greek business and industrial community that an invitation to come to Turkey for friendly discussions on matters of common interest will shortly be extended. Contacts in the cultural sphere, which would have been out of the question not long ago, are now under discussion. This is substantial and meaningful progress, on the basis of which a solid and continuing relationship between Greece and Turkey may be built.

HUMAN RIGHTS: WHERE OUR INVESTMENT STOPS—XIII

Mr. PROXMIRE. Mr. President, since the United Nations was established in 1946, the United States has contributed almost $450 million to the support of the organization.

This contribution represents a significant investment by us in the cause of peace. It also represents an investment of confidence and hope in the United Nations itself, as one means to bring about a more ordered and peaceful world.

There is a serious reason to mention this, Mr. President. It concerns the field of human rights. While we have invested a half billion dollars to support the institutions of the organization, we have not ratified the human rights conventions which that organization has developed. After 20 years, we stand as one of four major members of the U.N. which have ratified only two or less of the almost 20 conventions. The other major countries, Mr. President, whose record rivals our own are Bolivia, Saudi Arabia, South Africa, and Thailand.

The two conventions that have been ratified by the United States are concerned with the abolition of slavery. They are important. But the "big three" of the conventions are those which outlaw genocide, abolish forced labor, and guarantee fair and equal rights for women. But these and all but two of the conventions still await the ratification of the U.S. Senate.

Mr. President, one way to make certain that our contributions to the U.N. will return a substantial dividend for mankind is to ratify these important conventions.

SUPPORT OF SECRETARY OF THE INTERIOR HICKEL BY MANY ALASKANS

Mr. STEVENS. Mr. President, in the period preceding the confirmation of the nomination of Gov. Walter J. Hickel to be Secretary of the Interior, more than 60 Alaskans came to Washington. Those in attendance consisted of many native leaders, business and community leaders, and people who have been friends of Mr. Hickel for many years.

These people to me represent a democracy really in action.

I ask unanimous consent that the names of the Alaskans who were in the Nation's Capital to support the confirmation of the nomination of Gov. Walter J. Hickel to be Secretary of the Interior be printed in the RECORD.

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

ALASKANS WHO WERE IN THE NATION'S CAPITAL AND SUPPORTED THE CONFIRMATION OF THE NOMINATION OF WALTER J. HICKEL TO BE THE SECRETARY OF THE INTERIOR

Flore Lekanof, Box 289, Star Route A, Anchorage, Alaska; consultant to AFN.

William H. Scott, 736 G Street, Anchorage, Alaska; member of the firm of Peat, Marwick, Mitchell.

Cliff R. Taro, Southeast Stevedoring Corp., P. O. Box 1411, Ketchikan, Alaska; president and general manager of Southeast Stevedoring Corporation.

Raymond C. Christiansen, Box 35, Bethel, Alaska; president, Christiansen Air Service.

Mr. Herb Lehfeldt, City Manager, 155 S. Seward, Juneau, Alaska; city manager of Juneau.

Mr. Charles F. Lunsford, 2633 34th Street, Anchorage, Alaska; Bear Run Building Materials.

Mr. Lewis Dischner, 1332 Hillcrest Drive, Anchorage, Alaska; legislative representative for the Teamsters, Anchorage.

Mr. John T. Rowlett, P.O. Box 1389, Fairbanks, Alaska; Rowlett and Associates, oil and gas consultants.

William I. Waugaman, 270 Illinois Street, Fairbanks, Alaska; general manager, Usibelli Coal Mines, Inc.

Robert A. Davenny, 2414 Susitna Drive, Anchorage, Alaska; R. A. Davenny and Associates, Contracting.

Mrs. Margee Fitzpartrick, 2407 Cottonwood, Anchorage, Alaska.

Mr. David W. Redeker, 325 Dewey Circle, Anchorage, Alaska; insurance.

Mr. Andy Milner, 2214 Susitna Drive, Anchorage, Alaska; contractor, Anchorage, Alaska.

Mrs. Brideen C. Milner, same address as above; chairman of the board, Alaska State Bank, Anchorage, Alaska.

Alvin O. and Rosa Bramstedt, 2612 Brooke Drive, Anchorage; radio and TV.

Willard L. Bowman, 1112 E. 68th Street, Anchorage, Alaska; executive director, Alaska State Commission for Human Rights.

D. Peter Shoup, 111 4th Street, Juneau, Alaska; Alaska manager, Association of Pacific Fisheries.

R. L. Rettig, 544 Fifth Avenue, Anchorage, Alaska; president, Alaska Mutual Savings Bank.

Mr. Ken Sheppard, Box 97, Anchorage, Alaska; consulting engineer.

Mr. Ken Brady, 4001 Turnagain Blvd. East, Anchorage, Alaska; Ken Brady Construction Co., Inc., General Contractors.

Robert J. Halcro, transportation.

Mr. William L. Warren, 2400 Susitna Drive, Anchorage, Alaska; house furnishings.

Carl and Carol Brady, 712 W. 18th Avenue, Anchorage, Alaska; air transportation.

Mr. Clifford Groh, 430 C Street, Anchorage, Alaska; attorney.

Eben Hobson, Barrow, Alaska; construction.

Mrs. Al Owens, Kodiak, Alaska.

William Hensley, Kotzebue, Alaska; member of the Alaska State Legislature and vice chairman of A.F.N.

Mr. Roger Lang, Sitka, Alaska; Sitka Native Brotherhood, Education Committee, first vice president, Tungit and Haida.

Mr. Richard Frank, 255 College Road, Fairbanks, Alaska; member of the board of directors, Fairbanks Native Association.

Mrs. Walter J. Hickel, Juneau, Alaska.

Mr. Jack Hickel, Juneau, Alaska.

Senator Ernest Gruening, Juneau, Alaska.

Mr. Walter J. Hickel, Jr., Juneau, Alaska.

Mr. and Mrs. Charles Cole, 1109 Park Drive, Fairbanks, Alaska; attorney.

Mr. and Mrs. Ken Davis, 2072 Stanford Drive, Anchorage, Alaska; car dealer.

Michael Bierne, M.D., 207 E. Northern Lights Blvd., Anchorage, Alaska.

George and Stella Boney, 1707 Sunrise Drive, Anchorage, Alaska; attorney.

M. A. Braund, 3130 Iliamna, Anchorage, Alaska; contractor.

Mr. Joe Kuchta, Kenai, Alaska.

Warren Christianson, 132 Lincoln, Box 4, Anchorage, Alaska.

Mr. Edward Wayer, Anchorage, Alaska.

Mr. Hal Olson, Douglas, Alaska.

Mr. and Mrs. Preston Locher, 2822 McCollie, Anchorage, Alaska; Locher Construction Co.

Mr. Ken Hinchey, 1327 W. Hillcrest Drive, Anchorage, Alaska; contractor.

A. G. Hiebert, 111 F. Street, Anchorage, Alaska; radio and TV.

Mr. Vernon W. Hickel, Anchorage, Alaska.

Mr. and Mrs. Charles Meacham, Juneau, Alaska.

Alexis Miller, Fairbanks, Alaska.

Miss Vi Bjerke, Anchorage, Alaska.

Mrs. Nancy Mood, 427 Buren, Ketchikan, Alaska.
Miss Rose Golik, 1615 Hidden Lane, Anchorage, Alaska.
Mrs. Madeleine Hickel, Anchorage, Alaska.
Mr. Emil Notti, Anchorage, Alaska; president, Alaska Federation of Natives.
Mr. John Borbridge, Albert Kaloa Bldg., Anchorage, Alaska; vice president, Alaska Federation of Natives.
Mr. Barry Jackson, Fairbanks, Alaska; attorney.
Eldon Ulmer, Anchorage, Alaska.
Mr. John Sweet, 3000 Sheldon Jackson, Anchorage, Alaska.
Mr. Bob Zelnick, Anchorage, Alaska.
Neland Haavig, Box 901, Sitka, Alaska.
Miss Tony Stepovich, Fairbanks, Alaska.
Mr. Donald Simasko, 2101 Forest Park Drive, Anchorage, Alaska.
Miss Anne Sweet, 3000 Sheldon Jackson, Anchorage, Alaska.

PRESIDENT NIXON'S FIRST NEWS CONFERENCE

Mr. MURPHY. Mr. President, I could not have been more pleased and heartened than I was by the very impressive performance yesterday of President Nixon at his first news conference as Chief Executive. Everyone with whom I have talked since has enthusiastically volunteered the opinion, which I certainly share, that the President showed himself to be cool, confident, and competent—clearly in command of the situation and fully prepared to meet the challenges he will face.

President Nixon, in the statesmanlike inaugural address, set the tone and enunciated the goals of his administration—peace in the world and a healthy, ordered, compassionate society at home. Yesterday I believe he showed his determination and his ability to lead us "forward together" toward these goals.

As a longtime friend, I am of course proud of the President for the dignified and knowledgeable way in which he has assumed his high office—but of far wider significance, I am delighted at the hopeful prospects his leadership raises for our people and for the entire free world.

I ask unanimous consent that the text of the President's first news conference be included in the RECORD.

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

TRANSCRIPT OF PRESIDENT NIXON'S NEWS CONFERENCE ON FOREIGN AND DOMESTIC AFFAIRS

Ladies and gentlemen, since this is my first press conference since the inauguration, I can imagine there are a number of questions. Consequently I shall make no opening statement and will go directly to your questions.

1. LEGISLATIVE PROGRAM

Q. Mr. President. Sir, do you plan to make your own State of the Union Message and do you have a major legislative program to present to Congress this year?

A. I shall have a major legislative program to present to the Congress this year. Whether that would best be presented by a series of individual messages or a State of the Union Message supplemented by some individual messages has yet to be determined. I will make a determination within the next two weeks after consultation with the legislative leaders.

2. VIETNAM PEACE PLAN

Q. Mr. President. Now that you're President, what is your peace plan for Vietnam?

A. I believe that as we look at what is happening in the negotiations in Paris that as far as the American side is concerned, we are off to a good start. What now, of course, is involved is what happens on the other side. We find that in Paris, if you read Ambassador Lodge's statement, that we have been quite specific with regard to some steps that can be taken now on Vietnam.

Rather than submitting a laundry list of various proposals, we have laid down those things which we believe the other side should agree to and can agree to—the restoration of the demilitarized zone as set forth in the Geneva Conference of 1954, mutual withdrawal—guaranteed withdrawal of forces by both sides, the exchange of prisoners, all of these are matters that we think can be precisely considered and on which progress can be made.

Now where we go from here depends upon what the other side offers in turn.

3. RELATIONS WITH CHINA

Q. Mr. President, now that you are President, could you be specific with us about what your plans are for improving relations with Communist China and whether you think you'll be successful or not.

A. Well I have noted, of course, some expressions of interest on the part of various Senators and others in this country with regard to the possibility of admitting Communist China to the United Nations.

I also have taken note of the fact that several countries, including primarily Italy among the major countries, have indicated an interest in changing its policy and possibly voting to admit Communist China to the United Nations.

The policy of this country and this Administration at this time will be to continue to oppose Communist China's admission to the United Nations.

There are several reasons for that. First, Communist China has not indicated any interest in becoming a member of the United Nations. Second, it has not indicated any intent to abide by the principles of the U.N. Charter and to meet the principles that new members admitted to the United Nations are supposed to meet, and, finally, Communist China continues to call for expelling the Republic of China from the United Nations and the Republic of China has, as we—I think—most know, been a member of the international community and has met its responsibilities without any question over these past few years.

Under these circumstances, I believe it would be a mistake for the United States to change its policy with regard to Communist China in admitting it to the United Nations.

Now there is a second immediate point that I have noted and that is the fact that there will be another meeting in Warsaw. We look forward to that meeting. We will be interested to see what the Chinese Communist representatives may have to say at that meeting whether any changes of attitude on their part on major substantive issues may have occurred.

Until some changes occur on their side, however, I see no immediate prospect of any change in our policy.

4. MOST URGENT PROBLEMS

Q. Mr. President, what problems that you have to cope with do you feel require your most urgent attention?

A. Well, Mr. Kaplow, the major problems with which I've been concerned in this first week have been in the field of foreign policy because there only the President can make some of the decisions. And consequently the Security Council, as you ladies and gentlemen are aware, has had two very long meetings, and in addition I spent many long hours at night reading the papers which involve the foreign policy of the United States.

This afternoon, I will go to the Pentagon for my first major briefing by military officials on our military situation. Going beyond that, however, I would say that the problems of our cities which have been discussed at length at the Urban Affairs Council and our economic problems which were discussed at the meeting we had in the new Cabinet Committee on Economic Policy require urgent attentions.

It's very difficult to single one out and put it above the other. There are a number of problems which this Administration confronts. Each requires urgent attention. The field of foreign policy will require more attention because it is in this field that only the President in many instances can make the decision.

5. NUCLEAR POLICY

Q. Mr. President, on foreign—foreign policy, nuclear policy in particular, could you give us your position on the nonproliferation treaty and on the starting of missile talks with the Soviet Union?

A. I favor the nonproliferation treaty. The only question is the timing of the ratification of that treaty. That matter will be considered by the National Security Council by my direction during a meeting this week. I will also have a discussion with the leaders of both sides in the Senate and the House on the treaty within this week and in the early part of next week.

I will make a decision then as to whether this is the proper time to ask the Senate to move forward and ratify the treaty. I expect ratification of the treaty and will urge its ratification at an appropriate time and I would hope an early time.

As far as the second part of your question with regard to strategic arms talks, I favor strategic arms talks. Again it's a question of not only when but the context of those talks.

The context of those talks is vitally important because we're here between two major, shall we say, guidelines. On the one side there is the proposition which is advanced by some that we should go forward with talks on the reduction of strategic forces on both sides.

We should go forward with such talks clearly apart from any progress on political settlement and on the other side the suggestion is made that until we make progress on political settlements, it would not be wise to go forward on any reduction of our strategic arms even by agreement with the other side.

It is my belief that what we must do is to steer a course between those two extremes. It would be a mistake, for example, for us to fail to recognize that simply reducing arms through mutual agreement, that failing to recognize that that reduction will not in itself assure peace. The war which occurred in the Mideast in 1967 was a clear indication of that.

What I want to do is to see to it that we have strategic arms talks in a way and at a time that will promote, if possible, progress on outstanding political problems at the same time, for example, on the problem of the Mideast, on other outstanding problems in which the United States and the Soviet Union acting together can serve the cause of peace.

6. PEACE IN THE MIDEAST

Q. Mr. President, do you, or your Administration, have any plan outside the United Nations' proposal for achieving peace in the Middle East?

A. As you ladies and gentlemen are aware, the suggestion has been made that we have

four-power talks. The suggestion has also been made that we use the United Nations as the primary forum for such talks. And, it has also been suggested that the United States and the Soviet Union bilaterally should have talks on the Mideast, and, in addition to that, of course, that the problem finally should be settled by the parties in the area.

We are going to devote the whole day on Saturday to the Mideast problem, just as we devoted the whole day this last Saturday on the problem of Vietnam. We will consider on the occasion of that meeting the entire range of options that we have. I shall simply say at this time that I believe we need new initiatives and new leadership on the part of the United States in order to cool off the situation in the Mideast.

I consider it a power keg—very explosive—it needs to be defused, and I am open to any suggestions that may cool it off and reduce the possibility of another explosion—because the next explosion in the Mideast, I think, could involve, very well, a confrontation between the nuclear powers—which we want to avoid. I think it's time to turn to the left now.

7. BUDGET REDUCTIONS

Q. Mr. President, could you tell us whether you've had a chance to examine the Johnson budget, and whether you see any hopes for reductions in the Johnson budget?

A. Yes, I have examined it. As far as hopes for reduction are concerned, the Director of the Budget has just Friday issued instructions to all of the departments to examine the budget in their departments very closely and to give us recommendations as to where budget cuts might be made. For two purposes: one, because we would like to cut the over-all budget, and two because we want to have room for some of the new programs that this Administration—and the new approaches that this Administration—would like to implement.

At this time, I cannot say where and how the budget can be cut. I will say that we are taking a fresh look at all of the programs and we shall attempt to make cuts in order to carry out the objectives that I set forth during the campaign.

8. CEASE-FIRE IN VIETNAM

Q. Mr. President, do you consider it possible to have a cease-fire in Vietnam so long as the Vietcong still occupy Vietnamese territory?

A. I think that it is not helpful in discussing Vietnam to use such terms as cease-fire, because cease-fire is a term of art that really has no relevance, in my opinion, to a guerrilla war.

It's when you're talking about a conventional war, then a cease-fire, agreed upon by two parties, means that the shooting stops. When you have a guerrilla war, in which one side may not even be able to control many of those who are responsible for the violence in the area, the cease-fire may be meaningless.

I think at this point that this Administration believes that the better approach is the one that Ambassador Lodge, under our direction, set forth in Paris—mutual withdrawal of forces, on a guaranteed basis by both sides, from South Vietnam.

9. NUCLEAR WEAPONS STRENGTH

Q. Mr. President, back to nuclear weapons—both you and Secretary Laird have stressed, quite hard, the need for superiority over the Soviet Union. But what is the real meaning of that, in view of the fact that both sides have more than enough already to destroy each other, and how do you distinguish between the validity of that stance and the argument of Dr. Kissinger for what he calls "sufficiency."

A. Here again, I think the semantics may offer an inappropriate approach to the problem. And, I would say that with regard to Dr. Kissinger's suggestion of sufficiency that that would meet, certainly, my guideline—and I think Secretary Laird's guideline—with regard to superiority.

Let me put it this way: When we talk about parity, I think we should recognize that wars occur, usually, when each side believes it has a chance to win. Therefore, parity does not necessarily assure that a war may not occur.

By the same token, when we talk about superiority, that may have a detrimental effect on the other side, in putting it in an inferior position, and therefore giving great impetus to its own arms race. Our objective in this Administration—and this is a matter that we're going to discuss at the Pentagon this afternoon, and it will be a subject of a major discussion in the National Security Council within a month—our objective is to be sure the United States has sufficient military power to defend our interests and to maintain the commitments which this Administration determines are in the interests of the United States around the world. I think sufficiency is a better term, actually, than either superiority or parity.

10. CRIME IN THE CAPITAL

Q. Mr. President, you talked quite a bit during the campaign about crime in the District of Columbia. We've had quite a bit of it since January the first, and I wondered how you propose to deal with it.

A. Mr. Healey, it's a major problem in the District of Columbia, as I found when I suggested to the Secret Service I'd like to take a walk yesterday. I'd read Mary McGrory's column and wanted to try her cheesecake. But, I find, of course, that taking a walk here in the District of Columbia—and particularly in the evening hours—is now a very serious problem, as it is in some other major cities.

One of the employes at the White House, just over the weekend, was the victim of a purse-snatching—which brings it very close to home. And, incidently, I might point out in that case, that my advisers tell me that by seeing that the area is better lighted that perhaps the possibility of purse-snatching and other crimes in the vicinity of the White House might be reduced—therefore we have turned on the lights in all of that area, I can assure you.

But, to be quite specific with regard to the District of Columbia, it was not only a major commitment in the campaign, it is a major concern in the country—I noted an editorial in one of the major papers—The New York Times, for example—that Washington, D.C., was now a city of "fear and crime".

That may go too far, but at least that was their judgment. And both of the . . . all three of the Washington papers indicate great concern. Consequently, I have on an urgent basis instructed the Attorney General to present to me a program to deal with crime in the District of Columbia, and an announcement as to that program, and also an announcement as to what we will ask the Congress to do, in addition to what we will do administratively, will be made at the end of this week.

11. REVERSING JOHNSON MOVES

Q. Mr. President, why did you decide to withdraw all the appointments that had been sent to Capitol Hill by your predecessor—could you tell us why you decided to cancel the decision, for the time, in the Pacific airline case.

A. Well first on—with regard to the appointments, I had two precedents to follow, and so, consequently, I took my choice. In the one instance, President Kennedy, as you recall, did not withdraw the appointments of judgeships which he inherited from President Eisenhower.

On the other hand, President Eisenhower had withdrawn all appointments and then proceeded to make new appointments, including some from the list that had been withdrawn. I felt that the Eisenhower approach was the more efficient way to handle it.

I should point out that, among those names that have been withdrawn, I already know that some will be reappointed. But I felt that the new Administration should examine the whole list and make its own decision with regard to whether the individuals that had been appointed would serve the interests of the nation, according to the guidelines that the new Administration was to lay down.

With regard to the action that had been taken by the previous Administration on the airlines, I received recommendations—or, shall I say requests—on the part of both the chairman of the House Foreign Affairs Committee, and the chairman of the Senate Foreign Relations Committee—that this matter be returned to the White House for further examination.

As you know, the President has authority in this field only where it involves international matters. Under the circumstances—since both chairmen were members of the other party, and since also I received suggestions from a number of other Congressmen, both Democrat and Republican as well as Senators, that this should be re-examined, I brought it back for re-examination.

One other point that should be made. There is no suggestion, in asking for a re-examination of that decision, of impropriety or illegality or improper influence. We will examine the whole situation, but particularly with regard to its impact on foreign relations.

12. DEAL ON JUDGESHIPS

Q. Mr. President, Ramsey Clark stated this morning that you gave President Johnson assurances through Attorney General Mitchell that you would not withdraw the judicial nominations of Mr. Poole, Mr. Byrnes and several others. Would you comment on that sir?

A. Well I remember exactly what did occur and it may be that we did not have an exact meeting of the minds in the event that Ramsey Clark—former Attorney General Clark—had that understanding.

What happened was that Ramsey Clark discussed this matter during the period between the election and the inauguration with Attorney General Mitchell. He asked Attorney General Mitchell to ask me whether I would object to action on the part of President Johnson in the event that he did submit these appointments to the Senate.

My reply was that I would not object to President Johnson's submitting such—submitting names to the Senate just as I did not object to his action in the trans-Pacific case or in any other area.

As you ladies and gentlemen are quite aware, I have scrupulously followed the line. We have one President at a time and that he must continue to be President until he leaves office on January the 20th.

However, I did not have any understanding with the President directly and no one including Attorney General Mitchell as far as I was concerned had any discretion to agree to a deal that these nominations having been made would be approved by me.

I have withdrawn them and now I'm going to examine each one of them, and as I've already indicated I have decided that in at least some instances some of the names will be resubmitted.

13. CONGRESSIONAL RELATIONS

Q. Mr. President, in the last Administration, the McClellan Committee ran into con-

siderable problems obtaining information on cost, performance and development on the TFX F-111 contract, I wondered if you will open the records on this and what your general view is with regard to dealing with Congressional Committees?

A. I understand not only the McClellan Committee but Mr. [Clark] Mollenhoff [of Cowles publication] did some examination in this field too. With regard to the TFX and also with regard to all of the matters that you have referred to, this Administration will reexamine all past decisions where they are not foreclosed—the re-examination not foreclosed by reason of what has gone before.

I will not, however, at this time prejudge what that examination will indicate. I believe that it is in the best interest of the nation when a new Administration comes in with a new team that the President direct the new team as I have directed it very strongly during this first week to reexamine all decisions that may have been questioned either by Senate committees or by responsible members of the press or by other people in public or private life.

This we are doing and this is one of the areas in which we and the reexamination is going forward.

14. CURBING INFLATION

Q. Mr. President, inflation, rising inflation, Mr. President, are of great concern. What specific plans do you have to curb it?

A. In the meeting of the Cabinet committee on economic policy, which I set up—one of the three new institutions I set up—I say three new institutions if I might digress for a moment; I suppose that the nation wonders what a President does in his first week and where is all the action that we've talked about.

We have done a great deal particularly in getting the machinery of government set up which will allow us to move in an orderly way on major problems.

I do not believe for example that policy should be made and particularly foreign policy should be made by off-the-cuff responses in press conferences, or any other kind of conferences. I think it should be made in an orderly way. And so it is with economic policy.

Now, that is why in addition to the Cabinet committee and in addition to the Urban Affairs Council and the revitalized National Security Council for Foreign Affairs, we now have a Cabinet committee on economic policy.

That Cabinet committee has considered the problem of inflation and the problem is first that we are concerned about the escalation of prices to a rate of 4.8 per cent and we do not see, if present policies continue, any substantial reduction in that.

And second, we are considering what actions can be taken which will not cause an unacceptable rise in unemployment, and by unacceptable rise in unemployment, I want to emphasize that we believe it is possible to control inflation without increasing unemployment in certainly any substantial way.

I should make one further point. Unless we do control inflation, we will be confronted eventually with massive unemployment, because the history of economic affairs in this and other countries indicates that if inflation is allowed to get out of hand, eventually there has to be a bust and then unemployment comes.

So what we are trying to do without, shall we say, too much managing of the economy—we're going to have some fine tuning of our fiscal and monetary affairs in order to control inflation.

One other point I should make in this respect. I do not go along with the suggestion that inflation can be effectively controlled by exhorting labor and management and industry to follow certain guidelines.

I think that's a very laudable objective for labor and management to follow. But I think I am aware of the fact that the leaders of labor and the leaders of management, much as they might personally want to do what was in the best interests of the nation, have to be guided by the interests of the organizations that they represent.

And so the primary responsibility for controlling inflation rests with the national Administration and its handling of fiscal and monetary affairs. That is why we are—we'll have some new approaches in this area. We assume that responsibility. We think we can meet it, that we can control inflation without an increase in unemployment.

15. ESTIMATE ON WAR'S END

Q. Mr. President, during the transition period in New York, several persons who conferred with you came away with the impression that you felt the Vietnam war might be ended within a year. Do you believe the impression was correct, sir?

A. I, of course, in my conversations with those individuals—and any individuals—have never used the term six months, a year, two years, or three years. Because I do not think it's helpful in discussing this terribly difficult war—a war that President Johnson wanted to bring to an end as early as possible, that I want to bring to an end as early as possible—I do not think it is helpful to make overly optimistic statements which, in effect, may impede and, perhaps might make very difficult our negotiations in Paris.

All that I will say is this—that we have a new team in Paris, with some old faces but a new team. We have new direction from the United States. We have a new sense of urgency with regard to the negotiations. There will be new tactics. We believe that those tactics may be more successful than the tactics of the past.

I should make one further point, however, we must recognize that all that has happened to date is the settlement of the procedural problems—the size of the table and who will sit at those tables. What we now get to is really that hard, tough ground that we have to plow—the substantive issues as to what both parties will agree to.

Whether we're going to have mutual withdrawal, whether we're going to have self-determination by the people of South Vietnam without outside interference, whether we can have an exchange of prisoners. This is going to take time, but I can assure you that it will have my personal attention, it will have my personal direction—the Secretary of State, my advisor for national security affairs, the Secretary of Defense—all of us will give it every possible attention, and we hope to come up with some new approaches.

Q. Thank you, Mr. President.

A FRIEND, IN OR OUT OF GOVERNMENT, IS A CRONY—ABILITY AND DEVOTION ARE THE ELEMENTS THAT COUNT

Mr. RANDOLPH. Mr. President, on July 3, 1968, in commenting during the controversy which overwhelmed the nomination of Associate Justice Abe Fortas to be the Chief Justice of the Supreme Court of the United States after it was submitted to the Senate by President Lyndon B. Johnson, I stated: "The charge of cronyism is not worth answering."

I still believe this, even as I recall that many persons voiced charges of cronyism during consideration of the Fortas nomination.

Today, I ask those vociferous critics of cronyism these two questions:

Is cronyism dead? Did cronyism leave the vestibules of Government with the change of administrations?

To answer is to do so in the negative—and there is not any inference that the negative answers to the questions are bad.

But let us consider some current situations involving names of persons highly placed and prominent in the news:

Secretary of State Rogers—is he not possibly a crony of someone we know?

Secretary of Health, Education, and Welfare Finch—a crony of someone we know?

Secretary of Commerce Stans—another crony of someone we know?

Attorney General Mitchell—how about his crony relations with someone we know?

Perhaps 25 to 50 percent of the Cabinet of the President of the United States could be vulnerable to the charge of cronyism, even though they are qualified men—some of them especially well qualified for their assignments and missions. And let there be no mistake, the list of those persons who might appropriately be listed among the cronies extends well below the highest circles of Government. Indeed, we do not know how deeply our system has been "penetrated"—and in just a few short months since cronyism was so much in the news.

Now, let the voices of those who fear cronyism and decry its practice ring forth for all that is "just" and "right."

Personally, I do not harbor a dread or fear of cronyism. However, I call the "perilous" situation that prevails now to the attention of those persons who were fearful and outraged last summer and who must still find cronyism repulsive—so they might sound the tocsin of battle against this "insidious" condition. Presumably, they are committed to oppose cronyism whenever and wherever it rears its "ugly head." And, no doubt, their apparent dedication to the eradication of this threat transcends political partisanship and personal philosophies.

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 ordered.

RECESS

Mr. KENNEDY. Mr. President, in accordance with the previous order, I move that the Senate stand in recess until noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 37 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, January 29, 1969, at 12 o'clock meridian.