

nist daily. Two new ones are publishing. No editions of any paper have been suspended or banned.

One, in Salonika, was held up for printing a picture of the million-dollar-a-year King Constantine at the inauguration of President Nixon. When the Prime Minister was told of this by brother Troumbounis, word flashed immediately and the paper rolled in two hours. A second daily was held up for an afternoon.

There are now newsmen in prison here. If one is picked up for collaboration with the underground, the newspaper union chief alerts the Prime Minister and the reporter is freed.

And, while we're talking about Salonika, which for many hundreds of years until the Nazi storm troopers invaded this land, was the center of great Jewish learning, let's for a fleeting second look at freedom of religion. There is absolute freedom of worship. The Roman Catholic minority and the surviving 6,000 persons of Jewish faith go to their churches and temples in utter freedom.

They are freer here than in any communist land. All of which is not to say that the regime is not tough, nor that it believes that Spartan measures and Draconic laws are unnecessary, or that they featherbed the opposition.

But why is this a reason for alienating an ally in a part of the world where we have mighty few? Why is this a reason for depriving Greece of arms when it is unsparr-

ing of its soil, and its sons, in defense of the free world?

Why suddenly is it the fashion in some circles back home to skewer Greece because it has a tough government—yet fawn on the totalitarianism of the Soviet Union? Why are we asked to desert our Greek allies and yet woo the mocking military regime in Peru and tolerate those who once shouted Ho Ho Ho?

Why the double standard?

REVENUE SHARING WITH LOCAL GOVERNMENTS

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 29, 1969

Mr. PELLY. Mr. Speaker, I strongly support President Nixon's proposed revenue sharing with State and local governments.

Ten years ago I incorporated this idea of revenue sharing in a bill to provide assistance to the States in meeting the needs of education. My idea was to return a percentage of the income tax collected by the Federal Government to the respective States in lieu of Federal aid to

education. By this means I hoped to avoid Federal control of our schools which I think are properly the responsibility of the States. Likewise such decisions as compulsory busing of schoolchildren to provide racial balance, to me, are properly a matter for local school boards and the parents who elect them.

However, I think the basic argument in favor of revenue sharing is that it would protect our dual system of government and federalism under the Constitution against eventual control.

The States and local communities have been desperately attempting to meet their needs for adequate public service. More and more they have been forced to turn to the Federal Government for money and the result of this growing dependence on Federal largess has been more and more control on the national level. In many instances Federal programs bypass local authorities who certainly know best their own needs and priorities.

So, as I say, Mr. Speaker, I applaud the President in asking Congress to provide means of financing State and local needs without the Federal Government saying how and where the money must be spent.

SENATE—Tuesday, September 30, 1969

The Senate met at 12 o'clock noon and was called to order by the Acting President pro tempore (Mr. METCALF).

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

O Thou who didst bless and guide the pioneer founders of the Republic, imbue us with their fortitude and wisdom that we may be pioneers of the spirit and molders of a better world. Help us, O Lord, to make this good earth the city of God—a city of righteousness where none shall harm his neighbor; a city of brotherhood where success is measured by service, and honor is accorded to nobleness alone; a city of plenty where evil and poverty have vanished; a city of peace, where order shall not rest on force but on personal goodness and the love of all for the common life and weal. Inspire and strengthen all in the service of the Government and all citizens of the Nation that we may give time, thought, and sacrifice to speed the day when Thy kingdom comes on earth as it is in heaven; for Thine is the kingdom and the power and the glory forever. Amen.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, September 29, 1969, be dispensed with.

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated

to the Senate by Mr. Leonard, one of his secretaries, and he announced that on September 26, 1969, the President had approved and signed the following acts:

S. 83. An act for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation;

S. 348. An act for the relief of Cheng-hual Li; and

S. 1686. An act relating to age limits in connection with appointments to the U.S. Park Police.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 2068) to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child-care centers for pre-school and school-age dependents of employees, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 13369) to authorize the Administrator of Veterans' Affairs, until October 1, 1971, to set interest rates necessary to meet the mort-

gage market for guaranteed and insured loans under title 38 of the United States Code, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 10420) to permit certain real property in the State of Maryland to be used for highway purposes.

HOUSE BILL REFERRED

The bill (H.R. 13369) to authorize the Administrator of Veterans' Affairs, until October 1, 1971, to set interest rates necessary to meet the mortgage market for guaranteed and insured loans under title 38 of the United States Code, was read twice by its title and referred to the Committee on Banking and Currency.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

THE INTEREST EQUALIZATION TAX EXTENSION ACT

Mr. KENNEDY. Mr. President, yesterday in a colloquy with the distinguished Senator from Delaware (Mr. WILLIAMS), the ranking minority member of the Finance Committee, and with the chairman of the committee, the distinguished Senator from Louisiana (Mr. LONG), I indicated that Calendar No. 424, the Interest Equalization Tax Extension Act would be scheduled as soon as some reasonable time had been allowed for preparation by those Senators who desire to oppose the bill. This action does not reflect the personal bias of the majority leader and the assistant majority leader, inasmuch as we are divided on the issue, the Senator from Montana being a co-sponsor, and the assistant majority leader being opposed. This had been the position of the leadership and the Democratic policy committee for the following reasons:

First. An amendment added by the Finance Committee to the bill would repeal, in part, the 1968 firearms control legislation which is unrelated to the principal legislation and was added, in effect, by surprise, leaving Senators who oppose the measure without adequate time to prepare if the legislation was to be considered prior to the September 30 expiration date.

Second. There is a genuine question of committee jurisdiction in that similar legislation was referred to the Judiciary Committee and then withdrawn from Judiciary and resubmitted in Finance Committee session.

Third. The Senate is presently considering the proposed Coal Mine Safety Act of 1969, a matter of very great significance and importance, in which there is considerable controversy. It is expected that this bill will not pass before tomorrow, October 1. In order that the Interest Equalization Tax Act might be considered, it would be necessary to have unanimous consent to lift the unfinished business. Such unanimous consent to consider such a controversial matter would not be possible to obtain. Furthermore, passing the act prior to tonight's deadline would not solve the problem which was so clearly outlined yesterday by the Senator from Delaware, inasmuch as it would be necessary, because of the Finance Committee amendment, that the legislation then be returned to the House for their consideration.

In the House, their alternatives, as I understand them, are four:

First. The chairman of the Ways and Means Committee can ask unanimous consent to concur with the Senate amendment. Such unanimous-consent agreements are sometimes difficult to obtain, and I am informed that someone would object.

Second. The chairman can ask unanimous consent to go to conference with the Senate.

Third. The chairman can ask unanimous consent to concur with an amendment deleting the Finance Committee

ammunition amendment. Again, such unanimous consent might not be forthcoming.

Fourth. Last, the legislation can be submitted to the Rules Committee, which could give a rule permitting, eventually, the House to vote on adding the subject Finance Committee amendment. I am reliably assured this procedure would, in all probability, take 2 to 3 weeks.

I tried yesterday to point out that there is little question that the Interest Equalization Tax Act will pass the Senate in the near future. Likewise, I am confident that if the controversial amendment were deleted from the bill, it would pass the Senate today, could go back to the House for their concurrence in some technical amendments, then could be signed by the President before the midnight deadline tonight. The decision in this matter is where we left it yesterday, with the Senator from Utah (Mr. BENNETT) and not with the leadership.

I would point out, too, that the letter from Treasury Secretary David Kennedy, which the distinguished Senator from Delaware read in full into the RECORD yesterday, outlines emergency procedures already taken this year, and gives assurances that the Treasury Department is prepared to take such action if this legislation is not considered and passed by both Houses and signed by the President before midnight tonight.

IN THE MATTER OF A DEED WITH RESPECT TO A CERTAIN PORTION OF THE LAND HERETOFORE CONVEYED BY THE UNITED STATES TO THE SALT LAKE CITY CORP.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 421. S. 1366.

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

The LEGISLATIVE CLERK. A bill (S. 1366) to release the conditions in a deed with respect to a certain portion of the land heretofore conveyed by the United States to the Salt Lake City Corp.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with amendments, on page 1, line 8, after the word "hereby" strike out "released only with respect to the following described tract" and insert "waived, for the limited purpose of permitting the repair and lighting of a large concrete 'U' (an emblem of the University of Utah) situated on a tract of approximately 3.73 acres"; and on page 2, line 5, after the word "meridian," strike out "Utah," and insert "Utah." and on page 2, line 6, strike out "which contains a large concrete 'U' (an emblem of the University of Utah) and which comprises approximately 3.73 acres, more or less:

"Beginning at a point north 0 degrees 00 minutes 40 seconds east, 999.41 feet and south 89 degrees 59 minutes 57 seconds east, 3,265.57 feet from United States Military Reservation Monument

Numbered 13, said monument marking the southwest property corner of the Shriners Hospital for Crippled Children; "thence south 89 degrees 59 minutes 57 seconds east, 500 feet along the northerly boundary of Fort Douglas Military Reservation, said boundary being between United States Monuments 14 and 15 to the point of intersection of the northerly extension of the westerly boundary between United States Monuments 11 and 12;

"thence south 0 degrees 02 minutes 40 seconds east, 325 feet along the northerly extension of the westerly boundary of the Fort Douglas Military Reservation between United States Monuments 11 and 12;

"thence north 89 degrees 59 minutes 57 seconds west, 500 feet along a protracted line parallel with the north boundary of Fort Douglas Military Reservation, said boundary being between United States Monuments 14 and 15;

"thence north 0 degrees 2 minutes 40 seconds west, 325 feet along a protracted line parallel with the northerly extension of the westerly boundary of the Fort Douglas Military Reservation, between United States Monuments 11 and 12 to the point of beginning."

So as to make the bill read:

S. 1366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Surplus Property Act of 1944, as amended (50 U.S.C. 1622(h)), the terms and conditions in the instrument of transfer issued by the United States on November 15, 1961, to the Salt Lake City Corporation, providing for a reversion of title to the United States under specified circumstances, are hereby waived, for the limited purpose of permitting the repair and lighting of a large concrete "U" (an emblem of the University of Utah) situated on a tract of approximately 3.73 acres in section 33, township 1 north, range 1 east, Salt Lake meridian, Utah.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-425), explaining the purposes of the measure.

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

PURPOSE

S. 1366 would release a restriction placed on a tract of land conveyed to the Salt Lake City Corp. on November 15, 1961, pursuant to section 13(h) of the Surplus Property Act of 1944, which authorizes the disposal of surplus real property to States, political subdivisions thereof, and municipalities at 50 percent discount for park and recreational use. Under the terms of the conveyance, the property will revert to the United States in the event it is not used for park and recreational purposes. To avoid automatic reversion of the property this bill, as amended, would waive the reverter clause for the limited purpose of allowing the Salt Lake City Corp. to make the necessary repairs to the concrete block "U" situated on the property and install lights thereon without violating the restrictions as to use thereof.

BACKGROUND

An Ad Hoc Subcommittee on Surplus Property, of the Committee on Government Operations, held hearings on this and several other bills on July 9-10, 1969, at which time

representatives from the various departments and agencies testified on the proposed legislation. There appeared to be a difference of opinion as to whether the proposed improvements to the property could be made without violating the restrictions of limitations placed thereon by the conveyance. By letter dated November 29, 1968, to Senator Moss, the Director of the Bureau of Outdoor Recreation held as follows:

We note that the 1961 instrument of transfer conveying the property containing the block U to the Salt Lake City Corp. provides only for the use of such property for public park and recreational purposes. Under the terms of this instrument the corporation agreed to utilize such property in accordance with the approved program as set forth in an isometric map which was part of the transfer agreement. We also note that no provision was made in this program for maintenance of the block U. We have carefully reviewed the corporation's proposal to renovate the block U and install permanent lighting facilities for it, and have determined it would not be in compliance with the terms of the instrument of transfer.

However, on May 26, 1969, the Solicitor of the Department of the Interior advised the Secretary of the Department that the block U was on the land when conveyed to the Salt Lake City Corp., in 1961, and that:

It cannot now be said that its existence is incompatible with the terms of the grant. Mere illumination of the U would not change the use of the tract and therefore cannot be considered as incompatible to the grant.

The enactment of S. 1366 would remove any ambiguity concerning the right to repair and illuminate the block, without losing title to the property on which the block is located.

The amendments were agreed to.

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

ORDER OF BUSINESS

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

The ACTING PRESIDENT pro tempore. 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 of the quorum call be rescinded.

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

ORDER FOR ADJOURNMENT UNTIL NOON TOMORROW

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

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

THE SO-CALLED VIETNAM MORATORIUM ON OCTOBER 15

Mr. SAXBE. Mr. President, I have been invited, as have other Senators, to join in the Vietnam moratorium.

As one who has been especially critical of the failure to respond to what I think is justified national pressure in regard to the war in Vietnam, I want to state unequivocally that I want no part of such an effort as this.

No one has been more critical than I of the war in Vietnam. My criticism has been based primarily on the belief that any hope of military victory was abandoned when we failed to isolate the battlefield—one of the basic rules of combat—and destroy the enemy.

What we have been engaged in since that time is a losing operation, because we cannot do that effectively, and because we are fighting against a well-supplied enemy who has violated all the rules of combat which I learned in my years of service in the Army.

Mr. President, this so-called moratorium indicates an ingenious effort to create a snowballing effect; that is, 1 day in October, 2 days in November, 3 days in December—until such time as we would have a week of riots and hell-raising and national disruption.

I notice in the activities the sponsors call for, all referred to as "orderly," they are against some of our basic institutions and certainly not in keeping with what we believe to be the good order of our country. I hope that my colleagues will not be drawn into this, because to do so would be to give the color of sanction and respect which such an effort hardly deserves.

Mr. President, probably one of the most disturbing things to me would be that the men serving in Vietnam, and those who have already served there, and in our Armed Forces throughout our history, would be a subject of disdain.

We would be cutting the ground out from under these men, many of them in Vietnam not of their own choosing but because they are patriots, and because they have responded willingly to the call of their country.

I do not intend to stop making suggestions about what the President should do. I know there is the suggestion of a moratorium and I think that with the change in government in Hanoi, it makes some sense. It leaves the door open for reasonable complaint. To call a complete moratorium is perhaps too strong a word. I do believe that we must do nothing to undercut the morale of our troops or the morale of the people in this country toward their Government.

I believe that this is the underlying effort of such a movement this committee has put forward to us.

Mr. President, I wonder whether we would not strengthen the hand of our people if we were to wait until the 11th day of November and turn out in a patriotic display of support for our men in Vietnam, as I hope we will do, remembering that this Army was put together in peacetime, as we like to say, to fight a foreign war and is probably the most valiant group of men we have ever had in this country.

Thus, Mr. President, my words this morning are, first, that I want no part of this moratorium. I hope that my colleagues will not join it.

Second, I want to show my respect for our valiant troops for what they have done, and what they are doing.

Third, I want to call on the urgency of the moment, as I have done many times, to ask the President to be responsive to it. I know that he did in August

what I thought he should have done in February. My voice is only one of many in this country in this area, but I hope it can be done in patriotic support of our Government.

Mr. GRIFFIN. Mr. President, will the Senator from Ohio yield?

Mr. SAXBE. I yield.

Mr. GRIFFIN. I commend the distinguished junior Senator from Ohio, who has proved himself in the time he has served in this body to be a very able, competent, and independent Senator; and one who possesses outstanding credentials to speak on the subject of the war in Vietnam.

In his remarks concerning the so-called Vietnam moratorium, he has said what I believe is in the minds and hearts of most Americans.

Like the Senator from Ohio, I view these preparations for demonstrations on October 15—the so-called Vietnam moratorium day—with dismay.

It is ironic and rather tragic that these demonstrations are to be directed at the U.S. Government and our institutions rather than at the Hanoi government and the Communists. For the record is clear that it is Hanoi and the Communists who have not budged, who have not given 1 inch, who have not negotiated realistically, and who have ignored the proposals for peace made by this administration and the previous administration over and over again.

In view of our country's efforts toward peace in Vietnam, it would be understandable if demonstrations were being planned in support of the administration. Unfortunately, however, some Americans are following the opposite path. I believe the upcoming moratorium is a misguided effort and can only have the effect of undercutting and undermining the President of the United States earnest efforts to bring the war to a close on an honorable basis.

And similarly, I believe the "bugout" resolutions which would require the pull-out of all American troops from Vietnam by a given date in the future also foreclose our country's ability to end the war on an honorable and lasting basis.

The more I consider these resolutions, it is clear that one who advocates such a position is really advocating that we pull all our troops out right now for if that is his position, it is not realistic or fair to our men in Vietnam to leave our boys there sustaining casualties pending the eventual pullout on December 1970.

When viewed in this light, such resolutions would, indeed, destroy our President's ability to negotiate a lasting peace—not to mention the possibility of bringing our troops home even earlier than December of next year.

In closing, I again commend the Senator from Ohio. He is a courageous Senator who always speaks his mind. Although I may not always agree with him, I always respect him.

APPOINTMENTS TO 15TH CONFERENCE OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

The PRESIDING OFFICER. The Chair, on behalf of the Vice President,

in accordance with Senate resolution 65, 91st Congress, first session, appoints the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from Kentucky (Mr. COOK) to attend the 15th conference of the Commonwealth Parliamentary Association, to be held at Port-of-Spain, Trinidad, on October 13 to 17, 1969.

ORDER OF BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that I may proceed for an extra 5 minutes.

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

HEARINGS ARE ESSENTIAL BEFORE SENATE CONSIDERS AMENDMENT TO REPEAL AMMUNITION CONTROLS

Mr. DODD. Mr. President, at the appropriate time, I shall ask the Senate to defer action on S. 2718, which is currently pending on the Senate Calendar as an amendment to H.R. 12829, the Interest Equalization Tax Extension Act. This amendment, which would dismantle the ammunition control provisions of the Gun Control Act of 1968, was reported to the Senate without a single day of public hearings on the legislation.

It concerns me gravely to think that legislation which is as controversial as this amendment could be merely tacked on as a "Christmas tree" attachment to a nonrelated House-passed bill.

This action is particularly appalling in view of the contents of a press release issued yesterday by the office of the senior Senator from Utah which stated that the Secretary of the Treasury supports the move to repeal the ammunition controls of the Gun Control Act of 1968.

It is appalling because the statements attributed to the Secretary of the Treasury in that release directly contradict testimony which the Juvenile Delinquency Subcommittee recently received in a series of hearings on the effectiveness of the Gun Control Act of 1968.

At that time, representatives of the Treasury Department and the Internal Revenue Service appeared on behalf of the administration and testified that the Gun Control Act has been effective.

They asked that no changes be made in the law at this time.

On July 23, 1969, Assistant Secretary of the Treasury, Eugene T. Rossides, told the subcommittee:

It is the View of the Department that, . . . the Gun Control Act of 1968 is working reasonably well and it providing the needed support for State and local controls for which it was designed. We respectfully suggest that the controls under the Gun Control Act of 1968 be given a full opportunity to prove their worth.

That same day, July 23, 1969, the Commissioner of the Internal Revenue Service, Randolph W. Thrower, said:

I strongly believe the new gun law is an effective law enforcement tool which will go a long way in assisting local law enforcement authorities in coping with the crime problem within their own borders.

Considering the apparent conflict between the testimony of Mr. Rossides and

Commissioner Thrower and the position now taken by Secretary Kennedy, we must have hearings on this amendment.

If the Secretary has new information that was unavailable to the Subcommittee on Juvenile Delinquency 2 months ago, we would like to know what it is. The facts should be clearly recorded, and in order to do so, the Senate should insist on hearings.

The need to resolve the Treasury Department conflict, however, is only one reason why the Senate deserves hearings on this amendment. If the facts in the release issued by the Senator from Utah are any indication, hearings are needed to correct some serious misconceptions about ammunition controls, misconceptions which seem to have wide currency in some quarters.

Mr. President, we spent 6 weeks of floor debate less than a year ago on the question of firearms and ammunition controls.

Let me review three of the most compelling reasons why the Senate was persuaded to pass the controls on the sale of ammunition:

First. Since the Act requires a dealer to record the name, age, and place of residence of each person to whom he sells ammunition as well as firearms, records which are available for inspection by law enforcement officers, ammunition controls would deter criminals from attempting to purchase bullets. Persons who intend to commit unlawful acts will be deterred from purchasing ammunition because they will not want to identify themselves and leave a record of the transaction.

Second. Since the National Violence Commission estimated that there are now some 90 million firearms in private hands in the United States, ammunition control is the only way in which the Gun Control Act can affect firearms already privately owned. As these weapons are impotent without ammunition, it is only common sense to regulate the flow of that ammunition in order to prohibit its sale to juveniles, known felons, and other irresponsible persons, who may already own firearms.

Third. Since evidence of the purchase of ammunition used in a crime may be an important element of proof, ammunition controls would assist investigation of crime. Investigation of crime by law enforcement officials should be greatly benefited by records of ammunition sales, particularly where police suspect a particular individual of a specific firearms crime.

Despite Senate debate on these points last year, however, the press release issued by the Senator from Utah states that ammunition controls are of no help to law-enforcement officials and are of no significance in the fight against crime.

I do not know of any law-enforcement officer who says so. I do not know of anyone who has dealt with this problem who says so.

I had thought, when this matter was referred to the Finance Committee, that the Finance Committee would be prepared to hold hearings on it. Our Juvenile Delinquency Subcommittee was so

prepared. We had scheduled hearings on this subject when the bill was suddenly withdrawn and a "new" one introduced and abruptly referred to the Finance Committee. I thought and all of us interested in this problem thought, there would be hearings. We never expected this quickie attempt to put this amendment on a wholly unrelated House bill.

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

Mr. DODD. I yield.

Mr. KENNEDY. One of the problems raised by the amendment was obvious in the morning paper. I saw reported in the Washington Post today that the exponent of the amendment does not feel that his amendment covers handgun ammunition, yet I see that in the committee report, on page 30, .22-caliber rimfire ammunition is, in fact, included in the amendment.

It is interesting to note, Mr. President, that 30 percent of all murders committed by handguns in this country every year are perpetrated by .22-caliber handguns. Some 60 percent of murders committed by rifle used guns of .22 caliber. Thirty-seven percent of all gun murders involve .22-caliber ammunition. I thought it relevant to mention those statistics.

There does appear to be a conflict in the statement of the Senator from Utah (Mr. BENNETT), that his amendment does not include handguns, and the committee report to which I just made reference.

Mr. DODD. The Senator is correct. I am very pleased that the Senator has brought this point up at this time, because it is a salient and important one. These .22-caliber rimfire bullets are known as killer bullets by the law-enforcement officials. This is the ammunition that, about a week ago, killed four persons in a bank robbery. This is the ammunition that is so cheap to buy.

If the Senator from Utah really believes that ammunition controls are no help to the police, I would think that he would be willing to have hearings so that he could hear the testimony of law-enforcement officials for himself.

We also need hearings to correct some misconceptions, for another statement in the Senator from Utah's press release, a statement which might be amusing in its misrepresentation if it were not so tragic, tells us that the pending amendment in no way whatsoever affects existing controls over pistol and revolver ammunition.

As the acting majority leader just said, the Senator from Utah implies that pistols and revolvers do not use .22-caliber ammunition.

I wonder if the Senator knows that in 1967, of the 1,188,000 pistols and revolvers estimated to have been sold, a substantial percentage would fire .22-caliber ammunition, and, of all imported handguns, of which there were 747,000 in 1967, the great majority fire .22-caliber ammunition.

I wonder if the Senator knows that 70 percent of all the ammunition produced in the United States last year was .22-caliber ammunition, and that 30 percent of the persons murdered with pis-

tols last year were murdered with .22-caliber ammunition.

I wonder if the Senator knows that his amendment would exempt these and approximately 90 percent of all firearms from ammunition controls.

This amendment would exempt 90 percent of all firearms from ammunition control, at a time when crime is rising every day, at a time when the number of murders committed is up every day, at a time when more people are being assaulted every day. Yet here we have an amendment presented to us for the first time, tagged on to a House bill, slipped into the Senate, making it impossible to fully explore the matter and, because of the urgency of the tax measure, getting Senators stampeded into dismantling the Gun Control Act.

I say there is nothing more important to the American people than that this not be done, and certainly that it not be done in this fashion, without any hearings at all of any kind, shape, or manner.

The Senator from Utah does not have to accept my statistics. I obtained them during hearings on firearms control legislation. However, if hearings are held, as they must be held, the Senator can learn for himself that there are a significant number of pistols and revolvers abroad in this land which fire .22-caliber ammunition, and the ammunition for these handguns would be exempt under the Senator's amendment.

In fact, if the pending amendment is passed, essentially all that is left subject to the ammunition controls of the Gun Control Act are large caliber handguns, which constitute a very small fraction of the firearms that would be subject to the bill.

And if such significant gaps in the coverage of ammunition are to be created, is it not clear that those bent on crime will convert to the weapon that is most available? Surely criminals will find it easy to use weapons other than the few large caliber handguns still subject to the ammunition controls.

And, I hasten to point out that a pistol loaded with .22's is just as intimidating to a bank teller, or a person walking down a dark street, or to a transit driver, as any other firearm.

The argument has been made that sportsmen are the only ones who use rifles and shotguns, and that "Boy Scouts" are the ones who use .22 caliber ammunition. I note that the active majority leader has left the floor, but I ask Senators to consider:

Senator Robert F. Kennedy was killed by a pistol firing .22-caliber bullets, which Senator BENNETT would exempt;

President John F. Kennedy and Dr. Martin Luther King, Jr., were killed by rifle bullets, which Senator BENNETT would exempt;

Medgar Evers was killed by a shotgun, the ammunition for which Senator BENNETT would exempt.

To describe this amendment as applicable only to sporting ammunition is a charade, it is deceptive, and it is misleading. The truth is that this amendment would, if adopted, provide assassins and felons of every description with free and easy access to their choice of the 4.4 bil-

lion rounds of ammunition produced in the United States each year.

I ask Senators to consider this fact and consider it well.

Finally, we have the most spurious argument of all. We are told that this amendment would do away with the "elaborate registration procedures required under the present law."

Mr. President, there are no registration procedures under the present law. A person shows his driver's license to prove he is who he says he is, when he was born, where he lives and nothing more.

All a person who wants to buy this kind of a bullet has to say is, "I am John Jones, I am over 21 years of age, and I live at No. 1 Smith Street." That is all he has got to say. Now, what a great burden that is, considering the crime situation in this country.

I have bought ammunition. Many of us here have. My judgment is that most people who buy ammunition buy it at a store where they are known. Of course there are some exceptions; but generally, I say, a person buys his ammunition from a man he knows. There will not be a great burden on anybody to obtain ammunition by giving the simple facts of name, age, and address.

Of course, I have never suggested ammunition controls would stop all the crime committed with guns. All I have said was that ammunition controls would help us a little bit. I believe a criminal will be a little bit reluctant, and perhaps think twice about buying bullets, when he knows he has to give his name, age, and address, and that if he gives false information, he subjects himself to penalties for violation of the law. It is said that the criminals would continue to violate the law anyway.

But, Mr. President, all we are trying to do is make it a little bit harder for criminals, mentally disturbed people, and children, just a little bit harder.

This back-door registration canard was put abroad by the gun and bullet lobby and they have fooled many well meaning people, and apparently many Senators.

Sportsmen have not been hurt. There have been more hunting licenses issued since the Gun Control Act was passed last year than ever before in the history of this country.

I think it is important that the Senate have these facts. I do not wish to dwell at any greater length upon them now. I simply call them to the attention of the Senate, and I ask Senators to look at the facts, and to reject the arguments for what they are, uninformed, unfounded and unconscionable.

And when the time comes, I ask them to reject the Bennett amendment and to refer it to an appropriate committee for hearings, so that misrepresentations can be corrected, so that misconceptions can be clarified, so that the legislation can be placed in proper perspective and the Senate can view it for what it really is.

I plead with those who are pushing this amendment at least to hold hearings.

Do not jam this measure through without hearings. I do not think the American people want that to happen. I do not think the Senate does.

I do not think this matter has been

thought out carefully enough. If it can be proved in proper hearings that it is not needed, that it is too cumbersome, or too expensive, all right; then we will have the record before us.

But this is a terrible way to legislate on a subject of this importance, and I hope the amendment will be rejected.

VIETNAM INVOLVEMENT— NATIONAL INSANITY

Mr. YOUNG of Ohio. Mr. President, in March of 1964 I first spoke out in the Senate criticizing our involvement in a ground war in Vietnam. In the course of my remarks I quoted excerpts from a letter from the wife of a serviceman who formerly lived in Ohio but was then living in Saigon where her husband was stationed. She wrote:

A big problem is that most of the Vietnamese do not really care about the war, most of them do not want to fight. There are Vietnamese guards at the American installations in Saigon and elsewhere in south Vietnam. When these bases are attacked by the VC some of the Vietnamese guards are bribed, some run away. . . . There has been a noticeable lack of any Vietnamese around these bases. It seems very likely that they have been warned beforehand. . . . When the south Vietnamese armed forces do have a chance to fire on the Vietcong quite often they refuse. . . . Even if they were receiving adequate training to fight the war by themselves (which they are not) they could not and would not win by themselves because they have no will to fight and win.

I stated then and I state now that it is "more than obvious that if this war is won it will have to be won by the Americans." This was confirmed when in 1965 I spent nearly a month in Southeast Asia on a factfinding mission and at that time I was in every area of South Vietnam.

It was clearly said yesterday by the distinguished senior Senator from Idaho (Mr. CHURCH) that the strength of antiwar sentiment in Congress has grown out of its nonpartisan nature. In 1964 when Senator CHURCH and I first protested our deepening involvement in Vietnam we were speaking against the policies of a Democrat in the White House. Our primary concern was our country's interest. That should always be placed above partisan considerations.

Throughout 1964 and 1965 and even more recently than that there was far less dissent against the war than there is now. No longer do I receive abusive and denunciatory letters from Ohio citizens suggesting I am a Communist sympathizer because I have spoken out in Ohio and in the Senate against our ever-deepening involvement in a civil war in South Vietnam.

Mr. President, the reason that I no longer receive abusive and insulting letters and telephone calls from Ohio citizens terming me "a traitor," "Peacenik," a "Hanoi sympathizer," "a stupid dove" is that every little community in my State has been afflicted with the tragedy of the loss of priceless lives of recent high school graduates who were drafted or who enlisted to serve in our Armed Forces. That tragedy has been inflicted upon nearly every village and small city throughout the country.

I wish to plainly state today, as I have repeatedly in the past, that all of our Armed Forces should be withdrawn from combat in Vietnam before the end of this year, December 31, 1969. They should be withdrawn in the same manner that they were sent in—by planes and by ships. Furthermore, if it is claimed all of the more than 500,000 Americans in our Armed Forces in Vietnam cannot be returned to this country in the few months remaining, then I urge today that those officers and men of our Army, Air Force, Navy, and Marine Corps should be returned before the end of this year to coastal bases such as Cam Ranh Bay and DaNang and placed in defensive posture in those coastal enclaves as advocated years ago by General Gavin, General Ridgway, and others where they would have the cover and protection of our 7th Fleet and of our airpower.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. YOUNG of Ohio. I ask unanimous consent that I may proceed for 10 additional minutes.

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

Mr. YOUNG of Ohio. Mr. President, I was one of those who attended the recent luncheon in the Vandenberg Room of Democratic Senators and Representatives who joined in planning an October 15 demonstration to protest against our involvement in Vietnam which has been termed the Vietnam moratorium. I know that we who participated in that luncheon are responding to the overwhelming sentiment of the country.

President Nixon stated at his recent press conference that under no circumstances would he be affected by the coming antiwar demonstrations. To me this demonstrates a shocking attitude. To me it seems that our waging a ground war in a little Asiatic country torn by internal insurrection could be termed madness. Vietnam is of no importance whatever to the defense of the United States. It is an act of international insanity that the Johnson administration involved us on a huge scale in this immoral, undeclared war which is the most unpopular foreign war waged in the history of this Republic. It has now become the bloodiest from our standpoint with the sole exception of World War II, and also the longest in the history of our Republic.

It was pleasing to me that recently in this chamber the distinguished junior Senator from New York (Mr. GOODELL) spoke out against our waging a war in Vietnam and urged that all of our soldiers be returned, not by the end of this year, but by the end of 1970. It seems to me he is a Johnny-come-lately, to opposing our involvement in that miserable civil war. However, I say, better late than never. I praise him for his conclusions and for his statement. I know that the junior Senator from New York expressed his concern in the other body in August 1967. I did not agree then and I do not agree now with the statement he then made as follows:

If the United States should fall in South Vietnam—if its resolve should weaken to the point of retreat and departure under conditions as ignominious as those experi-

enced by the French in 1954, then surely the "domino theory" will be rendered inevitable by the power vacuum in the area and the voracious and inexorable expansionist interests of the Communist Chinese state.

The domino theory was formulated by former Secretary of State John Foster Dulles. It was supposed to mean that if one Asiatic country were to fall, all others would fall like dominoes.

That theory has been thoroughly discredited since that time. He was using that theory then as an excuse to help the French who were trying to retain their lush Indochinese empire against the Vietnamese who were fighting for national liberation.

It is true, Mr. President, that I voted in favor of the Gulf of Tonkin resolution. I was misinformed at that time as were other Senators. Later I tried to rectify that mistake. On March 1, 1966, five Senators of the United States voted to repeal the Gulf of Tonkin resolution. It happens I was one of those five as were my colleagues Senator FULBRIGHT, chairman of the Foreign Relations Committee, and the senior Senator from Minnesota (Mr. McCARTHY).

Mr. President, it was most discouraging that directly following January 20 of this year President Nixon dismissed our great negotiator at the Paris peace conference, W. Averell Harriman, and substituted in his place Henry Cabot Lodge. This was a disservice to our country and to the cause of peace. Ambassador W. Averell Harriman is a truly great American diplomat and statesman. It was he as Ambassador for the late President John F. Kennedy who achieved the agreement of the Soviet Union to the Limited nuclear Test Ban Treaty sought for in vain by three U.S. Presidents.

I know Henry Cabot Lodge personally. During my two visits in Vietnam I talked with him. I know his thoughts and his views. Henry Cabot Lodge is regarded as a close friend and an admirer of that flamboyant air marshal, Vice President Ky, who was born and reared in North Vietnam and was in the French Air Force in 1954 fighting his own people who were seeking national liberation. Furthermore Ambassador Lodge is a minor league warhawk. His achievements as an Ambassador have been extremely questionable. I am not able to cite any.

President Nixon made the further mistakes of dismissing Cyrus Vance, our other highly respected negotiator for peace at the Paris conference, and of retaining Ellsworth Bunker as our Ambassador to the Saigon militarist regime. Bunker has been proven wrong from the time he became Ambassador. He has demonstrated that he is a shortsighted diplomat and entirely subservient to the Thieu and Ky militarist regime in Saigon.

Why do President Nixon and his administration continue on a huge scale an unjustified war Americans no longer support? Why continue to bolster a Saigon militarist regime we cannot trust? President Nixon's order of withdrawal of 60,000 American troops, while we keep more

than half a million men under arms in Vietnam, is but a token gesture. At that rate it will take at least 10 years to withdraw completely from the Vietnam quagmire.

When campaigning for the Presidency less than a year ago Richard Nixon stated he had a secret plan to end the war in Vietnam. That plan is evidently still his secret.

Also we now read the shocking news that Government troops in Laos backed by U.S. planes from bases in Thailand recaptured Muong Soui from a Pathet Lao battalion which had captured it last June. The news report published today said three Government battalions assaulted Muong Soui from three directions and met only light resistance from the remaining battalion of North Vietnamese and Pathet Lao. Pathet Lao, in Laotian, means the forces seeking national liberation. Of course, the Pentagon propagandists refer to them as Communists. Many are Buddhists. Many are ignorant tribesmen who have no political philosophy whatever but who remember and whose parents remember the tyranny of French colonial oppression. American citizens should know that they as taxpayers are paying out money every day, every hour, for our involvement with our Armed Forces including B-52 bombers in Laos.

Mr. President, while in Southeast Asia last year I was flown to every area of Laos by helicopter. I was a guest at our Embassy in Vientiane. During the period I was in the southern area of Laos, it was my considered judgment that this very undeveloped area was not worth the life of one American soldier. That became more evident as I was flown by helicopter to the hills and mountains and unbelievable primitive areas of north, east and western Laos. The situation in Laos is now at a critical point. The administration may soon have to decide whether to escalate the war there or scale our involvement down to smaller proportions. We must not permit Laos to become another Vietnam.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON USE OF FUNDS APPROPRIATED IN THE DEPARTMENT OF DEFENSE APPROPRIATION ACT, 1969, AND THE MILITARY CONSTRUCTION APPROPRIATION ACT, 1969

A letter from the Assistant Secretary of Defense, reporting, pursuant to law, that no use was made of funds appropriated under section 536, Department of Defense Appropriations Act, 1969 (P.L. 90-580) and section 109 of the Military Construction Appropriation Act, 1969 (P.L. 90-513), during the pe-

riod January 1 to June 30, 1969, to make payments under contracts for any program, project, or activity in a foreign country except where, after consultation with a designee of the Secretary of the Treasury, it was determined that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law was not feasible for the reason that the Treasury Department was not holding excess foreign currencies in the country involved; to the Committee on Appropriations.

PROPOSED SOCIAL SECURITY AMENDMENTS OF 1969

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance program, provide for automatic benefit increases thereafter in the event of future increases in the cost of living, provide for future automatic increases in the earnings and contribution base, and for other purposes (with the accompanying papers); to the Committee on Finance.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improvements in the administration of the Veterans' Administration nursing home care program, September 29, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improvements needed in the management of Government owned and leased real property overseas, Department of State, dated September 30, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT ON THE MINERALS EXPLORATION ASSISTANCE PROGRAM

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, the fourth annual report on the minerals exploration assistance program, authorized by the act of August 21, 1958, fiscal year ending June 30, 1969, Office of Minerals Exploration, Geological Survey, Department of the Interior (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON PARTICIPATION AGREEMENT—NAVAJO PROJECT

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, reporting on the Navajo Project Participation Agreement between the United States of America, Arizona Public Service Co., Department of Water & Power of the City of Los Angeles, Nevada Power Co., Salt River Project Agricultural Improvement & Power District, and the Tucson Gas & Electric Co. (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON CLAIMS PAID UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES CLAIMS ACT OF 1964

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report listing claims settled in fiscal year 1969, setting forth the name of each claimant, the amount claimed and the amount paid for each bureau, under the Military Personnel and Civilian Employees Claims Act of 1964, as amended (with an accompanying report); to the Committee on the Judiciary.

PROPOSED LEGISLATION INCREASING CRIMINAL PENALTIES UNDER THE SHERMAN ANTITRUST ACT

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to increase criminal penalties under the Sherman Antitrust Act

(with accompanying papers); to the Committee on the Judiciary.

REPORT OF THE JEWISH WAR VETERANS, U.S.A., NATIONAL MEMORIAL, INC.

A letter from the National Secretary, Jewish War Veterans, U.S.A., National Memorial, Inc., transmitting pursuant to law, an audit report of the Jewish War Veterans, U.S.A., National Memorial, Inc., April 1, 1968 to March 31, 1969 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON A STUDY OF STREAMBANK EROSION IN THE UNITED STATES

A letter from the Special Assistant (Civil Functions), Department of the Army, transmitting, pursuant to law, a report of the Chief of Engineers to the Secretary of the Army on a study of streambank erosion in the United States, August, 1969 (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the House of Representatives of the State of Missouri; which was ordered to lie on the table:

"RESOLUTION, MISSOURI HOUSE OF REPRESENTATIVES

"Whereas, the Missouri House of Representatives has learned with profound regret of the untimely death of the Honorable Everett McKinley Dirksen, United States Senator from Illinois; and

"Whereas, Senator Dirksen was widely recognized as one of the great American statesmen of modern times; and

"Whereas, the great voice of this beloved statesman has been forever stilled in the legislative halls of the Congress in Washington and in the homes of all Americans; and

"Whereas, Senator Dirksen who put his country first and his duty as he saw it first, was respected by members of both major political parties; and

"Whereas, this is a loss for the entire nation, including the people of the State of Missouri;

"Now, therefore, be it resolved that when the Missouri House of Representatives of the Seventy-fifth General Assembly now assembled in the First Extraordinary Session, adjourns today, it adjourn in respect to his memory; and

"Be it further resolved that the Missouri House of Representatives express its heartfelt sympathy to his widow and that a suitably inscribed copy of this resolution be sent to her at her home in Pekin, Illinois, and that copies be sent to the Clerk of the United States House of Representatives and to the Secretary of the United States Senate.

"Attest:

"AGNES MOORE,
"Chief Clerk."

A joint resolution of the Legislature of Micronesia; to the Committee on Interior and Insular Affairs:

"H.J. RES. 53

"A house joint resolution respectfully urging the United States of America to refrain from enacting any legislation that would affect or alter the present political status of the Trust Territory of the Pacific Islands until the people of Micronesia through their duly elected representatives advise the United States of their wishes and desires with respect to their future political status

"Whereas, several legislative measures are now pending and others are likely to be introduced soon in the United States Con-

gress, any one of which if enacted would alter the present political and constitutional status of the Trust Territory; and

"Whereas, the United States as an Administering Authority by virtue of Article 76 of the Charter of the United Nations has assumed *inter alia* the obligation to foster the development of such political institutions as are suited to the Trust Territory and to promote the development of the inhabitants of the Trust Territory toward self-government or independence as may be appropriate to the particular circumstances of the Territory and its peoples and the freely expressed wishes of the people concerned; and

"Whereas, the people of Micronesia are actively seeking to decide on their future political status, and are in the process of considering meaningful proposals of political and constitutional alternatives open to them for this purpose; and

"Whereas, it is the sense of this Congress that any change of political status of Micronesia must for reasons of justice and dignity reflect the desires, wishes, and aspirations of the people concerned as expressed through their duly elected representatives; now, therefore,

"Be it resolved by the House of Representatives of the Third Congress of Micronesia, Second Regular Session, 1969, the Senate concurring that this Congress by means of this Joint Resolution and on behalf of the people of Micronesia respectfully urges the United States of America to refrain from enacting any legislation that would affect the present political status of the Trust Territory of the Pacific Islands until the people of Micronesia through their duly elected representatives have advised the United States of their wishes, desires, and aspirations with respect to their future political status; and

"Be it further resolved that certified copies of this Joint Resolution be transmitted to the President of the United States, President of the Senate of the United States Congress, Speaker of the House of Representatives of the United States Congress, President of the Trusteeship Council of the United Nations, President of the Security Council of the United Nations, Secretary of the Department of the Interior, and High Commissioner of the Trust Territory of the Pacific Islands.

"Adopted August 24, 1969.

"Attest:

"BETHWEL HENRY,

"Speaker, House of Representatives.

"CARL HEINE,

"Clerk, House of Representatives.

"AMATA KABUA,

"President of the Senate.

"VICTORIO UHERBELAU,

"Clerk of the Senate."

A resolution adopted by the city of Albion, Mich., remonstrating against any proposed amendment of the Internal Revenue Code relating to the abolition of the existing tax exemption for interest on municipal bonds; to the Committee on Finance.

A resolution adopted by the city of Clawson, Mich., remonstrating against any proposed amendment of the Internal Revenue Code relating to the abolition of the existing tax exemption for interest on municipal bonds; to the Committee on Finance.

A petition from the members of the First Baptist Church, Hendersonville, N.C., expressing concern over internal crises confronting the Nation; to the Committee on the Judiciary.

BILLS INTRODUCED

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

By Mr. RANDOLPH:

S. 2972. A bill authorizing a survey of harbors and rivers, territory of Guam, in the

interest of navigation, flood control, and related water resource purposes; to the Committee on Public Works.

By Mr. WILLIAMS of Delaware (for himself and Mr. SCOTT, Mr. GRIFFIN, Mr. BOGGS, Mr. HANSEN, Mr. FONG, and Mr. MURPHY):

S. 2973. A bill to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance program, provide for automatic benefit increases thereafter in the event of future increases in the cost of living, provide for future automatic increases in the earnings and contribution base, and for other purposes; to the Committee on Finance.

By Mr. BAKER:

S. 2974. A bill to amend certain provisions of the Federal Food, Drug, and Cosmetic Act; to the Committee on Labor and Public Welfare.

By Mr. SPONG:

S. 2975. A bill to require certain persons to wear approved eye protective devices when participating in certain vocational, industrial arts, and chemical-physical laboratory courses of instruction in the District of Columbia; to the Committee on the District of Columbia.

(The remarks of Mr. SPONG when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. McCARTHY:

S. 2976. A bill for the relief of Margarita Anne Marie Baden (Nguyen Tan Nga); to the Committee on the Judiciary.

S. 2975—INTRODUCTION OF A BILL REQUIRING THE USE OF EYE PROTECTIVE DEVICES IN HAZARDOUS SHOP AND LAB CLASSES IN ALL DISTRICT OF COLUMBIA SCHOOLS

Mr. SPONG. Mr. President, I introduce, for appropriate reference, a bill requiring all students, teachers, or visitors at any public or private District of Columbia school or college to wear approved eye protection devices when participating in certain vocational industrial arts, and chemical-physical laboratory classes in accord with regulations to be prescribed by the District of Columbia Council. Twenty-nine States including Maryland and Virginia have laws requiring eye protective equipment in school shop and laboratory classes. The District of Columbia does not.

In States without such legislation there has been an increasing number of eye injuries resulting from school workshop and lab mishaps. These injuries, many of them causing irreparable loss of vision, could have been prevented if the students had been wearing industrial quality eye protection at the time of the accident.

This legislation will not only protect students from such injuries, but good eye safety habits learned in school should reduce the number of accidents later in life.

It is a tragedy when a grown man suffers the needless loss of eyesight due to the failure to use proper safeguards. How much more poignant is the loss when it affects a youngster on the very threshold of life. This can be prevented by taking steps to require the use of eye protective devices in hazardous shop and lab classes in all District of Columbia schools.

The purpose of the legislation that I am introducing today is to require every student, teacher, or visitor attending

shop or lab classes in any District of Columbia school to wear industrial quality eye protective devices in hazardous situations. The bill lists the courses of instruction where eye protective devices will be needed. It is left to the District of Columbia Council to determine through regulation the specific circumstances in which these will be worn.

The bill provides three alternative ways of furnishing the required eye protective devices to students and teachers. The safety glasses may be given outright, purchased and sold at cost to students and teachers, or made available for a moderate fee. All visitors to shop and lab classes will be provided with eye protective devices.

It is vital that all eye protective devices meet high-quality standards. Maximum impact resistance, good optical qualities and workmanship, nonflammable, nontoxic, and noncorrosive materials are all important features of eye protective devices. The accepted guide to quality is the American Standard Safety Code Z87.1-1968. This code was sponsored by the Department of the Navy, National Bureau of Standards, U.S. Bureau of Mines, and by the U.S. American Standards Institute, Inc. The code is used by both industry and all branches of Government in establishing specifications for eye protectors. Therefore, to safeguard against the use of poor quality eye protective devices, the bill provides that the safety devices meet the standards of the Z87 Code.

As chairman of the Subcommittee on Public Health, Education, Welfare, and Safety I hope to hold hearings on this legislation in the near future.

Mr. President, I ask unanimous consent to have the text of this bill printed in the RECORD.

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

The bill (S. 2975), to require certain persons to wear approved eye protective devices when participating in certain vocational, industrial arts, and chemical-physical laboratory courses of instruction in the District of Columbia, introduced by Mr. SPONG, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 2975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every student, teacher, or other person participating in, teaching, or observing any of the following courses of instruction in any school in the District of Columbia shall be required to wear industrial quality eye protective devices during such time as shall be prescribed by regulations issued by the District of Columbia Council in accordance with section 3 of this Act:

(1) vocational, technical, industrial arts, chemical, or chemical-physical courses of instruction involving exposure to (A) hot molten metals, or other molten materials; (B) milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials; (C) heat treatment, tempering, or kiln firing of any metal or other material; (D) gas or electric arc welding, or other forms of welding processes; (E) repair or servicing

of any vehicle; or (F) caustic or explosive materials; or

(2) chemical, physical, or combined chemical-physical laboratory courses of instruction involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other hazards.

Sec. 2. The eye protective devices required by the first section of this Act may be furnished to all students and teachers, purchased and sold at cost to students and teachers, or made available for a moderate rental fee, and shall be furnished for all visitors to shops and laboratories wherein such courses of instruction are held, for use by them in accordance with the provisions of this Act. The devices required to be worn by this Act shall meet the standards of the United States of America Standard Safety Code for Head, Eye, and Respiratory Protection, Z87.1-1968, and subsequent revisions thereof, approved by the United States of America Standards Institute, Incorporated.

Sec. 3. The District of Columbia Council is authorized to issue such regulations as may be necessary to carry out the provisions of this Act.

Sec. 4. As used in this Act, the term "school" means any school under the control of the District of Columbia Board of Education, any college, school, or other vocational or educational facility under the control of the Board of Higher Education, any private school, and any college, university, or other vocational or educational institution or facility in the District of Columbia.

Sec. 5. This Act shall take effect upon the expiration of ninety days following the date of its enactment.

ADDITIONAL COSPONSORS OF BILL

S. 2548

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Georgia (Mr. TALMADGE), I ask unanimous consent that, at the next printing, the names of the Senator from Utah (Mr. BENNETT), the Senator from Virginia (Mr. SPONG) be added as cosponsors of S. 2548, to amend the National School Lunch Act and the Child Nutrition Act of 1966 to strengthen and improve the food service programs provided for children under such acts.

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

SENATOR HUGH SCOTT SUPPORTS DIRECT POPULAR ELECTION

Mr. SCOTT. Mr. President, I commend the President for his political realism in endorsing the direct popular election approach to electoral reform contained in his message on this subject today. President Nixon has once again demonstrated that politics continues to be the art of the possible by pointing out that the time is right for electoral college reform and that we cannot afford the luxury of losing this unique opportunity to change our presidential election procedures.

I am confident that the legislature in my own Commonwealth of Pennsylvania will overwhelmingly ratify the direct popular election method should it be submitted to them. In a poll which I took this past winter, 69 percent of the Pennsylvania legislators responding favored direct popular elections. Subsequently, the U.S. House of Representatives has approved by a wide margin the direct method of election approach, indicating

that the support for this plan is much more extensive than previously thought. My position has always been that I would support direct electoral reform in lieu of the district approach if it was reported to the full Senate from the Senate Judiciary Committee.

As a member of that committee, we will soon consider the problem of electoral reform. While I continue to favor the district approach to electoral reform at this time, I will support whatever legislation is reported from the Judiciary Committee to the Senate floor. I believe that we should not lose the opportunity for acting on electoral reform this year, and I will support the plan which has the best chance of passing Congress and being ratified by the States.

RADIO STATEMENT BY SENATOR ROBERT C. BYRD ON SOCIAL SECURITY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a recent radio statement by me on the subject of social security.

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

The Social Security program now reaches almost 25 million citizens in the United States. More than \$22 million in Social Security benefits go into West Virginia every month, and more than 290,000 of our state's residents are being reached by the Social Security program.

Because so many Americans are totally dependent on Social Security benefits for support, I think the reasons are compelling for keeping the program relevant to the age in which we live. I have, therefore, introduced a series of bills designed to bring about some necessary changes, one of which is an immediate—an immediate—increase in Social Security benefits. Congress needs to act now, because our inflated economy is bringing unbearable pressures on Social Security recipients and others with limited or fixed incomes.

The consumer price index shows that the cost of living has risen approximately eight per cent since the last increase in Social Security benefits took effect in February of 1968. So the need for an increase in benefits is obvious; and there are other improvements which Congress should enact as well. One of the bills which I have introduced would lower the age limit at which Americans may apply for benefits.

The Senate has accepted this amendment offered by me on about four occasions, I believe, during the eleven years which I have served in the Senate. But in every instance, the House conferees have been unwilling to accept this change in the laws.

At the present time, an individual must wait until he is age 65 to receive full Social Security payments. Or he can qualify at age 62 for actuarially-reduced benefits. I believe that these age limits are not realistic, and, as I have stated, I am pushing legislation to permit persons to voluntarily take reduced benefits at age 60. Moreover, I think that Congress should make full benefits available at age 62. At the present time, an individual must wait until the age 65 to receive full benefits. But as I say, I think Congress should make full benefits available at age 62. Automation is taking its toll on the jobs held by many of our citizens, and millions of Americans are finding that they are physically unable to work as they approach their

sixties, and they are not able to find employment because of their age.

It should not be overlooked that providing benefits at an earlier age would also encourage some workers to retire who might, of necessity, be clinging to jobs that push them to the limits of physical endurance. It is estimated that 800,000 Americans—10,000 of them in West Virginia—would choose to retire at age 60 with reduced benefits if Congress were to enact my bill. A significant portion of these 800,000 persons would vacate jobs allowing younger people to advance to the positions previously held by the retirees. And this would additionally create job openings at lower levels for people just entering the labor market. In other words, lowering the age for benefits to age 60 would have a potentially significant impact on the nation's social and economic structure.

And there are other areas which merit the attention of Congress and I am advocating, particularly, improvements in benefits to widows and to the disabled. I think that a widow should be able to qualify for benefits at age 50. And I will discuss this and other proposals in more detail at a later date.

The areas which I have enumerated today are some of the more important ones requiring immediate attention. And I am hopeful that Congress will move speedily to enact the necessary changes. We owe much to our citizens who are approaching their retirement years, and the least we can assure them is that the Social Security program can be one of which they can count for meaningful help when the time comes.

PRISONERS OF NORTH VIETNAM

Mr. CRANSTON. Mr. President, as the war drags on and there is no end in sight, public attention is focused constantly on the weekly casualty rate. Largely forgotten are the hundreds of Americans being held by the North Vietnamese and by the Vietcong.

I know that all Senators have received many letters from the parents and wives of those held captive in the North and in the South. I recently received a letter from the mother of the only military doctor to have been captured in the war.

The letter is important not only for its poignant plea for congressional action to secure the release of the POW's, but because it is symbolic of the sentiment of thousands of Americans who have changed their views on the war and want it brought to an immediate end. The frustration felt by Mrs. Robert Kushner and countless others has dispelled the false belief that our commitment to fight in Vietnam was necessary to secure American security at home. Her desire that our prisoners in the North not be forgotten in any negotiated settlement is a valid request made of the Congress and of the administration.

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

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

DANVILLE, VA.,
August 31, 1969.

HON. ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

DEAR SIR: Your remarks in the August 13 issue of the "Congressional Record" were very gratifying to me.

My son, Major Floyd Harold Kushner, XXXXXXXX has been a prisoner of the Viet

Cong since November 1967. In almost two years, we have had no direct communication with him.

My son is a physician, and I understand from the Pentagon that he is the only military doctor to have been captured during the entire Vietnamese conflict. He volunteered for duty in South Vietnam because he is a dedicated doctor and a loyal, patriotic young American. He knew that risks and sacrifices would be involved, but his determination was to heal and save American lives . . . not to kill.

There is no need to elaborate on the anguish, frustration, and discouragement that has been our way of life for over twenty-one months. The heartache of his lovely young wife, his five-year-old daughter, and his sixteen-month old son who my son does not know exists.

My purpose in writing you is to frantically urge you to keep this problem uppermost in the minds of your colleagues. Press for immediate release of ALL American men who are held captive by either the North Vietnamese or the Viet Cong.

Even after many concessions, there has been no progress in Paris. It is apparent, after eight years, that we have only fought a defensive war and that now a military victory is no longer the goal. In the last year, my views on our involvement have drastically changed. In the beginning, I believed this war as necessary to our security at home. Now, it appears obvious that we will just phase out gradually with a "no decision" for this undeclared war, but what of our prisoners. Are they to be forgotten and forsaken, they who have suffered so much for so long, they who were willing to back-up their country in time of stress. Is the United States more interested in reciprocity to the North Vietnamese and the South Vietnamese including the Viet Cong? Have we not fulfilled our commitment over 38,000 fold? Was not our promise to offer financial aid and troops only in an advisory capacity? Isn't our most important allegiance to our own men and especially those who are helpless in captivity?

As to saving face, or what the world will think of us as reliability, etc., continuing this war is ridiculous . . . it will be tantamount to back yard gossip . . . we will be talked about by other nations until something judicer come along . . . or until they will need our aid again.

I realize that the ultimate decision of a cease-fire, etc. is in the hands of the Executive Branch of the government, but you in the Congress, represent the people and are our liaison to the President. I beg you to use your influence to make the necessary steps to free the 1365 POW's and return them to home and love. Please urge Mr. Nixon to consider this plea and demand an immediate release of these men. If it means complete troop withdrawal, promise it as soon as is logistically possible, but have our men released and homeward bound before proceeding with this plan.

I trust that you are in agreement with my arm-chair strategy, that our aspirations will be attained, and this whole great nation will applaud this Congress and Administration for bringing this nightmare to a conclusion.

Sincere and humble gratitude,
JEAN F. KUSHNER,
Mrs. Robert L. Kushner.

IN SEARCH FOR SCIENCE OF PEACE—NEED TO RATIFY GENEVA PROTOCOL OF 1925 ON CBW

Mr. PROXMIRE. Mr. President, revolutionary developments in chemistry and biology in this century have provided medicine with miraculous new weapons to combat disease and save human lives. However, these same de-

velopments also possess the potential to destroy all life on this planet if not adequately controlled.

At least 13 nations—including the United States—currently are devoting hundreds of millions of dollars a year to the development and production of weapons to wage chemical and biological warfare.

By an amendment to the Military Procurement Authorization Bill, steps were recently taken to substantially reduce funds for chemical and biological warfare programs.

Mr. President, it is tremendously important that the resources of science be used for peaceful purposes, not for increasing our overkill capacity. In keeping with this, I invite the attention of Senators to an enlightening article written by Joshua Lederberg, the winner of the Nobel Prize for his work in molecular genetics. The point is made in the article that:

The central moral issue of science is that we do not have a science of peace and hardly know where to begin in building one.

Mr. President, in 1926 the Senate, despite the favorable report of the Committee on Foreign Relations, referred the Geneva protocol of 1925, banning chemical and biological weapons, back to the committee after a brief debate. That debate took place some time ago. In view of the alarming proliferation of these weapons, it seems worth our while to re-examine the arguments used against them, to determine whether the arguments are as accurate now. I think not. As a step that the Senate can take in the search for the science of peace, the ratification of the 1925 Geneva protocol against chemical and biological weapons is eminently worth while. I ask unanimous consent that the article written by Dr. Lederberg entitled "The Moral Issue of Science Is Lack of Science of Peace," be printed in the RECORD.

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

[From the Washington Post, Sept. 20, 1969]
THE MORAL ISSUE OF SCIENCE IS LACK OF SCIENCE OF PEACE

(By Joshua Lederberg)

STOCKHOLM.—The advance of science, which is to say the increase in collective knowledge of the natural world, is perhaps the only measure of human progress during the last 3000 years about which no argument is possible. But even here we must be careful not to confuse the claim; although most readers of this newspaper live in unprecedented comfort and affluence, these by-products of science are very unequally sprayed over the world's population.

Taking all into account, some people are even abused more than helped. It may also be part of human nature that the inner and outer strife generated by that inequality will generally outweigh the material contribution of technology to the satisfaction of life enjoyed by the individual.

Science today is at a point of crisis. Given the equation, "Knowledge equals power," it is a plausible scapegoat for failures of the social system.

Accusations that science is wrecking the environment, and the privacy and individuality of human life, may stem from a callow confusion of the pursuit of knowledge with its unthinking exploitation. Neverthe-

less, these concerns are being internalized to make a moral crisis for more and more young scientists, and at least one who must reluctantly admit to middle age.

Alfred Nobel endowed the famous prizes that bear his name as a kind of penance for the invention of dynamite. The Nobel Prize for Peace most directly fulfills moral aim—and has had very hard going in a turbulent century. The prizes for science have assimilated the scientific ethic that the objective pursuit of knowledge may show the nations how to quiet their petty conflicts in favor of rational methods of solving problems by analysis and negotiation.

These awards have, then, focused on the recognition of creativity in pure science rather than immediate human benefits (which would also be hard to measure with assurance as to the long-term impact. The award for DDT, an exception to pure science, dramatizes this problem.)

The science awards have, more than any other institution, publicized the fact that knowledge is universal, that it knows no national boundaries. On the other hand, the superpowers have concluded that force is the rule of reason in world politics. The mobilization of science behind that principle overreaches Nobel's worst fears. The central moral issue of science is that we do not have a science of peace and hardly know where to begin in building one.

In recent years, the Nobel foundation has looked for ways to revitalize Alfred Noble's testment. This week, it is conducting a conference here on "the place of values in a world of facts" with a roster of world luminaries including poets like Auden and Asturias, economists like Gunnar Myrdal and social and natural scientists like Doxiadis, Konrad Lorenz, Margaret Mead, Linus Pauling and Glenn Seaborg.

No revolutionary discovery will emerge from this kind of discussion. It would be enough to find a tangible expression of the myth of Pandora's box: that Hope was there, too. The conference may also show some concrete ways in which the perspectives of the individual scientist may be broadened, that he might find some avenue to relieve his own intense frustration over the abuse of the knowledge he has labored to deepen.

From the perspective of my own participation in science, I certainly would not tax my colleagues with indifference to human problems. However, I believe that many of them are easily discouraged by larger problems and neglect to search for the ways in which their own expertise might be a unique key to solving a small problem, or perhaps more often to discovering an insidious new one.

This would also require a degree of self-education about issues of human importance which is not encouraged by the existing system of academic recognition (right up, one might add, to the Nobel Prize, too). There is no substitute for the scientist as vigilant critic; we can hardly expect the lay politician to have much insight into the metabolism of polychlorinated phenyl compounds.

REVITALIZATION OF THE AMERICAN FISHING INDUSTRY

MR. BROOKE. Mr. President, for the September 29 issue of the Wall Street Journal, Elliot Carlson has written a penetrating and alarming account of the plight of the U.S. fishing industry. Mr. Carlson states that the decline of the industry has led many knowledgeable people to fear for its future.

U.S. authorities seem either unwilling or unable to halt the continued harassment of New England fishermen by foreign fleets sweeping our fishing grounds. Present Federal programs aimed at helping the fisherman are unresponsive to

his problems and are badly in need of overhaul.

In less than a month, the Subcommittee on Energy, Natural Resources, and the Environment of the Committee on Commerce will consider five bills which address themselves to major problems facing the Nations fishermen. I look forward to the hearings, for I am sure that they will be a major contribution to the construction of effective and far-reaching new programs that will aid in the revitalization of this great industry.

I ask unanimous consent that Mr. Carlson's article be printed in the RECORD.

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

A VOYAGE ON A TRAWLER POINTS UP THE PROBLEMS OF AMERICAN FISHERMEN

(By Elliot Carlson)

HAMPTON, VA.—Old and weather-beaten, the trawler Dragnet slips almost unnoticed into this fishing port. Despite five tough days at sea, the crew of this 35-ton boat shows no the argot of ocean-going fishermen, was leation at the sight of land. For the trip, in nearly a "broker." There was barely enough money made to cover expenses, leaving little for the crew.

The problems were many: Too much time spent chasing too few fish. Mechanical mishaps. Bad weather that cut short the voyage. And, most depressing of all, an unexpected sharp drop in the price of flounder—for which the men were fishing eight miles off the Virginia coast.

"Many more trips like this one and we'll be out of business," grumbles Capt. James Callis, the pipe-smoking, 47-year-old skipper and part-owner of the Dragnet.

"Captain Jimmy" and his two hands aboard the Dragnet aren't alone in their troubles. Indeed, unproductive trips like this one are becoming all too familiar for many American deep-sea fishermen. For one thing, once-prolific species are dwindling. North Atlantic waters no longer yield the rich catches of cod, haddock and ocean perch of just a few years ago. Farther south, catches of porgy, sea bass and flounder have slumped. In Pacific Northwest waters, halibut and king crab are in short supply. The result: America's total fish catch last year was the second smallest since 1942.

FOREIGN RIVALS

Fishermen blame their woes on Russian ships and other foreign fleets that increasingly work waters near the American 12-mile limit. The problem may worsen. Two weeks ago a foreign fleet of more than 300 boats, at least 200 of them flying the Soviet flag, was reported sweeping the New England coast.

Of course, by no means are all species on the decline. The 1968 shrimp catch set a record, and the tuna catch, while down, remained at a high level. Still, concern is heightening over the plight of the U.S. fishing industry, which pulled in \$472 million worth of fish in 1968. "Large portions of the industry are in deep trouble," says Lee J. Weddig, executive director of the National Fisheries Institute Inc., a trade group. "The catch is declining, equipment is lagging and there are few, if any, profits."

Much of the American fishing fleet is old, inefficient and unable to compete with the large, modern craft in foreign fleets, which are capable of operating thousands of miles from home ports. There are, to be sure, exceptions; at least 350 new vessels joined the U.S. shrimp fleet last year. But noting that 60% of America's boats are over 16 years old, a Bureau of Commercial Fisheries report states flatly: "Most of the U.S. fleet is obsolete."

RUGGED INDIVIDUALISTS

What's more, foreign boats, often subsidized by their governments, are geared to cooperate in their expeditions. The large Russian fleets regularly send out scout boats that search for schools of fish. American captains, however, tend to be small businessmen who view each other as competitors. Crusty and independent, they aren't inclined to cooperate. And like many small businessmen, they're also plagued by rising costs, especially for labor and insurance.

Whatever the reasons, the U.S. is rapidly losing its place as a world fishing leader. The U.S. share of the total world catch of fish has dropped to 5% from 13% in 1956, thereby moving the nation to sixth from second place (Peru is first). And while America's annual production has varied little since 1945, the world catch of fish has increased more than threefold. The U.S. now imports nearly three-fourths of the fish it consumes.

A Congressional committee that studied the predicament of the fishing industry recently commented that "vessels generally become much less economical to operate by the time they are 15 years old." A case in point is the 31-year-old Dagnet, whose mechanical woes add considerably to expenses. "Something is always falling apart," sighs Capt. Callis, a slightly built, unflappable man who has skippered the boat for 15 years.

CATCHING AN ANCHOR

A few days aboard the 65-foot trawler illustrate what the captain means. The first day out the boat's nets were badly shredded when she snagged an old ship's anchor. It took the captain and his two-man crew three hours to disentangle the anchor and repair the net, a delay that cost the men at least one net-load of fish. On the second day, a vital link holding the net to a cable snapped loose, permitting the net to dangle freely in the water. It took an hour to fix and probably cost another haul. (Actually, the boat got off easy this trip; a few months ago she had to be towed home when a propeller was damaged.)

Finally, the weather—a constant worry to fishermen—forced the Dagnet to shorten her trip by two days. But it's unlikely that the extra days at sea would have greatly improved the Dagnet's fortunes. For while the fishing wasn't disastrous, it was mediocre. "I'm not so much disappointed as bored," muttered the captain as he bent over the wheel on the second day. "Ten years ago you could catch twice the fish in half the time."

Capt. Callis and his crew work 14 hours a day, from first light at 5 a.m. to 9 p.m. How do they spend the late evening hours? They fish—this time for themselves, dangling lines over the boat's side. Usually they have even worse luck than during the day: On this trip they caught nothing in two nights of trying. "We just like to fish," said deck hand Garland Smith, baiting a hook with a piece of raw fish.

During the day, the trawler usually has time for seven hauls—assuming nothing breaks down—as she cruises back and forth off the Virginia coast. The nets cut a 60-foot swath along the ocean floor; after covering about two miles, they're hauled in with winches. Each haul yields roughly 70 to 150 pounds of fish.

All told, the Dagnet must haul in about 4,500 pounds of flounder on each trip for the captain and crew to make a modest profit. This is based on prices to the fishermen ranging between 30 and 60 cents a pound, depending on the size of the fish. But on this trip, the catch was only 3,000 pounds, and prices—for reasons that still aren't clear to Capt. Callis—slumped to an average of 27 cents a pound. (The wholesaler who bought the Dagnet's load claims prices always drop after the summer.)

"That was a real blow," says the skipper, noting the boat grossed only about \$800 for

the five-day effort. The amount was so small it couldn't be divided up in the usual manner, which calls for 40% to be set aside for boat upkeep, 10% to go to the captain and his fellow owners, about \$350 to defray expenses and the rest to go to the crew (which again includes the captain). Almost nothing would have been left for the crew had the captain followed this formula, so he juggled expenses so that each man got \$100 for about 70 hours work.

Capt. Callis concedes this is low pay, but he has troubles of his own. For the owners to break even each year, he has to gross a minimum of \$50,000. This isn't always easy. Last year, for example, the Dagnet's 13-year-old engine broke down, idling the boat for three months. As a result, the captain showed a slight loss for the year. Despite declining catches, it's still possible to make a profit most years because the prices of many dwindling species have doubled or better over the last five years, the skipper says.

Even so, the skipper finds himself caught in a profit squeeze. Higher prices may enable him to gross about what he could when fish were more abundant, but the increases in costs cut profits. For one thing, insurance for his boat and crew now costs him \$6,200 annually, up from about \$3,000 ten years ago. The costs of fuel, ice, nets, cable and other equipment are also rising.

While he can survive for the moment, the captain worries about the future. "Prices have gone about as high as they can go," he maintains. "So if the fish keep declining, I don't know what's going to happen."

PROPOSALS FOR CURES

Government and industry sources believe Capt. Callis' troubles are typical (the 35-ton Dagnet may seem small, but only 13,000 of the country's 84,200 commercial fishing boats weigh five tons or more). Lately, dozens of proposals have been advanced for revitalizing the fishing industry. Early this year the President's Commission on Marine Sciences, Engineering and Resources recommended, among other things, that the U.S. develop a "technically advanced fishing fleet" and also reduce "excess fishing effort" in order to replenish depleted species.

One cost problem affecting U.S. fishermen stems from a 1793 law requiring that vessels landing fish in U.S. ports be built in this country. Construction costs in the U.S. are about double those elsewhere. A bill to end the restriction has been introduced in the Senate, but it is given little chance of passage.

In 1964, Congress did pass a law granting subsidies covering up to 50% of the cost of new boats built in the U.S. The law expired in June, and a bill to renew it has been passed by the House and is pending in the Senate. But funds for the subsidies have been scarce, and so far only 32 new boats have been built under the program.

Department of Interior officials say they have been somewhat more successful in efforts to ease pressure on over-fished species. A spokesman notes that in 1967 the Russians agreed to refrain from fishing for flounder, porgy and a few other species found to be declining near U.S. shores. Officials say the program is working, but some fishermen claim the Russians frequently ignore the agreement.

Capt. Callis says that early this year his trawler passed within 100 yards of a Russian fishing boat hauling in large amounts of porgy. He says he complained to the Bureau of Commercial Fisheries but found the agency skeptical. "They asked if I could prove the fish were porgy," recalls the captain. "Hell, I've been chasing porgy all my life. I ought to know what they look like."

The captain claims that during the same trip a Russian boat veered towards the Dagnet and nearly rammed it. The incident was

reported to the State Department, but nothing came of it, he says. "A lot of those Russian boats just want to hog the bottom—and since they're bigger than we are, there isn't much we can do about it," he grumbles.

The large Russian, Japanese and other foreign fleets that work off American coasts are equipped to haul in many more fish than U.S. boats. For instance, Russian trawlers, which range up to 423 feet in size, are large enough to pull two sets of nets—one dragging the bottom and one dragging at middle depths. This technique enables them to double their catch.

"The Dagnet simply doesn't have the power to pull more than one set of nets," says Capt. Callis. Fishermen also complain that the Russians use a much finer net, which permits them to fish for a number of species simultaneously. (American boats generally fish for just one species at a time.) The Russian trawlers periodically transfer their catches to large mother ships that process, can and refrigerate the fish while still at sea.

A LOW-PRESSURE LIFE

Despite the industry's troubles, most fishermen are reluctant to leave their jobs, although there have been some departures. Nationally, the number of commercial fishermen declined to 136,500 in 1967 from 161,463 in 1950. Only about 45 trawlers now operate out of Hampton, compared with about 100 ten years ago, according to one study.

Captains complain that young people are rejecting the fishing life for softer land-based jobs. But some fishermen say the low-pressure life at sea has its compensations.

"Out here you're your own boss—there aren't all kinds of people standing over you," says deck hand Smith of the Dagnet. Still, he concedes his income is unimpressive. The two Dagnet deck hands say they gross \$4,000 to \$5,000 a year. They get no overtime pay, no paid vacations and few other fringe benefits.

Nor does the Dagnet offer her crew much in the way of amenities. The only fresh water comes from a small, hand-operated pump in the bow. Hence, everyone foregoes bathing, tooth-brushing and other niceties during what is ordinarily a seven-day trip. The captain and crew sleep in cramped quarters in the bow or in the engine room, which is hot and reeks with diesel fumes. (Indeed, a passenger found his engine room bunk so intolerable he ended up sleeping on the floor of the pilothouse.)

Food on the Dagnet, however, is good and hearty. Mulligan stew, pork chops, hot dogs and beans—and occasionally fish—are standard fare concocted by deck hand Eugene White, 44, who doubles as cook.

THE TRAGIC PUBLIC SCHOOL SITUATION IN MONTGOMERY, ALA.

Mr. ALLEN. Mr. President, Mrs. Billie Ruth Chambless is the mother of school-age children and the wife of an eminent surgeon in Montgomery, Ala. She has written a memorable letter concerning the tragic public school situation in Montgomery, Ala.

While this letter was addressed to the President of the United States, Mrs. Chambless sent me a copy, and I believe that it contains an important message for all Americans.

It speaks of the dreams and aspirations of a young married couple.

It speaks of patriotism and duty fulfilled.

It recounts struggles, and hard work, and sacrifices, and eventual triumph and success.

It speaks with pride of family, and home, and neighborhood, and schools.

It reaffirms a faith in the concept of public education and questions actions which would strip education of its essential meaning.

It upholds our moral values and condemns the trends which undermine them.

It reveals an attitude of tolerance and forbearance, and expresses compassionate concern for the welfare of others.

It distinguishes between civil rights and civil wrongs and between rights and duties of citizenship.

It advocates rational solutions and commonsense approaches to our problems.

And it touches on these points with sincerity and with eloquence befitting an eternal truth springing from the depths of a mother's love for her children.

Mr. President, this letter is sterling Americana. It is refreshing and inspiring for it speaks the sentiments of countless millions of Americans.

Mr. President, the letter is silent on several points perhaps from a sense of proprieties in writing the President.

It does not mention the sickening hypocrisy and double standards of many who seek to impose conditions upon parents and children of the South which they themselves would not tolerate were their own children involved.

It does not mention the callous indifference of Federal authorities to education standards or the barbarism of using the weapon of deprivation of innocent schoolchildren as a means of enforcing Federal control of local public schools.

Neither does it not mention the sorry spectacle of Federal District Court judges, appointed for life, beyond reach and recall of the people, resorting to threats of confiscatory fines and imprisonment of local elected public officials without benefit of trial by jury as a means of compelling submission to Federal dictates over matters directly bearing on the safety and welfare of our children.

Mr. President, the Senate will soon vote on whether or not our children shall remain hostages of the Department of HEW and Federal judges; and whether or not schoolchildren shall continue to be victims of the weapon of deprivation; and whether or not local public officials shall continue to be subjected to threats of confiscatory fines and imprisonment as a means of imposing Federal control over our children and our public schools.

Mr. President, Mrs. Chambless' letter is relevant to these issues. I highly recommend it for careful reading by Senators and the public and ask unanimous consent that it be printed in the RECORD.

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

MONTGOMERY, ALA.,
September 22, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I believe that the people in this country should feel that their President is always accessible to them for any matter in which they are sincere and feel

that an injustice is being committed. Therefore, I am writing to you regarding my feelings about our public schools.

I am 38, my husband is 40, and we have three daughters ages 14, 10 and 8. We married when we were 20 and 22 before he started to Emory Medical School. He had four years of medical school at Emory, one year internship at the Medical College of Virginia, two years in the U.S. Navy at Norfolk and five years of surgery residency. I worked four of those twelve years he prepared for his profession after college. During internship when his salary was \$50.00 per month, our two families helped us as we had a small baby. During our time in the Navy we saved enough to help us through the residency with salaries from \$200 to \$500 per month. Then, finally, when he was 34 years old he went into the private practice of surgery here in Montgomery—which does not mean becoming rich overnight. But the point I am slowly working up to is that we worked hard for whatever we have now—we enjoyed the work and the hardships—and we enjoy the work and the rewards now. We are happy for the wonderful benefits we can give our children. It is the joy of life.

I could send my children to a private school if we economized in other areas. They are above average children in grades and intelligence. But I choose public schools because I happen to believe in them. I want my children to grow up in life knowing people who are smarter than they, who are less intelligent, who have much more materially and people who have less. This is the essence of maturing socially and emotionally sound and appreciating the needs, hurts, frustrations, joy, love, happiness and friendship of others. But our public schools will collapse if the present trend continues of busing and destroying school areas.

We bought our home here in Montgomery about six years ago in a neighborhood which we love with homes ranging from \$30,000-\$100,000. We worked for it. I want to stay here until, as I told my husband, I go out "feet first." My children attend Floyd Elementary and Junior High School. They love it. It is only approximately six blocks away. Their friends attend this school or two schools in near vicinities. In the freedom of choice plan, any of these schools are not over eight to ten blocks away.

I am the first to admit that many things which Civil Rights asked for were right. But these rights have been granted and with less trouble in Montgomery, Alabama, than any place of which I know. But I am also the first to say that now many Civil Wrongs are being committed, and Civil Rights are pushing into areas that cause injustice. I purchased my home in this neighborhood. I chose to do so. My children chose to go to the school, naturally, in their area. If a negro family choose to buy a home in this area, pay his/her taxes and attend this school, it is his/her right. But it is not right to bus children out of their area of living for 10 or 12 or 15 miles or even farther—whether they be black or white.

Mr. Nixon, the children at Carver High School (a large, good colored school here in the city) cried when their names were called to attend Lanier High School or other white schools. They did not want to leave their friends and their school, and they want to go back. It is not right to use children as pawns in a game of political and social chess. I resent it—they resent it—no one understands it.

I returned to school myself about six years ago and graduated from Huntingdon College in my old age "summa cum laude" in elementary education. I did my practice teaching in the first grade. I substitute occasionally. I know that children who are not emotionally and socially happy cannot learn. Children are happiest with their friends—their contemporaries. It gives them a feeling of security. After all, they are not adults in

children's bodies—they are just what they are.

I want good education for all children—black and white. It is not compatible with rational thinking to say that the only way a colored child can learn is in a white school or with a white teacher. What the colored people need today is race achievement and pride. Two of my children this year have colored teachers for several classes. They are fairly good teachers and this is fine. The important thing about a teacher is—*is she good?* All of this forced mixing does not make for better education—it contributes to mass confusion on the part of teachers, principals, educators, and most important children. Of course, the most important point is that the Civil Rights Bill plainly stated that busing from one area to another was forbidden.

We may always have man's inhumanity to man, but it is very important for all of us to remember that our rights end where another person's rights begin. And in the past few years I have begun to feel that my rights are becoming less and less as a decent, hard-working, tax-paying citizen. When the day arrives the government tells my children where they have to go to school and on which bus, then my rights as a free person in a free society under a republican government have ended.

Man must have human dignity. The best way to achieve human dignity and pride of self is to work for it. Many liberals would say to me "you can say that—you are white, free and SAE". That's right—but if I were black, green, yellow, or red and poor, I would work to prove my worth the right way. The answer is job opportunity and willingness to take them—not demonstrations, destroying the morals of our young people through illicit publications and movies, drugs, atheistic professors, and give-away welfare programs which cost more in administration than in help for the people who honestly need it—the elderly and the ill.

I have written to you as I would speak to you if we could have a conversation together. It is written with the hope that it will be read with some appreciation.

I have always been proud of my State, of my County, of my Flag, of my Government. Today many of our young people think it is "corney". What will the children of tomorrow feel and think? It will not be possible for them to feel as I do if the actions, attitudes and lack of discipline shown on our college campuses is any indication. Confusion and chaos in the lower grades does not contribute to harmony in higher education.

With kindest regards, I remain

Respectfully yours,

BILLIE RUTH CHAMBLESS

(Mrs. William House Chambless).

NATIONAL BEEF PACKING CO.

Mr. DOLE. Mr. President, this past weekend I had the pleasure to attend ceremonies associated with the opening of the most modern, complete, and forward-looking meatpacking plant in the world. The \$4 million operation is located in Liberal, Kans. It stands as a testimony to the great things which can be accomplished by the combined efforts of private enterprise, community spirit, and well-administered Federal assistance. In this case, the representatives of these forces are the National Beef Packing Co., the citizens of Liberal, and the Small Business Administration.

The plant will have a considerable impact on southwest Kansas and nearby regions of Colorado, Oklahoma, Texas, and New Mexico. The plant has the capacity to process completely 2,000 head of cattle per 10-hour day into super-

market-ready meat and byproducts such as dog food, fertilizers, hog feeds, and eventually tanned hides. The operation is also environment engineered, with concrete pens and flushing devices and apparatus to completely eliminate all slaughterhouse odors.

Another distinguishing feature of this plant is its employment of the total energy concept; that is, it creates all of its own energy and heat. This is the first facility of its type to use this system for which the Anadarko subsidiary of Panhandle Eastern Pipeline Co. will provide natural gas.

I am proud to see Kansas in the forefront of this development in agribusiness. I extend an invitation to all Senators to visit the National Beef Packing Co.'s Liberal plant.

Mr. President, I ask unanimous consent to have included in the RECORD an article published in the Southwest Daily Times, which welcomes National Beef Packing Co. to Liberal. The Jacobsons to which the editorial refers are John Jacobson, Sr., president of National Beef Packing; his brothers Eli, Irving, and Howard; and his son John, Jr. They, along with Edward Smith and Julian Grumbiner, are the directors of National Beef Packing. To these farsighted and public-spirited gentleman, Liberal and all of Kansas extend a warm welcome and best wishes for a long and happy association with our agribusiness community.

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

WELCOME TO LIBERAL

National Beef Packing Co. is for sure now that they are welcome to Liberal and this area.

Today's newspaper, one of the largest congratulatory editions ever put out by The Times, is further evidence that the Jacobsons are well respected, locally, area-wise and nationwide. Their faith in this area by constructing a multimillion dollar facility here, will, we feel sure, never be broken or wrong. Our area is slated to become the largest feed, livestock and packing plant facility area of any in this nation.

With irrigation to the fore in these parts, making production of feed feasible in undreamed of amounts, with the dozens of large commercial feedlots now springing up within a 100-mile radius of Liberal, it is no doubt that the packing plants are coming to the proximity of both feed and cattle raising.

National Beef Packing of Liberal, Swift of Guymon and now talk of large plants at both Elkhart, Kans. and Perryton, Tex., the area packing plant boom seems most evident.

Again we want to say, "Welcome to Liberal, National Beef Packing Co." We hope your stay will be long and profitable, as well as being profitable to all in this immediate area.

Plan to attend open house at National Beef Packing this Sunday.

THE PESTICIDE PERIL—LVIII

Mr. NELSON. Mr. President, as more and more evidence is presented documenting the threat to our environment from the continued use of persistent pesticides, scientists and conservationists have been working to discover effective and safe alternatives to these hard pesticides.

Many alternatives show promise, but

the most successful methods of pest control appear to be some forms of biological control.

In the Washington Sunday Star, William Hines reviewed a presentation by Dr. Ray F. Smith, chairman of the department of entomology and parasitology at the University of California at Berkeley, which described integrated pest control as an insect population management system that depends primarily on the use of beneficial predator insects with limited reliance on the use of selective chemicals.

Dr. Smith says that—

Integrated control is an ecological approach to the control of harmful pests. It derives its uniqueness from emphasis on the fullest practical utilization of existing mortality and suppressive factors in the environment. Its strategy is one of "management or containment" rather than "seek and destroy."

The article described a situation in Peru where the application of DDT to farm crops initially performed miracles, significantly increasing production. However, soon the birds and wildlife disappeared from the area, and then the insects developed a resistance to the pesticide that left it ineffective. After a period of serious loss in farm production, an integrated pest control program was initiated and within a few seasons farm production was better than it had ever been before.

The significance of integrated control is that it "recognizes a fact which the DDT-oriented overkill philosophy implicitly denies—that man simply cannot manage the environment all by himself without in the end doing more harm than good."

I ask unanimous consent that Mr. Hines' article be printed in the RECORD.

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

[From the Washington Sunday Star, Sept. 28, 1969]

AN ALTERNATIVE TO DDT URGED (By William Hines)

The late Rachel Carson wasn't just imagining things; there once was a valley where there was a "Silent Spring." It was killed by man's ingenuity and inventiveness—just as Miss Carson predicted—and was then brought back to life by man helping Nature instead of fighting her.

The story is told in "Agricultural Science Review," a quarterly publication of the U.S. Department of Agriculture's Co-operative State Research Service, as an object lesson in what is called "integrated control of insects." Its author is Dr. Ray F. Smith, chairman of the department of entomology and parasitology at the University of California at Berkeley.

"Integrated control," Smith explains, "is an ecological approach to the control of harmful pests. It derives its uniqueness from emphasis on the fullest practical utilization of existing mortality and suppressive factors in the environment. Its strategy is one of 'management or containment' rather than 'seek and destroy'."

This system of agriculture is not only a sensible alternative to the overkill now being practiced through wholesale use of the "hard" insecticides such as DDT, but may also be the solution farmers are looking for in event that DDT bans become more general.

Smith's real life "Silent Spring" is all the more dramatic for the coldly unemotional

tone in which it is written. It goes this way:

"A classic example of what can happen when a pest control program ignores ecology and relies on unilateral use of chemical pesticides is that of the Canete Valley (Peru) story. Here, during the pre-DDT regime, chemical control of pests of ratoon cotton (second and third year cotton) was passed mainly on arsenicals and nicotine sulphate. During 1943-48 the average annual yield was about 470 pounds per acre. Because of a heavy Heliothis and aphid outbreak in 1949, the average yield dropped to 326 pounds per acre.

"From 1949 to 1956, growers relied heavily on the new exciting organic insecticides such as DDT, BHC and toxaphene. Some cultural practices were modified to increase yields. New strains of Tanguis cotton were introduced and more efficient irrigation was practiced.

"At first these procedures were very successful. Cotton yields nearly doubled. Farmers were enthusiastic and got the idea that the more pesticide they used the better the crop would be. Insecticides were applied like a blanket over the entire valley. Trees were cut down to make it easier for airplanes to treat the fields.

"But then things began to happen. Birds that had nested in the trees disappeared, along with insect predators and parasites. One by one the new chemicals became ineffective as resistance developed. Finally, as insects became rampant in the cotton fields, the 1955-56 season was an economic disaster. In desperation, growers appealed to their local experiment station for help. With the help of the Ministry of Agriculture a new, integrated control program was set up, and within a season or two the situation vastly improved. Today, cotton yields in the Canete Valley are the highest in its history, averaging more than 700 pounds per acre."

Integrated control as an agricultural practice recognizes a fact which the DDT-oriented overkill philosophy implicitly denies—that man simply cannot manage the environment all by himself without in the end doing more harm than good.

In other places where a policy of devastation has been followed it has been found, as in the Canete Valley, that the pests in the long run are harder than their predators. The importation of "beneficial" insects to restore some reasonable semblance of ecological balance has been a commonplace result of following the DDT route past the point of no return.

Smith points out that integrated control is an area-wide practice, not something that can be instituted by a few farmers while others go their usual way. Just as cities, states and even regions are becoming aware that they cannot cope with environmental pollution all by themselves, the traditionally individualistic farmer is being forced to consider collective-action policies.

Integrated control may or may not be the most effective way to maintain the balance of nature in the United States, and even if it is, powerful forces will fight to the end any effort to restrict the use of chemical pesticides. In recent months publicists for the agricultural poison makers have circulated an unsigned memo purporting to refute anti-pesticide agitation.

Will it take a Canete Valley here to change things? No one can say for sure, but these days all the bets seem to be won by those laying their money on the side of pessimism.

SIX BLOCKS APART

Mr. PERCY. Mr. President, the problems of just trying to live and get along in a big city are pointed out poignantly in an article written by Thomas J. Moore and published in the Chicago Sun-Times of September 22, 1969.

In one instance, Mr. Fred Pegues, his wife, and six children are being forced to leave their fire-gutted home at 835 West 51st Place after having been burned out, presumably by hostile neighbors. The Pegues were the first black family to move into the block.

Just six blocks away, Mr. William Burns and his wife feel they have to leave their home after having fire bombs thrown at their apartment at 5701 South Halsted. Burns is one of the last white residents in a predominantly Negro neighborhood.

A black family being forced out of a white neighborhood and six blocks away a white family being forced out of a black neighborhood: What a tragic commentary on intolerance in American life today.

Not much additional commentary is needed. The story the article tells dramatizes the problems and agony that intolerance brings with it. We cannot legislate intolerance out of existence, but we must be aware of it, otherwise all the legislation we pass to try to improve the quality of life in this country will be for naught.

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

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

[From the Chicago Sun-Times, Sept. 22, 1969]

**TWO FAMILIES—ONE BLACK, ONE WHITE—
LEARN ABOUT HATE**
(By Thomas J. Moore)

Fred Pegues and William Burns are almost neighbors—only six blocks separates their homes near 55th and Halsted on the South Side.

They don't know each other, but they each know about hate. They learned about it recently.

Pegues, 37, is the first Negro to move onto an all-white block at 835 W. 51st Pl. Burns, 69, is among the last white residents in a predominantly Negro area at 5701 S. Halsted.

LIFE SAVINGS IS USED

Pegues is a truck driver with a wife and six children, ranging in age from six months to 13 years.

On Sept. 13, the family moved into the home Pegues had purchased with a down payment of \$1,000—his life savings.

Nobody would have called the aging frame house beautiful. It was squashed between two others and the faded blue siding had seen better days. But it was the Pegues' first home of their own. It had room for the children, and most important, the Pegues could afford it.

As they carried in furniture and clothes, their white neighbors gathered in front of their homes—faces hostile, silent, unwelcoming.

SPEAK SINGLE WORD

"Savage," snarled a nice-looking young person, about 20, at Fred Pegues. It was the only word spoken by the neighbors that day.

By evening, when Fred had gone to work, a small group had gathered behind the house and someone hurled a bottle, breaking a dining room window.

"I didn't see who threw it. I was too scared to go back and look," Fred's wife, Jerrylene, said.

POUR LIQUID ON STEPS

The next day, with Fred once again at work, Jerrylene saw a man walk through the back gate carrying a large can. He poured liquid on the wooden steps of the back porch.

Forty minutes later she saw a man return with a burning object and hurl it against the porch steps.

The house was gutted by the fire but Jerrylene and her six children escaped.

"We also lost all my best clothes and the furniture which was still in boxes at the back of the house," she said.

Six blocks south and 48 hours later William Burns and his wife, Agnes, sat in their small apartment at 5701 S. Halsted. It is tucked back on the second floor of an aging building with brown fake-brick siding and heavy wire screens over the first-floor windows.

MEDICAL PROBLEMS

Burns, a retired railroad freight house foreman, can't get around too well anymore because of two recent strokes. His wife just returned from the hospital after having a part of one lung removed.

They have lived in the neighborhood since 1941, and in that apartment five years. A long, steep staircase leads to the Burnses' apartment, and they would have difficulty getting out if a fire started.

Last Tuesday, a fused bottle of kerosene was hurled towards the second-floor window of Agnes' bedroom. It missed and burned on the sidewalk below. A second bottle broke the window and landed on the floor.

The kerosene did not catch fire, but it filled the apartment with choking fumes, forcing the Burnses to flee to a friend's apartment for the night.

Bud Schau, 57, owns the building. He was born in the neighborhood and his family have operated the Englewood Tavern on the first floor for 37 years.

He was already alarmed about what had happened to the Burnses, when he found out the next morning his tavern had been robbed—its fifth armed robbery since March.

Two men carrying pistols burst in at 9:30 a.m., shouted "holdup" and escaped with \$270 in cash and \$107 in liquor.

The bartender, Harold Hoffman, told police he thought it was the same pair who robbed the tavern Aug. 29.

Schau was mad.

"This neighborhood went through integration without any trouble at all. And now a certain element springs up which says you white people don't belong here any more. It's a certain criminal 10 percent.

"PICK ON CRIPPLES"

"They pick on crippled people. They take money away from kids going to school.

"I'm tired, I'm beat. I quit. As soon as I liquidate the stock I'm closing up," Schau said.

William Burns said: "I'll have to get out. I don't know where we can afford to live."

Fred Pegues said: "If it was me alone, I'd move back. But I have a wife and six children and I don't want them to get hurt."

CASTRO'S CONCENTRATION CAMP REGIME

Mr. DODD. Mr. President, whenever a non-Communist government imprisons identified members of the Communist conspiracy who are seeking its overthrow by violent means, there are protests and outcries throughout the free world against the alleged violation of human rights. But, for some strange reason, the protesters fall silent when it is not a matter of a handful of Communist conspirators who are imprisoned, but a matter of scores of thousands of political prisoners imprisoned by Communist regimes in both hemispheres.

Last week I received a statement signed by 14 members of the Hartford Committee of Relatives and Friends of Cuban Concentration Camps Prisoners,

which I wish to call to the attention of the Senate.

Mrs. Mercy Oses, of Hartford, the cousin of Cuban student leader Pedro Luis Boitel, who has been condemned to 30 years in prison, asked the question:

How is it possible that 85,000 political prisoners are dying in Castro jails abandoned by the United Nations, the free world press, many western countries like Canada, Mexico, Spain, France, etc., etc. and while this takes place only 90 miles away from the U.S. mainland.

Mrs. Oses also points out that whereas Che Guevara's imprisoned companion in Bolivia is permitted to receive special food and frequent visits, thousands of Cuban prisoners are held incommunicado and are dying for lack of food and medicine.

Last month, the political prisoners at Havana's "Cabana Fortress" went on a hunger strike in protest against their condition. The hunger strike lasted for more than 3 weeks, but there are conflicting reports about whether or not it resulted in any significant improvement.

As one American, I salute the efforts of those Cubans who, despite our indifference, seek to call the attention of the free world to the massive crimes against human rights which are being perpetrated in their country, and I bow my head in shame that this outrage against humanity which is taking place almost within sight of our shores should call forth so little protest and indignation in our own country.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire text of the statement I received from the Hartford Committee of Relatives and Friends of Cuban Concentration Camps Prisoners.

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

HARTFORD RELATIVES AND FRIENDS OF CUBAN CONCENTRATION CAMPS VICTIMS DEMAND SUPPORT IN THEIR 3-WEEK HUNGER STRIKE

"Deportation or death" because freedom in Cuba does not even exist for those not in jail, is the motto of Havana's "Cabana Fortress" political prisoners who have entered the third week of a hunger strike because of inhumane treatment. The nearest comparison in their plight is when one considers what the Nazi concentration camp victims of World War II experienced a few years ago.

Mrs. Mercedes Oses of 24 Dorothy Street, Hartford, cousin of Cuban student leader Pedro Luis Boitel condemned to 30 years in prison wonders "How it is possible that 85,000 political prisoners are dying in Castro jails abandoned by the United Nations, the free world press, many western countries like Canada, Mexico, Spain, France, etc., etc. and while this takes place only 90 miles away from the U.S. mainland?"

It particularly strikes us the interest of some of the aforementioned parties in favor of a certain Marxist leader in Bolivia, companion of Che Guevara who because of them is allowed to receive special food, perfumes and twice a week visits from his recently married wife, while in Cuba, my cousin Pedro Luis Boitel is dying like thousands of others because of lack of minimum food and medicine, while being held incommunicado under terrible conditions as he relates in two letters just received from Cuba which we will show to the Hartford I.R.C. early this week demanding action on their behalf and in the

very least exposure of what is happening in Cuba.

Three years ago we went to the I.R.C. and produced a letter from Pedro Luis Boitel as well as other evidence of other sources on prison conditions in Cuba also testified in Washington before the Senate Sub-Committee on Internal Security, all of this *to no avail*. After 10 years in Castro's jails although an invalid it is a miracle that Pedro Luis is still alive. When one sees in this country students who betray it trying to install a Marxist regime like in Cuba and are not even prosecuted, one despairs how in Cuba, Pedro Luis has been sentenced to 30 years because he choose to run for student office against Castro's wishes of a single communist ticket!

We accuse the Castro's Government of *genocide with its political prisoners* after intimately knowing what he has done to them in 10 years. "What is wrong with this society when over 1,000 students are dying in Castro's concentration camps and the students and faculties of the large universities ignore this and seem only to focus attention when accidentally a U.S. bomb falls astray and kills 4 or 5 civilians in Vietnam? Should it not deserve at least equal attention the fate of 85,000 political prisoners which are neighbors of this country?"

"Are we only able to bring attention to our plight when our abandoned relatives make a last ditch determination as of now to refuse the 800 a day calorie "trash" that is offered to them as food?"

We indict at this time the United Nations, all responsible news media, western countries having relations with Communist Cuba, student faculties and organizations that they will jointly share the blame of my cousin and other students leaders deaths, in the coming weeks similarly as the leaders of pre-war France, Britain and United States share the responsibility in the death of millions of Jews during the early period of Nazi persecution.

The prisoners strike seem to have been so effective in Cuba that Castro has been obliged to continue "the conspiracy of silence in Cuba" by closing the major wire agencies in the country. Only United States based news media can now inform the world.

We will not stop with other relatives and friends in our 400 families Hartford Cuban exile community until we obtain support of the I.R.C. the Archbishop of Hartford and other church figures and organization support in getting involved in our objective of saving our loved ones after 10 years of incredible suffering.

It is our belief that if one third of the world under communist rule is suffering religious persecution and with no less than 10% of its inhabitants in concentration camps at least one third of the churches' prayers should be directed on their behalf specially as like in this case all seems to fall!

May God have mercy on our people.

Hartford Committee of Relatives and Friends of Cuban Concentration Camps Prisoners: Mercedes Oses, President, Estrella Alcantara, Georgina Amador de los Rios, Margarita Valladares, Luisa Martinez, Adela Puentes, Teresa Rodriguez, Victoria Diez, Virginia Torres, Luisa Estevez, Mirtha Rodriguez, Bernarda Perez, Bertha Gonzalez.

HARTFORD, CONN., September 21, 1969.

BIPARTISAN SUPPORT OF THE FOOD STAMP BILL

Mr. JAVITS. Mr. President, the Senate's action last Wednesday in passing a comprehensive food stamp bill is historic. It was bipartisan all the way and can

become law only if it continues to be bipartisan.

This action, which came after the adoption of a substitute bill, was an important and historic step toward the establishment of a meaningful and substantially reformed food stamp program.

I joined with eight Senators, both Republican and Democratic, in sponsoring the substitute bill because we believed—as did a majority of the Senate—that hunger and malnutrition in America must be eliminated and that the achievement of this goal requires the establishment of an expanded and improved food stamp program.

The measure which passed the Senate on Wednesday breaks new ground in a number of areas: It provides for free food stamps for any family of four whose monthly income is less than \$60; it allows for concurrent distribution of surplus commodities and food stamps under certain conditions; it authorizes the establishment of national eligibility standards for participation in the food stamp program; and it establishes a clear Federal responsibility for feeding hungry and malnourished people where local officials either will not operate a stamp program or where an existing program is being operated inadequately. The Agricultural Committee took important steps in moving toward food stamp reform, but the bill it reported simply did not have the detailed provisions and the scope to really cope with the problem. The Senate, in passing the substitute bill, has now clearly declared that the Federal Government must, and will, mount a full-scale attack on hunger and malnutrition and will devote the necessary resources to the achievement of that objective—that the Nation's conscience just will not tolerate anything less.

Republicans have played an important role in directing the attention and the resources of this Nation to the dilemma of hunger amidst plenty—from the initial investigations in the Mississippi Delta some 2½ years ago to the administrative actions and legislative proposals of the Nixon administration.

It was this administration which broke the redtape barrier that had blocked its predecessor. President Nixon earlier this year called for substantial improvements in the Federal food assistance programs and for "an end to hunger in America—for all time." Evidence of this administration's commitment has been provided by significant administrative breakthroughs by Secretary of Agriculture Hardin and Secretary of Health, Education, and Welfare Finch, and by the proposals for food stamp reform which the administration submitted to the Congress earlier this year.

The Senate has now responded to the overwhelming sense of urgency which has characterized public concern with this issue—a response that would not have been possible without Republican votes. In expanding and reforming the food-stamp program, the Senate has taken a giant step toward providing the administration with the tools it needs to establish and implement a truly responsive food-assistance program.

I sincerely hope that the House of Rep-

resentatives will now act favorably upon the food-stamp bill which the Senate has passed and which is now before that body. I urge the House to give it the same broad bipartisan support which characterized the Senate's action on this matter. I believe also that this bill offers significant improvements which the administration can and should support.

IMPACT OF THE TAX REFORM ACT ON PRIVATE FOUNDATIONS

Mr. MATHIAS. Mr. President, one of the most difficult aspects of the Tax Reform Act, H.R. 13270, is its proposed treatment of private foundations. Many provisions in the House bill are prudent and intended to eliminate abuses which should not be perpetuated. However, other provisions, especially the proposed 7½-percent tax on foundation income and the severe restrictions on foundation activities in public policy fields, would greatly curtail the amount of support foundations could give to valuable programs and institutions, and the range of constructive efforts in which private foundations could engage.

The Secretary of Health, Education, and Welfare, Hon. Robert H. Finch, recently discussed these problems in an important exchange of correspondence with the Secretary of the Treasury. Secretary Finch's letter itemized some of the many significant and lasting gains in education, health, and social welfare which foundations have supported and stimulated. As he noted, many of these contributions are innovations for which public support was inappropriate or unavailable at the time, but which have ultimately brought great benefits to the general public.

The Secretary summarized:

I choose my words with care when I submit to you that the Act's present provisions with respect to taxation of foundation income and with respect to the permissible range of foundation activities would gravely damage the public welfare, defined in its broadest sense. These provisions would, in effect, diminish that sector of the Nation's life in which diversity, experimentation, and innovation flourish, and would constrict both the numbers and the influence of independent centers of thought and social action. As a consequence, pressures for government involvement—and for the commitment of public resources—would be greatly intensified.

In his response, dated September 24, Secretary of the Treasury David Kennedy outlined the administration's recommendations for revision of the House bill, including a reduction in the proposed tax from 7½ percent to 2 percent. He also noted that the Commissioner of Internal Revenue will soon announce the appointment of a Commissioner's Committee on Exempt Organizations, to review the policies to be followed in administering the laws governing the activities of all tax-exempt groups.

Mr. President, as the Baltimore Sun noted in an editorial on September 29, the House bill's provisions would greatly contract the areas in which the IRS could exercise discretion in determining whether activities in public policy areas are permissible. I feel that the concerns

expressed by Secretary Finch are justifiable and hope that the provisions of the House bill can be reexamined objectively.

I ask unanimous consent to have printed in the RECORD the correspondence between Secretary Finch and Secretary Kennedy, and the Baltimore Sun editorial of September 29, 1969.

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

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,

Washington, D.C., September 17, 1969.

DEAR DAVID: Within the context of the Tax Reform Act of 1969, your own judicious testimony before the Senate Finance Committee on September 4 and 5, and the efforts now under way by your staff to perfect the legislation as enacted in H.R. 13270, I am taking this opportunity to call to your attention certain implications of the Act as they bear on my own deep personal concerns and those of my Department.

In its present form, the Act threatens to undermine that uniquely American institution, the private beneficent foundation, and might even tend toward its ultimate destruction. I choose my words with care when I submit to you that the Act's present provisions with respect to taxation of foundation income and with respect to the permissible range of foundation activities would gravely damage the public welfare, defined in its broadest sense. These provisions would, in effect, diminish that sector of the Nation's life in which diversity, experimentation, and innovation flourish, and would constrict both the numbers and the influence of independent centers of thought and social action. As a consequence, pressures for government involvement—and for the commitment of public resources—would be greatly intensified.

I know, as of course you do also, that a relative handful of individuals and groups have abused existing law with respect to foundations—have, indeed, deliberately exploited loopholes in the Internal Revenue Code for self-serving gain and for tax avoidance. Such abuses must be rooted out and effectively curbed. Such loopholes must be closed. In many of its provisions, the Tax Reform Act accomplishes precisely those ends and thus has earned the enthusiastic support of responsible foundation officers. In other of its provisions, the Act would ensure full public disclosure of foundation activities and impose limits on the undue accumulation of foundation income. These also are necessary and proper legislative objects.

The tax on income, however, would miss the target altogether. Rather than touching the malefactors, it would penalize only the recipients of foundation grants and would fall with utter indiscriminateness upon all who look to foundations for crucial support. It would predictably fall with literally killing effect upon the most innovative and creative. "High-risk" endeavors would simply never be funded—the "safe" projects, the ones with general approbation, would price the more adventurous out of the marketplace of ideas.

Your own recommendation to the Senate Finance Committee that the proposed 7½ per cent income tax should be reduced to a 2 per cent "monitoring fee" represents one substantial improvement—but still, I think, there is room for others.

Such a fee should, in the first place, be clearly and explicitly distinguished from a tax in any form—to avoid the dangerous precedent that this particular group of 501 (c)(3) organizations should somehow be "less exempt" than all others. Many such organizations, indeed, serve quite narrow ends—trade associations, for example, and pressure groups for special interests—and are incomparably less of a quasi-public character than are foundations. Second, I would argue,

the fee should be assessed according to assets rather than income—to avoid the curious effect of penalizing foundation investment managers for their imagination and efficiency. And third, rather than fixing a precise fee-rate, I wonder if you would not find it feasible—on the basis of two or three years experience—to set a "moving" rate that would reimburse your Department for the actual costs of monitoring.

Even beyond the proposed tax, the provisions of the Act with respect to permissible foundation activities—in tandem with harsh penalties levied upon foundation officers and trustees—pose yet graver dangers to the public interest. Should the highly ambiguous language of Section 4945 be interpreted in such a way as to preclude any foundation impact on public opinion formation, or on legislation, or on those public officials in any way involved in the policy-making process—and the language of the Act admits of this possible interpretation—then the effects of the Act would be a disaster for our pluralistic society. Even the suspicion that the Act might be so construed, in combination with the penalty clauses, would surely have a chilling effect on foundation innovations, and on the willingness of foundation officers to engage in those speculative undertakings on the frontiers of the human imagination that have been the foundations' principal glory—and their unique contribution to the public interest.

It simply is not possible to exaggerate the breadth or depth of these contributions. In every area of thought and action—in all the arts and sciences, in basic research, in public health, in scholarship and creativity, in the building and preserving of independent social institutions—the catalogue of foundation-supported efforts provides many benchmarks in the progress of recent civilization.

I could make note of Dr. Robert Goddard's pioneering experiments in rocket propulsion (funded in the critical early years almost wholly by the Guggenheims), or of ongoing State legislative reform (funded through the Citizens Conference on State Legislatures by the Carnegie Corporation and the Ford Foundation), or the development of high-yield "miracle" grains (funded in major part by the Rockefeller Foundation).

But, rather, let me limit my catalogue to those foundation activities that relate directly to the concerns of the Department of Health, Education, and Welfare—and let me stress that this is the merest sampling and that many of the following items would have been called into substantial question (on grounds of influencing legislation, or public opinion, or both) under Section 4945 of the proposed Act:

Medical education in the U.S., along with seminal medical research, is almost literally the creation of private foundations. Modern teaching institutions and curricula derive from the ground-breaking Flexner report of 1910, made possible by the Carnegie Corporation. In these early years, too, Rockefeller Foundation grants led to the virtual eradication of hookworm from this continent, and to major inroads against malaria and yellow fever in many parts of the hemisphere. In recent years, the Commonwealth Fund stimulated trend-setting curricular reform at Harvard and at Case Western Reserve; Commonwealth and the Surdna Foundation set up the first pilot-project of a university-sponsored community health program; the Kellogg Foundation launched seven wholly new medical schools; the Markel Foundation enabled Northwestern to demonstrate the feasibility of compressing medical education into a shorter time-span; the Rockefeller and Macy Foundations have opened new opportunities for members of minority groups to undertake medical careers; and in more instances than it is possible here to enumerate, foundation grants (with Mellon funds particularly aggressive in this area) have

meant the difference between the maintenance of urgently needed medical schools and the closing of their doors.

In population studies and family planning, the Ford, Avalon, and Rockefeller Foundations, among many others, have created fundamental research facilities which, in turn, are supporting practical programs, both public and private. In other areas of medical research, the Sloan Foundation's work in cancer is but one prime instance, as is foundation support leading to the development of effective polio vaccines.

So-called "challenge grants" by the Ford Foundation, usually on a two-or-three-to-one matching basis, have stimulated a burst of capital-expansion fund-raising efforts at more than a score of major U.S. colleges and universities. The President of the University of Notre Dame, for example, has estimated that the foundation's stimulus enabled his institution to achieve in ten years what otherwise might have taken thirty. Also at Notre Dame, the Carnegie Corporation funded the first systematic study of Catholic education ever undertaken in this country.

In every category of higher education—teachers' salaries and pension plans, new and improved facilities, curricular innovation, and fellowship and scholarship grants—foundations have provided the stimulus and often the seed-money. The National Merit Scholarships, for example, are foundation-sponsored. Since 1956, foundations have poured in excess of two billion dollars into institutions of higher education, both public and private. The Danforth Foundation funds "refresher" programs to permit teachers and administrators to engage in sabbatical years of scholarly- and self-renewal. The Lilly Endowment, among many others, has spurred the establishment and expansion of foreign-area study programs at dozens of U.S. colleges and universities.

In the American South, in particular, foundation support has provided "the margin of excellence" for some 300 institutions of higher education. For example: the Emory University medical center was made possible by the Woodruff Foundation; the Kresge Foundation provided Meharry Medical College with a library of the first rank (and it should be noted that this single institution has graduated nearly half the Negro physicians now practicing in the U.S.); Carnegie and Danforth support the Southern Fellowships Fund; the Kellogg Foundation has created a center for continuing education at the University of Georgia; and Ford and Danforth have funded "Project Opportunity" which so far has motivated and assisted some 3,000 disadvantaged young people into productive higher learning.

Educational support and assistance, North and South, have by no means been limited to higher education. In hundreds of communities throughout the Nation, foundations have helped to upgrade teacher training and retraining; to experiment with new techniques for teaching, and with new teaching technology; and to improve and expand educational facilities. In this, as in many other areas of concern, the activities of hundreds of smaller local foundations have been the crucial ingredient.

Also in the area of education, the Carnegie Corporation and the Danforth Foundation have shared in the funding of the Education Commission of the States and its subsidiary, the National Assessment of Education. These are key vehicles, through close interstate cooperation and sharing of practical experience, to upgrade educational quality and teacher training in the public school systems of every participating State. The National Assessment will provide important inputs for my Department's evaluation and planning function.

Experiments funded by Ford, Carnegie, and the Taconic Foundation led to the development of preschool programs and, in turn, to

Head Start. This is a prime example of the stimulation and testing of new ideas—in education and child development in this particular instance—that might have been too speculative for government to undertake but that have evolved into government programs of substantial success and popularity.

Along the same line, experiments in various forms of income maintenance and family assistance have been and still are being mounted by the Ford and other foundations. These pilot projects are adding invaluable practical experience as my Department works to implement the President's welfare innovation, the Family Assistance System. The Pechman study of revenue-sharing, funded through the Brookings Institution by several foundations, is contributing to the same broad objective.

In the area of rehabilitation of the disabled and retarded, fundamental research and practical training programs have long been funded by the Milbank and other specially-oriented foundations. Indeed, the early work of the Milbank Foundation led directly to the enactment of the first State statute in the rehabilitation field, a model for all the rest and for the Federal Government.

The new, important, and growing field of educational television owes most of its impetus to the study undertaken by the Carnegie Corporation, and the development of a national network of educational TV outlets has been supported from the first by the Ford Foundation.

Certain common themes run throughout this exemplary checklist of foundation initiatives and innovations—many of which, let me say again, might never have seen the light of day under the ambiguous, restrictive language presently incorporated in Section 4945 of the Tax Reform Act of 1969.

In the first place, these are predominantly innovations—new, sometimes even radical ideas, that required "risk capital" for thorough testing and perfecting. In instance upon instance, these are new departures that public authorities might have shied from—and in some cases properly so, in view of their responsibilities to the broadest public—and yet have ultimately appropriated and implemented for the general benefit. Second, the range of foundation activities has lifted from public authorities burdens of support and funding that otherwise might have become public responsibilities. Third, in many instances—the Hill-Burton hospital construction program is one case in point—foundations have assumed burdens of matching funds, and thus have enabled States and localities to take full advantage of a variety of Federal programs.

Finally, and most important, the private foundation has been through the history of this century—and is today—a principal catalyst motivating the private and voluntary sectors of our pluralistic society. As in any area of human discretion, some particular judgments may depart from yours, or mine, or any segment of the public. But as an entire class, and over the vast range of their good works, foundations have served the public interest with a high sense of dedication, and a deep sense of public responsibility. I venture to suggest that if they did not exist, we would have to invent them—and, as the historic Tax Reform Act of 1969 moves toward enactment, it is our responsibility as servants of the public to preserve their incomparable strengths.

Warmest personal regards.

Sincerely,

Secretary.

THE SECRETARY OF THE TREASURY,
Washington, September 24, 1969.

DEAR BOB: I have your letter of September 17, 1969, with respect to the pending Tax CXV—1739—Part 20

Reform Bill insofar as it relates to private foundations.

I appreciate your review of the many fine accomplishments of private foundations in the charitable and educational fields. We have emphasized these accomplishments in our appearances before the Ways and Means Committee and the Senate Finance Committee, and in our recommendation to the Congress we have endeavored to confine the statutory changes to the elimination of certain abuses that have occurred without unduly hampering the ability of the foundations to assist the nation in attaining its charitable and educational goals.

Naturally there are numerous specific problems to work out in the text of the bill, and we have met on a number of occasions with representatives of the foundations to review those problems. As you know, we have recommended that the 7½ percent tax contained in the House bill be reduced to two percent, which we estimate would provide sufficient funds to defray the Internal Revenue Service costs of administering the program of audit and supervision.

As to whether the payment to be made by the foundations is to be called a fee or a tax, we stated in our public appearance before the Senate Finance Committee that we would have no objection to calling it a fee rather than a tax if we could be satisfied that this can be accomplished without any possible legal infirmities. We have been considering this matter and discussing the legal question with counsel for a number of the foundations.

Similarly, we stated at the public hearings before the Finance Committee that we have no objection to framing the levy in the form of an excise tax in lieu of an income tax, provided we can satisfactorily determine or describe the event or privilege upon which the excise will be imposed.

We have also considered the matter of basing the levy upon assets of the foundations rather than income. We stated to the Finance Committee at the public hearings that we are opposed to an attempt to base the tax upon net assets rather than upon income, because of numerous technical and administrative problems which we do not think can be satisfactorily overcome. The Internal Revenue Code and the regulations contain many detailed provisions regarding the calculation of taxable net income but have no similar structure regarding taxable net assets. We think it would be inadvisable to attempt to measure the payments by reference to assets.

You inquire whether we think a "moving rate" rather than a fixed rate for the payment would be feasible. We have concluded that with a rate of only two percent, calculated to raise some \$15 million in the first year of operation, there is no need to engage in the complexity of gauging each year the projected administrative costs and the projected revenue yield. We do not believe that an attempt at this degree of precision is advisable.

With respect to activities of foundations that may have an impact on public opinion formation or legislation, existing law for many years has prohibited charitable and educational organizations from devoting any substantial part of their activities to attempts to influence legislation. The principal effect of the new bill will be to forbid such activities whether or not they are a substantial part of the total activities of the foundation. While the line between education and the influencing of legislation may not always be easy to draw, I am confident that the Internal Revenue Service would continue to exercise sound discretion in this respect as it has in the past. As we have advised the Congress, the Commissioner of Internal Revenue will soon announce the appointment of a Commissioner's Committee on Exempt Organizations, composed of dis-

tinguished citizens in various walks of life, to consult with him on the policies to be followed in the administration of the laws relating to these organizations.

I appreciate the benefit of your views, particularly because of your frequent work with the foundations as a part of the many activities of your Department. We are continuing to work on the specific details of the bill in preparation for the forthcoming executive sessions of the Finance Committee. We shall be happy to receive any further suggestions or thoughts that you might have, both with respect to the terms of the bill and to the administration of it after it is enacted.

Sincerely,

DAVID M. KENNEDY.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., September 26, 1969.

HON. DAVID M. KENNEDY,
Secretary of the Treasury,
Washington, D.C.

DEAR DAVID: I am grateful to you for your informative letter of September 24 in reply to the comments and suggestions regarding the tax treatment of foundations that I sent to you on September 17.

I am delighted to know that you recognize the significant contributions that have been made by the foundations and that you informed the Finance Committee at its public hearings that you have under consideration some further changes that you might recommend.

If we can be of assistance to the Treasury in its work on the bill or the administration of it after its enactment, we shall be happy to do so.

Sincerely,

Secretary.

[From the Baltimore Sun, Sept. 29, 1969]

PRIVATE FOUNDATIONS

Secretary Finch is on the right side in criticizing provisions of the House tax bill with respect to private foundations. Referring to the measure as passed by the House, Mr. Finch said in a letter to Secretary Kennedy that the bill's present provisions "with respect to taxation of foundation income and with respect to the permissible range of foundation activities would gravely damage the public welfare."

The Secretary of Health, Education and Welfare in his letter to the Secretary of the Treasury was opposing in particular the provision of the House bill intended to restrict if not prohibit such political activities as attempting to influence legislation or public opinion—lobbying, in some form, in other words. Secretary Kennedy said in reply to Secretary Finch that "while the line between education and the influencing of legislation may not always be easy to draw, I am confident that the Internal Revenue would continue to exercise sound discretion in this respect as it has in the past."

The House bill, however, would greatly reduce the discretion now practiced by the Internal Revenue Service. Mr. Finch's criticism on this point is sound. It would be good to see the Nixon administration support him and urge this viewpoint before the Senate Finance committee, which now is considering the House bill.

An even stronger case can be made against the House bill's provision for a federal tax of 7½ per cent on foundation income. This tax, it is believed, would affect not only the operations of private foundations, but would seriously curtail the contributions on which they depend. Its impact could be broad. Testimony has already been given the Senate Committee that it could deprive colleges, hospitals, community agencies, research centers and other voluntary organizations of millions of dollars in private funds.

This is too great a price to pay in order to curb the operations of some foundations which have stretched and abused present rules. There is a rather wide agreement that a tax of about 2 per cent, or a comparable fee schedule, would be practicable as a means of financing a better enforcement of present regulations. The House bill goes too far, and should be corrected.

CZECHOSLOVAKIA WILL NOT BE FORGOTTEN

Mr. DODD. Mr. President, although a quisling government imposed by the Soviet Red army is now moving rapidly to destroy the last vestiges of the limited freedoms achieved by the Czechslovak peoples before the Red army intervened, we in America have a duty not to forget and not to acquiesce. We must keep the issue of Czechoslovakia alive, and we must use all of our diplomatic and moral influence to help persuade the Soviets to give up their political occupation of that unfortunate country.

With this motivation, I ask unanimous consent to have printed in the RECORD the text of a statement adopted by the AFL-CIO executive council in connection with the first anniversary of the Soviet invasion of Czechoslovakia.

I also ask unanimous consent to have printed in the RECORD the text of a statement adopted on the anniversary of the Soviet invasion by the Czechoslovak National Council of America, Eastern Division.

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

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL ON CZECHOSLOVAKIA ANNIVERSARY

As the first anniversary of the Soviet invasion of Czechoslovakia, August 21, 1969, approaches, the Executive Council of the AFL-CIO expresses its deep sympathy and solidarity with the long-suffering Czechoslovak people and in particular with its embattled workers. Once again, we indignantly protest against the occupation of the country by the Red Army.

In the past year, Moscow has tightened its grip on the unfortunate Czechoslovak nation through stepped-up political pressure and expanding interference in its internal affairs. With more than 70,000 Russian troops occupying the land, the Soviet authorities behave more and more like the worst colonialist rulers. Under their orders, dissent has been stifled, freedom of the press has been replaced by censorship, and freedom of expression has vanished. The rebellious student movement has been silenced and its organization dissolved. Economic reorganization has been halted, the right to strike suppressed, and the beginnings of a restoration of trade union independence and democracy have been crushed.

Since the Soviets considered Alexander Dubcek too slow in fulfilling their demand for a return to neo-Stalinism, euphemistically called "normalization of the situation", they ousted him and had him replaced by the more pliant Gustav Husak. In the first three months of his regime, purges of the Party and state apparatus, the press and other institutions have been carried out. Still more conservative forces are awaiting a signal from their Russian masters to take over power and re-establish even harsher totalitarian rule. The capitulation by the Czechoslovak Communist leadership to Soviet demands proves beyond any doubt that the Communist Party cannot be an instrument for basic changes and reforms. Vested

with all powers of the dictatorship, it is unwilling to abolish the one-party system; and without such an abolition no genuine and lasting restoration of democracy is possible.

For the Czechoslovak people, the last year has been a tragic one. Under the constant threat of assault by the overwhelming military occupation force, they have seen their aspirations to freedom cruelly destroyed. They now face mounting economic difficulties and aggravated oppression and exploitation by Soviet imperialism. In these dark hours, their courage and quiet determination deserve our highest admiration and respect. Above all, we salute the fearless and indomitable Czechoslovak workers who have been doggedly resisting all attempts to wrest from them the modest rights they had gained in the factories. Through work stoppages, slowdowns, demonstrations, and other forms of protest, they have shown their determination not to become again voiceless slaves condemned to a life of drudgery, deprivation, and misery. Significantly, the slogans they have scrawled on the walls of their public buildings and factories are not only angry protests against the Russian army of occupation and its henchmen, but also reminders to the forces of freedom everywhere that they should not trust the oppressors of Czechoslovakia and never forget its struggle for liberty.

In their occupation of Czechoslovakia, the Soviets are showing utter contempt for international law, the UN Charter, and world public opinion. Moreover, by proclaiming the Brezhnev doctrine—the concept of limited sovereignty of other Communist countries—the Kremlin has brazenly arrogated to itself the exclusive right to intervene, even by military force, in the internal affairs of any member state of the so-called socialist community. Moscow uses troop maneuvers, economic blackmail and political threats to intimidate its satellites and suppress every attempt by them to gain greater autonomy and ease the totalitarian rule in response to their peoples' yearnings for freedom.

The Soviet aggression against Czechoslovakia demonstrates how illusory are the notions about international détente and liberalization behind the Iron Curtain. If the Soviet rulers are sincere in their recently indicated desire for rapprochement with the West, let them prove it by withdrawing their troops from Czechoslovakia and restoring the status quo ante. The Executive Council urges our government to place the Czechoslovak question on the agenda for all future negotiations with Moscow. We further urge the Administration to make every effort to have the forthcoming U.N. General Assembly call for the withdrawal of all Soviet armed forces from its member state, Czechoslovakia.

A year ago, the international free trade union movement unanimously denounced the invasion of Czechoslovakia by the Soviet Union and her Warsaw Pact allies. In protest, free trade unions which had engaged in exchange programs with Communist "trade unions," broke off all contacts with such organizations in the invading countries. We call upon all free trade unions to continue this ban. Any resumption of exchanges would be an unpardonable blow against the brave workers of Czechoslovakia now desperately resisting Communist tyranny.

Czechoslovaks are again crowding the refugee camps in Austria and at least 50,000 others who have fled are trying to build new lives abroad. The Executive Council proposes that the Administration take all necessary steps to have the U.N. High Commissioner for Refugees (UNHCR) assist the Czechoslovak refugees in utilizing their skills and talents for beginning life anew.

STATEMENT BY THE CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA, EASTERN DIVISION

We, American citizens of Czech, Slovak and Subcarpatho-Ruthenian descent within

the Metropolitan Area of Greater New York have assembled today on the First Anniversary of Soviet aggression against our native country to demonstrate in front of the Soviet Mission to the United Nations to protest against the Soviet occupation of Czechoslovakia.

We should like to remind the entire world of the crime of the Soviet invasion upon Czechoslovakia, which was a flagrant violation of several principles of international law incorporated into the Charter of the United Nations.

In particular, the brutal Soviet aggression thus:

(1) violated the sovereignty of a member state of the United Nations (Article 2, Section 1);

(2) was carried out in violation of Article 2, Section 4, which prohibits the use of military force in the relations between individual members of the United Nations;

(3) violated the principle of self-determination of peoples (Article 1, Section 2);

(4) was in conflict with Article 2, Section 7, which prohibits outside intervention in matters essentially within the domestic jurisdiction of any state;

(5) was in conflict with a number of resolutions of the General Assembly of the United Nations, particularly, however, with Resolution 2131 (XXI) adopted at the meeting of December 21, 1965, upon the Soviet Union's own motion, declaring not merely the inadmissibility of any intervention in the domestic affairs of any state, but also the necessity of the protection of their independence and sovereignty.

The above-mentioned Soviet aggression is a brutal crime against the right of a comparatively small country in the central heart of Europe that had been individualistic in determining its own fate and aspirations. This aggression was an intervention by the forces of reactionary Communism to prevent the Czechs and Slovaks from establishing their own social order that did not endanger anyone. On the contrary, the people of Czechoslovakia tried, among other things, to contribute to the building of bridges across the discords of an ideologically divided world and to lend aid to a better understanding and cooperation among all nations on the basis of true progress and humanity.

Subsequently, the Soviet Union tried to justify its crime by the so-called Brezhnev doctrine, which is in direct conflict with the Charter of the United Nations. This doctrine merely places the act of Moscow into an even worse light, because it tries to sanction aggression and thereby deliver small countries to the "tender mercies" of the aggressive plans of Soviet imperialism.

It tries to convert the condemned act of the aggressor to some kind of Socialist right which should be recognized by the entire world. It is an indication of the fact that the world is presently going through one of the most dangerous periods in international relations since the end of World War II. Now, a year after the Soviet invasion of Czechoslovakia we read about the efforts of Soviet authorities to compel Czechoslovak governmental authorities to issue a declaration about the alleged necessity of the invasion and the ensuing occupation.

The people of Czechoslovakia have not resigned themselves to these aggressive plans of Moscow. They resisted and continue to resist, pressure, and reject Moscow's claims of its right to intervene in the leadership of the State and the Czechoslovak Communist Party; they deny the existence of a right of the Soviet Union to determine who should govern the country in their name and represent it in its foreign relations. The day of August 21st is being commemorated in Czechoslovakia as a *Day of Soviet Shame* in a mighty though disciplined Demonstration against Soviet pressure.

We are joining our friends in Czecho-

slovakia in this great and dignified Demonstration. We ask the entire civilized world to understand its meaning, and to support the people of Czechoslovakia in their effort to achieve the following sole aim of this Demonstration: "The withdrawal of Soviet troops from Czechoslovakia."

We should like to remind particularly the representatives of the free nations not to miss the singular opportunity for them to support this just demand of the people of Czechoslovakia in international meetings. We are grateful to President Nixon for his statement of August 7, 1969, which rejected the Brezhnev doctrine and pointed out that he would not be guided by it in the development of cooperation with the countries of Eastern Europe. There will be many occasions during the forthcoming General Assembly of the United Nations for a denunciation of Soviet aggression and for raising the demand for the withdrawal of Soviet forces from Czechoslovakia. We hope that the representatives of the free nations will not let this opportunity go by unused and will, by a peaceful but diplomatically very effective action help to solve a problem which endangers the peace in Europe and the peace throughout the world.

VRATSLAV BUSEK, *President.*
JOHN BABINEC, *Secretary.*

NEW YORK, N.Y., August 21, 1969.

SENATOR MURPHY SAYS DRUG ABUSE REPRESENTS CLEAR AND PRESENT DANGER TO COUNTRY

Mr. MURPHY. Mr. President, at my request the Special Subcommittee on Alcoholism and Narcotics of the Committee on Labor and Public Welfare held hearings in California on the drug-abuse problem, which has reached epidemic proportions. The hearings were held on September 27 in Los Angeles.

I ask unanimous consent that testimony I gave be printed in the RECORD.

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

Mr. Chairman, first I want to welcome the Subcommittee to California. Earlier this year—I wrote to Senator Yarborough—the Chairman of the Senate Labor and Public Welfare Committee—and after the new Special Subcommittee on Alcoholism and Narcotics was created—to Senator Hughes urging that hearings be held in California on the drug problem. I therefore appreciate very much the Subcommittee coming to California.

The hearing today focuses on a subject which has reached epidemic proportions and which is foremost on the minds of Californians—the growing use and abuse of drugs. Frankly, Californians are deeply alarmed and—rightfully angry—over this problem.

In California the magnitude of the drug problem can be seen by the growing number of drug arrests.

In 1968—6,400 adults were arrested—a figure representing a 65 per cent increase over 1967—and a two hundred per cent increase over 1960.

Juvenile arrests totaled 29,947 in 1968—a figure representing a 115 per cent increase over 1967 and a two thousand per cent increase over 1960.

In California in 1967—there were over two thousand more arrests for marijuana violations than in the previous six years combined.

These statistics dramatically demonstrate the drug problem has reached the crisis stage. Even more alarming than the numbers is the fact that the average median age for drug arrests keeps getting lower and lower.

At one time, marijuana, for example, was

a phenomenon of citizens in the ghetto areas and certain jazz musicians. More recently, there has been a growing concern in California and in the country over drug abuse by our college students. As bad as this was—and is—we now know that drug use is spreading to our high schools and junior high schools. This Special Subcommittee has heard testimony that the drug problem has reached the elementary grade levels. Recently reported in the press was a story claiming that a third grader made \$40,000 trafficking in drugs. That drugs have reached the elementary level is frightening—but correspondence that I have received confirms this invasion. For example, I received a letter from Mr. Arthur H. Suddjian—Coordinator—Drug Abuse Information Center of the Fresno Unified School District—and I quote: "I can assure you that drug abuse has not decreased in our high schools—it has increased tremendously at junior high levels—and has extended into the fifth and sixth grades."

On July 17—the *San Diego Union* in a lead editorial pointed out the need for action now in the drug battle. The cartoon on the editorial page for the same day depicted the drug and dope problem as "The Fifth Horseman" galloping destructively across our country with a hypodermic gun labeled "Dope". This is an apt description as evidenced by the frightening possibilities raised in the editorial's conclusion which states: "Time as well as vigor is of the essence. Unless something is done quickly parents may not be able to send their children to playgrounds without exposing them to narcotics".

On September 16, 1968—then Presidential candidate Richard Nixon made an important speech to the American people in Anaheim, California. In this speech—Mr. Nixon made a pledge to the American people that he—if elected—would act on the urgent national drug abuse problem. President Nixon did act—appointing in February—a Special Presidential Task Force on Narcotics—Marihuana—and Dangerous Drugs. The Task Force began its work in March and on June 6, the Task Force report was sent to the President. On September 1, 1969, the first implementation of President Nixon's Task Force took place under the name "Operation Intercept". The FAA regulations were amended to provide, among other things, that all flights from Mexico into the United States must henceforth be made on a flight-plan basis. The regulations further provided for revocation of the license of any pilot convicted of a drug abuse offense and—where a private aircraft is used to smuggle drugs into the United States—the certificate of airworthiness for the plane may be revoked so that the plane may no longer be legally flown by anyone.

So less than a year after he took office, President Nixon launched what I called D-day in the nation's war against illegal drugs and narcotics.

A study of this Task Force report reveals that it represents a virtual battle plan of sweeping proportions. The entire US-Mexico border is under surveillance in an effort to cut off and control illicit narcotic and drug traffic. Mexico is estimated to supply about 85 to 90 per cent of marijuana in the United States and is also a source of a substantial amount of other drugs. President Nixon thus has launched the crackdown on drugs and narcotics that he promised he would do in Anaheim, California, in 1968. Certainly "Operation Intercept" will have the overwhelming support of the American people.

I was pleased that many of the recommendations in the Task Force report followed recommendations and suggestions that I have submitted to the President and to the Administration. I do wish to comment on some areas that seem to me most pressing.

I believe it is essential that we increase

research in the whole drug and—particularly—the marijuana area for it's quite clear that although—for example—we have known of marijuana for some time—we have in the words of the President's Task Force "comparatively little sound research on the drug." Therefore, I believe that research is necessary to provide us with the soundest possible facts on the causes and effects of marijuana.

In addition, we must step up our education programs and give our citizens and our young people scientifically accurate information regarding the dangers of drugs. A crash anti-drug program comparable to the anti-smoking campaign should be undertaken. In addition—we must work within the schools and the communities to make drugs the "out thing" rather than the "in thing".

We must enact legislation as proposed by the Administration to protect the general public from the illicit diversion of drugs from legitimate channels and to make certain that there is a greater accountability of drugs from the nation's pharmaceutical companies. The President's Task Force report and testimony before committees of Congress have indicated that there are considerable quantities of drugs being legally manufactured in the United States—sold and exported to Mexico—and then smuggled back to this country. Action in this area is particularly critical for the 1968 report of the Justice Department of the State of California shows a decrease in the percentage of drug arrests for marijuana in both the adult and juvenile categories—but an increase in the percentage of dangerous drug use. Therefore, I strongly urge that the Administration's recommendations to curb and regulate dangerous drugs be acted upon immediately.

No one likes the situation resulting from the border checks. It is harmful to business on both sides of the border—inconveniences the tourist and our citizens—and it is potentially harmful to the good relationship enjoyed by our governments and our peoples.

I have introduced in the Senate S.J. Res. 142, which urges the creation of an International Drug Commission to get international coordination, cooperation and unified action with respect to the drug problem. In the past, the Mexican government has resisted such an international body, but I still believe that we should keep working and pushing the Mexican government on this.

We have often said that our young people represent the nation's greatest national resource. This expression may be trite—but it is nevertheless true. I strongly believe it. Therefore, we are not about to allow drugs to continue their insidious endangering of the mental and physical health of our young people and the undermining of the moral fibre of this great nation.

In short—the American people are angry over the drug problem and are demanding that action be taken to stop the drug traffic which only profits those who don't care how they make a buck.

This rightful anger and demand for action can be seen in the approximately one hundred cities in California who passed resolutions urging the closing of the Mexico-US border to minors unless accompanied by their parents.

This rightful anger and demand for action can be seen by the action of the California State Legislature in enacting legislation restricting the border-crossings of resident minors on occasions when they are accompanied by a parent, have parental written consent, or have a passport.

This rightful anger and demand for action can be seen in New York where in a study this week by the *New York Times* it was reported that addict victims were turning vigilante and that residents in areas with

large numbers of addicts now "regard retribution preferable to promises of protection and plans for therapeutic programs never seem big enough, prompt enough or workable." This disturbing article went on to estimate that there are one hundred thousand heroin users in New York and that they figure the addicts might be stealing as much as \$2.6 billion a year in property to support their habits. The article also told of the United States Post Office paying \$360,000.00 in overtime pay just to provide additional postmen for safety reasons in some of the heavy drug areas. It seems these added postmen are needed twice a month when welfare checks are mailed since narcotics addicts have come to regard these checks as a potential source of money with which to buy heroin.

In conclusion, Mr. Chairman, I believe the drug problem represents a clear and present danger to our citizens and our country and I certainly am pleased that you have come to California. I am hopeful that as a result of these hearings and as a result of the vigorous action taken and recommendations made by the Administration, we might begin to put an end to this terrible problem.

PUBLIC HEARINGS TAX REFORM ACT OF 1969—SUMMARY OF TESTIMONY

Mr. LONG. Mr. President, today the Senate Finance Committee heard testimony with respect to that part of the House tax reform bill which reduces depletion allowances for hard minerals and cuts back on the tax advantages of production payments of natural resources. A number of distinguished citizens representing many areas of the mining industry described the potential difficulties that these new provisions would pose if enacted into law.

So that Senators might follow the progress of these tax reform hearings, I ask unanimous consent that the attached summary of the testimony be inserted in the RECORD.

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

SUMMARY OF TESTIMONY ON TAX REFORM BILL

WITNESSES

Hon. William Proxmire, U.S. Senator, State of Wisconsin

Oil and Gas Taxes

Proposes, on behalf of Senators Brooke, Kennedy, McIntyre, Muskie, Nelson, Pell, and Stephen Young, two modifications to the House bill with respect to taxation of oil and gas: (1) elimination of foreign tax credits for payments to foreign governments, although such payments would be deductible as ordinary business expenses; and (2) establishment of a three-tier domestic depletion allowance to permit the 27½-percent depletion on the first \$5 million of gross income from oil and gas properties, 21 percent on the gross income from \$5 million to \$10 million, and 14 percent for gross income in excess of \$10 million.

Contents that the present foreign tax credits for the oil industry are really disguised royalty payments. Argues that the three-tier depletion allowance would continue the incentives for the small independent producers while it would prevent the major companies from abusing the tax structure. Maintains that these two proposals would raise more than three times as much revenue as the Treasury's proposal.

Supports the House provisions to eliminate foreign depletion allowances and ABC and production payment transactions.

Indicates that the revenue loss from the oil percentage depletion allowance and intangible drilling expensing was \$1.6 billion in 1968. Considers this to be Government spent money just as if Congress had appropriated the money—except that it did not receive the examination of the appropriations budget process to evaluate whether it was worth the cost. States that this \$1.6 billion is three times the budgeted amount in fiscal 1969 for Federal law enforcement, 15 times the cost of the Federal judicial system, three times the amount for school lunch and food stamp programs, five times the amount for low-rent public housing, and 4 times the allotment for the Alliance for Progress.

Considers the oil and gas tax incentives to be most inefficient as a way of achieving the goal of stimulating exploration.

Suggests, as an alternative to expending of intangible drilling costs, a direct drilling subsidy of 25 percent of the tangible costs on exploratory wells.

Hon. Gordon Allott, U.S. Senator, State of Colorado

Oil Sale Depletion Allowance

Urges the committee to retain the provision in the House bill which permits the depletion allowance on oil shale to be taken after the retort process. Points out that to apply the depletion allowance to rock is meaningless and that oil shale must undergo complicated and expensive retort processes in order to derive the liquid kerogen necessary for the production of oil. States that the House bill recognizes the need of applying the depletion allowance to the post-retort state of processing.

Indicates that the failure to develop realistic and equitable Federal tax incentives has had a direct bearing on the unwillingness of business management to commit the large amounts of capital requisite for the development of an oil shale industry.

States that Treasury opposes the retention of this provision in the House bill arguing that the proposed additional incentive "should be granted in terms of the research and development objective." States that the administration believes this proposal would constitute "an important breach in the principle that percentage depletion is to be computed on gross income from mining, not manufacturing to any extent." Believes that Treasury's objectives simply are not in accord with the facts because (1) to suggest that further research and development efforts should be expended (Government and industry have invested nearly \$100 million in oil shale research and development) simply overlooks the realities of the present situation; (2) under existing law, treatment processes are considered mining for purpose of applying the depletion allowance to ores or minerals which are not customarily sold in the form of the crude mineral product, that is, lead, zinc, copper, gold, silver, uranium, fluorspar ores, and potash.

Molybdenum Depletion Allowance

Points out that molybdenum is the only nonferrous metal to be excluded from the 23 percent depletion allowance. States that under present law, molybdenum receives 15 percent and equity would seem to require that it should be treated no differently than other ferro-alloy materials. Believes that molybdenum's unique properties should receive the same depletion treatment afforded other nonferrous industrial metals.

Divesture by All Foundations of Voting Stock of Business Enterprises

Points out that the House bill provides that if a foundation owns more than 20 percent of the voting stock of a business enterprise it must divest itself of sufficient stock to bring such holdings to no more than 20 percent. Discusses several unique foundations (including the Helen Bonfils Foundation and El Pomar Foundations) which would be severely

impered if the proposed change actually becomes law. Believes that the 20-percent provision should be amended to assure that it is structured in such a way that foundations exist for charitable purposes and not for perpetuating donor control or for tax evasion.

NATURAL RESOURCES: DEPLETION ALLOWANCES, EXPLORATION EXPENSES, PRODUCTION PAYMENTS (HARD MINERALS)

Fred W. Peel, chairman, tax committee, American Mining Congress

Depletion Rates

States that the mining industry will require tremendous amounts of capital investment to meet future demand and if the industry is to generate the capital to meet increased demands, then the present depletion rates should not be reduced.

Effective Dates

Suggests that all tax imposing provisions of the House bill be applied prospectively only.

Mining Exploration

Urges that taxpayers who have elected to treat their exploration expenditures under section 615 of the Code be given another opportunity to elect section 617 treatment. Suggests that in explaining the mining exploration expenditure provisions of the bill in the committee report, it be stated that expenditures after the development stage is reached are to be treated as development (or production) expenditures.

Mineral Production Payments

Believes that if profits from sale of mineral production payments are treated as loans for purposes of depletion computations, the mining industry should not be prevented from accelerating income for other purposes on the same basis as other taxpayers.

Depreciation

Suggests that buildings constructed by mining companies to house their mining and beneficiation facilities and for related operations be permitted to continue to use double declining balance and sum of the years digits depreciation subject to full recapture and depreciation as ordinary income against profit on sale. Urges provision in the law for depreciation guideline lives so taxpayers may use useful lives at least as short as guideline lives without regard to a reserve ratio test.

"Hobby Loss" Provision

Recommends that if this section is retained in the House bill, it be revised to make it clear that it does not apply to unprofitable activities carried on as segment of an overall trade or business conducted with a reasonable expectation of realizing profit.

Foreign Mining

Suggests that the entire subject of foreign tax credits and changes from domestic depletion rates be put over for consideration when the Treasury makes its comprehensive proposals on taxation of a foreign income. States that any changes in our tax laws that would discourage American mining firms from securing and developing foreign mineral deposits would be contrary to the national interest.

Brice O'Brien, general counsel, National Coal Association

Percentage Depletion

Recommends that, instead of being cut to 7-percent depletion, coal should be given the 15-percent rate presently applicable to minerals in the "all other" category. Contents that coal is vital to the export trade and is essential to the electric power and steel industries. Argues that other Government policies have reduced the incentive to invest in coal productive capacity, and that the tax incentive should not be reduced to add to these problems. States that coal is more important to the economy than many of the minerals in the "all other" category.

Mineral Production Payments

Does not object to the repeal of the present tax treatment of mineral production payments. Proposes, however, that the effective date be made prospective.

Synthetic Fuels-Cut-Off Point

Notes that the House bill provides for computation of depletion for oil shale at the point where it is equivalent to crude oil. Suggests that any mineral used to make synthetic oil and gas be allowed the same tax incentive as any other mineral used for the same purpose.

Depreciation Guidelines and "Reserve Ratio" Test

Proposes that legislative sanction be made for the existing depreciation guidelines and that the "reserve ratio" test be eliminated. Suggests inclusion of "Industrial buildings" in the guidelines, but provide for taxation as ordinary income all depreciation taken in the future and recaptured on the sale of such industrial buildings.

Multiple Corporations

Requests retention of the present tax treatment of multiple corporations where the taxpayer can demonstrate a sound business reason (independent of and apart from tax savings) for the use of multiple corporations.

Mineral Exploration Expenditures

Recommends that the limitation on small companies be removed so that section 615 taxpayers will be treated the same as section 617 taxpayers.

John R. Greenlee, chairman, tax committee, American Iron Ore Association

Percentage Depletion Rates

States that in light of the foreign tax credit provisions the denial of full depletion on foreign iron ore deposits would result in a U.S. taxpayer paying additional tax to foreign countries and no additional tax to the United States. Contends that no reasonable distinction can be made between domestic and foreign depletion rates as applied to the production of iron ore and urges that the rates for both remain at 15 percent.

Foreign Tax Credit

Urges that the present rules for the computation of the foreign tax credit be retained. Believes that in attempting to eliminate a possible "double benefit", the House bill does violence to other sections of the Code and should be rejected.

States that the House proposals adversely affect their international competitive position. Suggests that American capital must develop foreign iron ore reserves, not only to complement our domestic supplies but in order that United States controlled operations can effectively compete in the foreign markets for iron ore.

Charles E. Brady, on behalf of the National Sand & Gravel Association

Sand and Gravel Industry

Notes that the sand and gravel industry is the largest nonfuel mineral industry in the United States. Indicates that sand and gravel is not an inexhaustible natural resource, but that currently held reserves had a life expectancy of 24 years as of 1963.

States that sand and gravel operations must be located close to metropolitan areas, and that the land price for operations has increased substantially. Argues that without a depletion allowance of at least 5 percent, the sand and gravel industry will not be able to locate and acquire the necessary land close to the market.

Earle T. Andrews, member, taxation committee, National Industrial Sand Association

Mineral Depletion Allowance

Opposes the proposed rate reduction in depletion for industrial sand from 15 to 11

percent. Argues that the proposal is contrary to national policy to encourage development of mineral resources. States that this change was not based upon any study of either the industrial sand industry or the mining industries generally.

Contends that the proposed rate reduction would be a serious dislocation to the economies of the industrial sand industry, yet not greatly increase revenues.

S. James Campbell, National Crushed Stone Association

Percentage Depletion for Crushed Stone

States that the reasons which caused the Congress in 1951 to grant the crushed stone industry a depletion allowance of 5 percent on construction aggregates and 15 percent on chemical and agricultural stone are even more compelling today and require the continuance of this treatment. Expresses the opinion that a change in a tax provision is not a "reform," if the reasons which prompted the provisions originally remain valid.

States that the depletion allowance incentive is needed if the production of stone is to meet projected demand. Notes that marketable stone is becoming more difficult to locate, and the capital investment required to open and develop a stone quarry is becoming greater.

Urges the retention of the present rates of depletion for the crushed stone industry in order that the needs of this Nation will be properly supplied in 1985 and in the year 2000.

Philip L. Corson, chairman, tax committee, National Lime Association

Percentage Depletion of Limestone

Points out that high-quality limestone is indispensable in the manufacture of iron and steel and in the beneficiation of copper ore and copper refining, and states that known reserves of high-quality ("metallurgical grade") limestone in this country are in relatively short supply.

States that limestone companies are being forced to invest heavily in elaborate dust control equipment and systems in order to comply with recent stringent air pollution standards.

Requests the restoration to the House bill of the current 15 percent depletion rate on limestone as well as the 5 percent rate on construction aggregates.

Paul W. Seitz, first vice president, board of directors, National Limestone Institute, Inc.

Percentage Depletion of Limestone

Opposes the proposed reduction under the House bill in the existing percentage depletion rates for limestone from 15 and 5 percent to 11 and 4 percent. States that the proposed reductions indicate a significant change from the policy which recognized that mineral resources are wasting assets.

Expresses the opinion that the proposals were not based upon any study of either the limestone industry or the mining industries generally, and that it is unlikely the Ways and Means Committee even considered them in terms of any mining industries other than oil and gas.

Suggests that investors in the limestone industry need the incentive of percentage depletion to develop limestone deposits and to efficiently produce marketable limestone products.

Depletion of Real Estate

States that the House proposals respecting depletion of real estate would result in a serious impact on the cash flow of the iron ore mining industry. States that the provisions are broad enough in scope to include appreciable industrial real estate constructed or acquired for use as an integral part of a mining operation.

Does not oppose the recapture provisions of the House bill—states the provisions pro-

vide ample protection against so-called abuses involving real estate depletion.

Rhyne Simpson, Jr., first vice president, Gypsum Association

Percentage Depletion Rates

Opposes any reduction in percentage depletion rates. Requests, in the alternative, relief for gypsum from the general 30-percent reduction in percentage depletion rates. Points out that the principal market for the gypsum mining industry is products used in residential construction, which has been artificially depressed by high interest rates. Indicates that the need for residential construction, particularly in urban centers, is a pressing national problem. States that the gypsum industry has in the past and hopes in the future to aid in solving this problem, but that this will take funds which are restricted because of depressed housing. Urges the retention of the percentage depletion rate for gypsum under the precedent established in the House bill continuing accelerated depletion for residential construction.

John W. Roberts, president, Solite Corp.

Percentage Depletion

Opposes the proposed reduction in the existing percentage depletion rate for sintered or burned lightweight aggregate. Urges (1) continuation of the 7½-percent rate for lightweight aggregate, or preferably, (2) amendment of code section 613(c)(4) to treat as a mining process the sintering or burning of clay, shale and slate used or sold for use as lightweight aggregate. Draws attention to discrimination between clay, shale, and slate used as lightweight aggregate and other competitive concrete aggregates. Points out that the rate for lightweight aggregates is reduced by the House bill from 7½ to 5 percent (a one-third cutback), while the rate for gravel, sand and crushed stone used as concrete aggregate is reduced from 5 to 4 percent (only a one-fifth cutback). Emphasizes that clay, shale and slate used as lightweight aggregate be allowed a 6-percent rate, which is a cutback of one-fifth from present rate. Also points out that competitive products compute percentage depletion on selling price whereas clay, shale and slate aggregates must compute percentage depletion on the value before burning and sintering.

Urges that discovery and development of a deposit of suitable raw material for lightweight aggregate is a difficult and expensive project consequently the lightweight aggregate industry needs percentage depletion. Emphasizes that the proposed cutback in the depletion allowance cannot have a significant impact on national revenues, however, the effect on individual producers of lightweight aggregate will be substantial.

Clark Sutherland, chairman, clay pipe industry depletion committee, National Clay Pipe Institute

Clay Pipe Depletion

Recommends no reduction of the current 7½ percent depletion allowance. States that expansion and modernization are sorely needed, but risk capital is hard to find and would doubtless be less than adequate with a further reduction in the percentage depletion allowance.

Points out that limestone and shale (clay), the principal ingredients used in the manufacture of cement, enjoy a 15-percent depletion allowance rate while sewer pipe clay has been reduced. States that refractory clay purchased for manufacture of sewer pipe, although 15 percent when mined, becomes 7.5 percent when used in clay pipe production. Urges an equitable adjustment in clay pipe depletion to eliminate arbitrary competitive disadvantages between the cement pipe and clay pipe industries.

States that clay used in the manufacture of sewer pipe, supported by Internal Revenue Service rulings, under earlier law was permitted a 15-percent allowance until it was

summarily reduced in 1960 to 5 percent. Indicates that this amount was subsequently increased to 7½ percent in 1966 amounting to only 50 percent of its original allowance. Argues that it is unfair to reduce again an already reduced percentage on an across-the-board basis, compared to other minerals which have not heretofore suffered any reductions.

CHICAGO CALLS S. 2625 A PRACTICAL SOLUTION TO THE EDUCATION CRISIS

Mr. MURPHY. Mr. President, from the city of Chicago, I have received a letter from Superintendent Redmond endorsing the Urban and Rural Education Act, which I introduced on July 15. The superintendent says that S. 2625 "provides a logical and practical solution to a major crisis in education and undoubtedly will have widespread support."

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

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

BOARD OF EDUCATION,
CITY OF CHICAGO,
Chicago, Ill., August 14, 1969.

HON. GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: Thank you for your letter of August 7, 1969 with the enclosed reprint from the CONGRESSIONAL RECORD.

Introduction of the Urban and Rural Education Act of 1969 in the Senate was a master stroke on your part which is worthy of the highest commendation from educators throughout the country. The amendment provides a logical and practical solution to a major crisis in education, and undoubtedly will have widespread support.

Unquestionably the disadvantaged youngsters in the Chicago public schools need much more help than they are presently receiving and S. 2625 would help to provide it. We could really utilize more than the 30% "add-on" for fiscal year 1970, but this is a great step in the right direction.

You were wise to specify that the funds were to be restricted to the elementary grades since this is the level at which it will do the most good. If the educational assistance is not provided to the disadvantaged at an early age, no later help can make up for the lost years. Concentration of the additional funds in the schools having the greatest need is also a very sound policy which has been proven over the past several years in the regular ESEA Title I programs in our city.

Your amendment appears to be extremely well thought out and its passage should do much for children in the urban and rural disadvantaged areas. You may be certain that it has the complete support of the Chicago public schools, and that we will extend every effort to assist in obtaining approval by Congress.

With every best wish for the early passage of S. 2625.

Sincerely,

JAMES F. REDMOND,
General Superintendent of Schools.

NOMINATION OF ROBERT E. WIECZOROWSKI

Mr. PERCY. Mr. President, today President Nixon is announcing the nomination of Robert E. Wieczorowski, of Chicago, to be Executive Director for the United States at the International Bank for Reconstruction and Development.

This is a fine choice. I have known Mr. Wieczorowski for many years, and can vouch for his business and civic leadership in the Middle West where he has been an outstanding investment banker and a guiding force in the development of the Chicago Council on Foreign Relations. During his 4 years as president of the council he vastly expanded the council's activities in public information and education.

Mr. Wieczorowski's selection is the latest in a series of appointments of distinguished Illinoisans by the President. I am pleased to express the pride of the people of Illinois in our State's contribution to the service of the Nation.

CLOSED TREATY HEARINGS

Mr. PERCY. Mr. President, the Senator from Arizona (Mr. GOLDWATER) has urged that the closed hearings before the Subcommittee on Security Agreements and Commitments Abroad of the Committee on Foreign Relations be opened to the press and the public. He states that "there is no reason for secrecy in questions involving treaties which were openly ratified by the Senate," and he contends that "there are no security matters that would be breached by cautious questioning of witnesses in open session."

I agree with Senator GOLDWATER and I commend him for speaking out. The American people pay the bills in blood and treasure for our foreign treaty commitments, and they have a right to know the extent and details of our national commitments.

DESIGN CONCEPT TEAMS

Mr. TYDINGS. Mr. President, I invite attention to two articles in *Innovation* magazine about the highway program and the city of Baltimore. There has been a good deal of controversy over the advance of the superhighways in Baltimore, as in many other cities, and in one of the articles that I shall place in the RECORD today, this battle is described. In Baltimore, we have been exceptionally fortunate in having our urban highway planning done in a unique manner with design concept teams. This new approach to planning is a very significant breakthrough for our cities.

Therefore, I shall place in the RECORD an article describing the design concept teams and their use in Baltimore. The article was written by Archibald Rogers the originator of this design concept team and a partner in the outstanding architectural firm of Rogers, Tallafarro, Kostritsky, Lamb.

Mr. President, I ask unanimous consent that these two articles be printed in the RECORD. I also hope to address the Senate in the near future about design concept teams and our urban highway program.

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

HOW TO COMBINE EXPERTS' IDEAS AND CITIZENS' IDEAS AND YOUR OWN PROFESSIONAL TALENTS IN BUILDING AN ENVIRONMENT THAT IS RIGHT FOR PEOPLE

Over the next thirty years, we of the United States will spend several trillion dollars to rebuild our physical environment. Billions for

new homes. Billions for highways. Billions for the renewal of our cities.

Come what may, those trillions will be spent.

But how? What kind of environment are we creating? And the big question, the question that hangs heavy over us—threatening a resounding no:

Can a democracy build a beautiful environment—beautiful in both a humane and aesthetic sense?

The answer I keep hearing is not really an answer at all. "Why certainly it can," goes the ringing response, "provided we set aside democratic processes."

Many important people hold to this belief. And many who are concerned about aesthetics, including a good number of my colleagues in architecture, will tell you that "the people" are not to be trusted in this area called urban design.

I cannot agree. I say not only must the people be trusted, but that there is no alternative. We saw this in Baltimore—as recounted by David Allison in last month's *Innovation*—where the community organized itself against the expressways. The people will fight you unless you involve them, unless they feel they are participants in the design process.

Baltimore encouraged a degree of community participation, through the creation of its Design Concept Team. (It was my proposal that such a team be set up in Baltimore, but I did not serve as a member.) However, the creation of a design team of professional specialists—architects, social scientists, engineers, and so on—is only one step toward the kind of community involvement I am talking about.

The design team alone is not the answer. You also need the people, the community, organized as a team themselves. And along with the community team and the design team, you must establish what I call a decision-making team.

These are the three essential components in the urban design process. Within these next pages, I will talk about their makeup, their working relationships, and how this triumvirate can achieve a new order of urban design.

I will speak from the viewpoint of the architect, since architecture is my professional base. But as I discuss the problem of rebuilding our physical environment, I will assume that you bring a different professional perspective to it. Perhaps you are as systems engineer, or a banker, or a politician, or a scientist. I will assume further that you have a professional skill to offer in solving this problem of environmental renewal—as a potential member of one of the three teams I will be describing, whether as a member of the design team, the decisionmaking team, or as a representative of the community.

I have always said that great design is not a produce of a great architect. Great design is a product of a great architect with a great client. To cite Baltimore again, I believe the community of Baltimore is at least latently a great client—and I know that its design team is potentially a great architect. I believe this architect working with this client can indeed produce a great work of civic architecture.

But to achieve what it has thus far, Baltimore had to go through some agonizing reappraisals. It had to learn that the true client is not that mythical character called the "highway uses"—the man who is presumed to spend his life in his automobile and who cheers for new expressways wherever they can be built. What Baltimore taught—and what is being taught in a score of cities—is that the true client is the community itself.

As of today, the Baltimore project is still no more than an experiment—an idea for solving the design and political problems of urban expressways. Many years will pass before we know whether the experiment was a success. But meanwhile the idea itself is

catching on. A design team is at work in Chicago and others are being formed in Cambridge and Seattle.

What encourages me about these various experiments is the fact that the experience gained from them is bound to be valuable in many other areas—beyond the immediate problem of urban expressways.

The fact is, the design team idea is applicable to nearly every scale of project—from that scale we normally classify as architecture to a much larger scale, a national scale. Here I am referring to national planning—and this is the second subject I want to discuss, for I believe that our nation is now prepared—perhaps for the first time since the days of Thomas Jefferson—to think about something as comprehensive as a national plan.

But not by the old methods—the old procedures of design. Indeed, I believe the real significance of the design teams—in Baltimore and the other cities—is that they may herald the emergence of a new architecture that may prove as important for Western culture as did the earlier experiment of the twenties within the Bauhaus under Walter Gropius.

To understand this new architecture, we must appraise conventional architecture as practiced today. To my profession, its clientele, and the general public, architecture is generally understood to consist of independent buildings—as individual elements against the backdrop of landscape or streetscape. From this conventional view has sprung an obsessive concern with external appearance, and many gifted designers attempting what architect Ming Pei calls “head stands in concrete.” This leads to a bastardization of design itself, where design is misinterpreted to mean simply style or decor. When he falls into that trap, the designer becomes a minor character—he becomes a stylist or a decorator, somebody who comes into the picture after all the practical decisions have been made. In my opinion, the architect has brought this on himself, by setting himself up as a taste-maker, an aesthetic dictator—and as a consequence, his work is judged as sculpture rather than as architecture.

What is lacking therefore, and what must come in the new architecture, is the characteristic of wholeness. Architecture (as a product) and design (as a process) must act as a unifying agent within our severed society.

Unity is an important mission for our nation in these times—obvious. All forces within our society should share in this mission—equally obvious. The architect is one of these unifying forces—by no means obvious! Indeed, I would even call it incredible.

Do we not look upon conventional architecture—with its emphasis on style or fashion—as irrelevant to the urgencies of the day? Do we not summon the conventional architect to the urban scene only after the important decisions have been made?

Of course we do—and hence the role of the architectural designer today is little more than that of decorator.

This is a quite untypical role for architecture as it has been understood throughout history. Architecture of the past has reflected the values, functions, and aspirations of the societies it has housed. And the architect of the past was therefore regarded as the generalist of his times, the generalist who understood the specialized segments of his society and who synthesized from this understanding.

That is what great architecture has been all about.

And that is what the new architecture must be all about—particularly at the scale of city architecture and urban design.

Yet the precise opposite obtains today. Look at our cities.

We do not think of them as unities. On

the contrary, we divide the wholeness of a city into separate functions—traffic control, street maintenance, under-street utilities—and each of these separate functions is assigned to a different administrator and designer. There is no generalist to unify the parts.

And hence the chaos of our public streetscape—and the wastage of the public funds so chaotically invested.

Henceforth, we must unite these separate functions and all the relevant disciplines. And here we come back to the design team. Today's architectural project—at any significant scale—is too complicated (and too important in its effect on the life of a city) to be left to the often egocentric whims of a design hero, regardless of which profession has produced such a hero. Thus the design team must include not only the traditional design disciplines of architecture, planning, engineering, and landscape architecture, but also the nondesign disciplines which are so fundamental to achieving a social relevance—at the very least, those of economics and sociology.

But as I said earlier, the team must be united with the community and with that third component in the design process, the decision-making team.

This is perhaps the most critical problem of all, for there is very little unit among today's participants in the design process—particularly when we look at an entire city and see how the design process works there. The designer is divorced from his client and both are divorced from the community itself. Inevitably, the result of this divorce is a series of discontented and irrelevant additions to the cityscape.

What do we do about this?

Let us look first at the relationship between the designers and the community. Obviously, if the designers are to work with the community, the community has to be talked to—and listened to. The tradition in the past has been one of secrecy. You did not tell the community what you were doing until you absolutely had to—at a public hearing. This was particularly true of highway projects. Secrecy is defended on the grounds that premature knowledge will spur speculation in land—but the reason for secrecy has less to do with this than with the fact that public authorities do not trust the public.

The public is troublesome. It asks too many questions. It is ignorant of the real issues. And hence the tradition holds that there shall be no public involvement.

This tradition has got to go. Public involvement must begin at the very beginning, with the identification of values, aspirations, community goals. If you want the community to respond positively to design alternatives, then the community must have a voice. This does not mean that it is going to be possible to satisfy everybody, nor do I say that design decisions should be made on the basis of a majority vote.

Let me take the example of Cincinnati to illustrate what I am talking about. As most such stories do, the story of Cincinnati starts with failure.

Over a period of five years, Cincinnati made three attempts to evolve a downtown renewal plan. All three failed to win support. The first plan, by the city planning department, was not aired publicly until it had been completed. The City Council killed it over the issue of a controversial underground garage. The second plan, privately commissioned by a group of downtown merchants, ran into trouble over the issue of closing off some streets. It too was shot down. Then the city hired a private developer to take a third crack at the problem, but again, the various factions within the city could not agree. At this point, in mid-1963, my firm was asked to come in as the fourth candidate for crucifixion.

We were warned of two taboos when we

started. First, do not propose an underground garage. Second, do not touch Fountain Square. Fountain Square is a kind of sacred symbol in Cincinnati.

Today, the new downtown is just about finished. The new plan includes an underground garage, and on top of the garage we are constructing a new Fountain Square. There was no public outcry against either scheme.

I believe our plan succeeded because of the working relationship that was established among client, community, and ourselves. For example, when we went into the situation, the planning commission proposed that all parties of interest be formed into a working review committee. These included members of the City Council, members of various city agencies, such as the planning commission, and various private interests, such as Procter & Gamble and some of the city's big banks. What we had to do was establish a process whereby these interested groups would be made to work together—and to work with us—in the step-by-step creation of a new plan. And we had to set up a decision ladder—a device whereby each decision by the working review committee would pass immediately to the planning commission and then to the city council for formal adoption.

A typical decision would have to do with the question of separation of pedestrians from automobiles—should there be such separation or not? We insisted that all such questions be discussed out in the open, at public meetings. These sessions usually ran for two days, during which time all of the various alternative proposals were presented and the public was free to participate. We would present all alternatives coequally—and thus the working review committee had the opportunity (indeed, the duty) to review all the possibilities. We would put forth our own recommendations as to which scheme appeared best to us, but even the wildest ideas were given public exposure, including publication in the local newspapers, and the committee could accept our recommendation—or that of another party.

Several points are important to note here. First, the community is involved in the process; the presentations are made formally, but the community is present—and it is able to participate in the deliberations. Second, the decisions—the choices from among the various alternatives—are made by those with power, but the decisions are made with full knowledge of community attitudes, and with the community's knowledge of what is going on.

I want to take a moment to talk about the question of power—and here we come to the role of the decision-making team. The power question is the crucial one in this whole approach to urban design, for what is involved is the willingness of existing institutions—public institutions—to surrender their powers to a new institution. Cincinnati did this with the creation of its working review committee, which had the power to make decisions—and the obligation to do so, for otherwise everything stops. You must have such a body—with wide representation. In Cincinnati, for example, the decision-making team had 23 members, each with one vote and majority rule.

Baltimore, on the other hand, has had no such decision-making mechanism—and this has been one of the sources of difficulty in Baltimore. Actually, the source of the problem is not in Baltimore at all, but rather in Washington, in the Bureau of Public Roads. When the Design Concept Team was being set up—with much support for the idea from the Bureau of Public Roads—I was urging the creation of a decision-making team as well. I said that the Bureau of Public Roads should be represented on the team—since federal money was involved—but I also said that the Bureau representative should

have no more power than any other team member. One man—one vote, just as in Cincinnati, with the team majority having the power to accept or reject each proposal as it came through. However, the powers-that-be decided that the Bureau of Public Roads could not surrender its power of veto. What was said, in effect, was that the plenipotentiary power of the decision team would violate the legislative mandate of the Bureau of Public Roads.

Legally, of course, this was right—and I do not quarrel with the interpretation. On the other hand, this unwillingness to delegate power is the essence of the institutional problem—whether we are talking about expressways through Baltimore or school decentralization in the Ocean Hill-Brownsville section of New York. In all such cases, the institution is willing to give the community a voice, provided the institution retains the power to veto.

But when this is the new condition, you are worse off than before. In fact, I believe this is the source of our current urban unrest. I do not think the cause of riots is poor housing or rats or unemployment or police brutality. These things trigger riots, but the central cause, I believe, is institutional. The people are revolting against our obsolete municipal institutions.

What are the alternatives? Do we defend those institutions? If so, we must put down the forces of change. Or do we adapt them to fit the new circumstances? I fear there is no time to adapt, for the pace of change is so fast that the institutions will be blown to pieces first. Thus, I believe we must dismantle them, and replace them with new and embryonic institutions that have some hope of working.

I read our times as the end of the Renaissance—even though we perhaps think of the Renaissance as having ended with the death of Christopher Wren. But I believe the very chaos of our situation today supports my view—and if I am correct, then the United States has the kind of responsibility that faced Elizabethan England. But if we can meet this challenge—which is very much wrapped up in the unresolved issues of technology and social change—then I believe we can bring our nation its first Golden Age.

It is easy to look at our older cities, such as Boston or Charleston or Annapolis, and say "That was our Golden Age." But really these were only isolated transplants from a Golden Age in Europe. We have been too busy digesting our continent, our technology, our international responsibilities, to have had an American Golden Age. But if we will begin to express its form, I believe ours can be an age as great as the Renaissance, an age that will carry with it the traditional form of a beautiful environment, and on a scale as large as the nation itself.

I mentioned earlier the idea of a national plan. Not only do I believe a national plan is politically feasible, but I think it is essential if the nation is to get on with certain urgent programs—such as the building of new towns, to pick one example.

Indeed, I cannot conceive of new towns being positioned throughout this country without a coordinated national policy and plan.

If we look at design on this scale—on the scale of a national plan—the first thing we see is the transportation skeleton. We may look at the transportation skeleton on a small scale—your house and the road going past it. Or we may see it on a larger scale—of a complete neighborhood or even a complete nation. But however we look at it, this is the skeleton on which the urban form depends.

We really ought to call it the public skeleton, for it is here that more than 90% of the capital investment of the public is invested—federal, state, and local. In other words, 90% of the money we spend for public things—for schools, parks, hospitals, highways, libraries, all the public activities, adding up

to several billions per year—is spent along this great national skeleton.

The point then, is that things can be done with this skeleton—and with those billions—to shape the urban form. Things that cannot be done in the operation of the free market place, on private land.

What is needed to evolve an urban form and move us toward that beautiful environment we seek? First is the need for a national plan. And this should come from the work of a team of many disciplines, including ecologists, agronomists, sociologists, architects, engineers, economists. I estimate that this would be a two-year project and that it would cost about \$5 million to develop a schematic design for the entire country.

Second, there is need for a decision-makers' team. I believe this should be a cabinet-level task force, since virtually every federal agency will be involved, as well as state and local representatives and private groups. The decision-making team would have the power to acquire land—for the new towns and freeways—and the power to establish design criteria.

And finally, there must be a community team. On the national scale, the "community" would be represented by the U.S. Congress, for the key ingredient here is the nation, as a community, responding to national issues through its elected officials.

What I am saying is that the three-team idea—the design team, decision team, and community team—is just as applicable to a national development plan as it is to the development of a system of freeways within a city. Yet the significance of the idea is really far greater than the matter of scale, even scale at the level of the entire nation. For what we see in this new approach to environmental design is in fact the kind of embryonic institution that is so essential to the creative reaction to challenge in our country today.

If we are, as I believe, in a period of radical change—a time of troubles—then the essential requirement is creativity in our response to the awesome challenges of our time. And creativity requires absolutely the "breaking of the mold" of the past.

I have termed our present crisis an institutional crisis. I mean that we have carried with us, from a more stable past, all of its institutional paraphernalia. These are totally inadequate to meet the circumstances of a new time. Yet the nature of an institution is precisely to defend itself, in fact to defend itself from change.

What we are really talking about is self-renewal of the United States in a time of troubles, a time when a great new age may be brought into being, a time when the true mission of the United States—as the Duke of the Western Marches—is to give form to his new age. This can only be done by a creative response to challenge. (The above, I confess, is pure Toynbee.)

Self-renewal implies more than adjustment to change. It implies metamorphosis. Thus the controversial aspect of the design team and, more particularly of the decision-making team and community involvement, is their threat.

They threaten the old institutions and the old ways of doing things. Indeed, the significance of the three-legged "team-of-teams" is precisely that it is new—new in a very radical sense.

Many old institutions are threatened by this new institution, this new way of doing things. The existing professions, for example. The engineering profession is definitely threatened. Also my own profession of architecture, for architecture has long held to the tradition of the architect as the individual master builder, the individual design hero.

Our public institutions are also threatened. Today we see them jealously guarding their authority and their mode of decision-making. They are conditioned against citizen participation and the delegation of power. I refer

here to those agencies that are charged with the planning and construction of highways, but I also include many others—including those engaged in social services, for example. All see the threat, if this new institution and this new way of decision-making succeeds.

The general institutional reaction is rather like that of czarist Russia, which undertook to defend any monarchy against any rebellion, on the theory that a successful rebellion against a monarchy anywhere would inevitably threaten monarchy in Russia.

Yet for all the good service they have rendered in the past, and for all the tradition they carry with them, it is precisely these institutions that are frightened by and are resisting this new approach to the design and renewal of our environment. They must go through the agony of metamorphosis—the requirement that, as a condition precedent to change, the existing molds be broken.

It may be asking too much for the institutions to accomplish this on their own.

Yet the alternative in the United States, and indeed in other countries, is that unless such self-immolation can be quickly accomplished as a condition for institutional self-renewal, there is the real chance that the institutions will be destroyed from without.

Under these circumstances it becomes clear: If the United States is to meet its mission as a form-giver for Western civilization as it enters a new age to replace the Renaissance, it must accept radical changes in its institutional systems. And this kind of change probably cannot be imposed from the top. It must start at a sort of institutional grass roots level and it must involve a sort of self-destruct approach, if the new problems faced by these institutions are to be solved. For example, is the hallowed and tradition-bound institution of the civil service really capable of managing today's urban environment—both physical and social? Is it not in fact obsolete and a hindrance to its problem-solving mission? Should it not, then, be dismantled?

The problems of this period of transition, and perhaps the basic theme of our time, might be summarized by the frustrating phrase: "yes but."

For example, I seldom encounter disagreement as to the merit of citizen participation. But the qualifications that are added to this agreement effectively destroy its attainability. I believe this was precisely the case in the recent troubles in New York City's Ocean Hill-Brownsville school district. What was seen there was a "yes but" approach to the delegation of institutional power. Power was ostensibly given to the local schools boards. Yet the central authorities reserved to themselves the right to overturn or veto. And the result was worse than if no power had been delegated, because expectations were raised and a feeling of fraud has pervaded both sides of the issue.

I gave a talk not long ago on the subject of citizen participation. Afterward, during the question-and-answer period, the subject received what I judged to be an enthusiastic response. During this discussion, one gentleman suggested that while he was all for citizen participation, it was obvious to him that certain criteria needed to be established. He put it this way: "Mr. Rogers, when you designate citizens to participate in your design program, I think you should insist that they at least have a college degree."

I scarcely had the heart to discuss the matter further—but that is really what the problem is all about.

THE BATTLE LINES OF BALTIMORE

Of all American cities today, the most interesting and pivotal in many ways is the City of Baltimore.

Baltimore is where the snake stopped. Baltimore is where the federal interstate highway snake—25,000 miles long, with a voracious, billion-dollar appetite—stopped

and looked around and seemed to ask: Why are they stomping on my head?

Baltimore is interesting because it may be the last American city to suffer the intrusion of federal expressways—or the first to take a new approach. Whatever its destiny, Baltimore will one day be regarded as pivotal in the current urban struggle over how and where and whether to build expressways.

A kind of Gettysburg in concrete.

Expressways have an abiding sense of self-preservation. They know their enemies and instinctively they weave around them, cutting their way through territory that holds no peril.

But sometimes they are fooled. Sometimes an enemy jumps from the underbrush and kills an expressway in its tracks.

San Francisco's Embarcadero Freeway met such an ungracious end. Misjudging the people's love for their magnificent San Francisco Bay, that thoughtless concrete serpent tried to cut between them—and hence block the view of the harbor. The people chopped it off as it tried to cross Broadway.

That was nearly a decade ago—and the stunted Embarcadero lies there still, a warning to builders, an inspiration to their foes.

Baltimore and San Francisco are not alone. The same fight goes on in at least 25 major cities and countless towns and villages across the country. When the builders win—as in Boston and Los Angeles—a swath of technology cuts through the community, sometimes destroying it.

When the other side wins, construction stops. If the wounded expressway is built at all, it turns away from the most hostile neighborhoods and tries to find a new and safer path to the other side of town.

What distinguishes Baltimore is an attempt to include the talents of many professional specialists in the project, to be interdisciplinary in its approach to the building of the new expressways. But the enemies of the new roads say baloney, that this is just the newest fancy phrase for the same old bag the highway engineers have tried to foist on Baltimore for the past 20 years. In one real sense, these opponents are right—and their deep conviction may yet kill the project and send the builders to seek still other routes. But in another sense there is merit in the Baltimore idea—and it is this that makes the struggle there worth looking at.

Let us pick up some background. The struggle in Baltimore comes at a time when over half the nation's new 41,000-mile interstate highway system is built and running. Over most of those miles and during most of the dozen years since the \$50 billion program got under way, there was little outcry. Quite the contrary, people generally approved the idea of the new high-speed roads.

But then the roads hit the cities.

Baltimore was to be hit from three sides. From east, west, and north, three interstate routes would transect the city and intersect one another at points near the center of town.

To some citizens of Baltimore, the new roads promised a bonanza. Downtown merchants envisioned a return of shoppers, driving into the city from their new homes in suburbia. Businessmen could take the fast new routes to their downtown offices. The cost to Baltimore itself would be relatively low, for the Federal government would cover 82% of it, and by kicking in just a few million of their own local dollars the people of Baltimore would become the beneficiaries of some 20 miles of excellent new roadway.

That in brief was the prospect in 1967, when angry citizens rose up once again to fight, and angry engineers—frustrated over their 20-year failure to get the roads built—fought back with charges of obstructionism and worse.

It was the classic battle between man and the motor car, with conservationists, poor people, and folks of various "do-gooder"

stripes lined up on one side, and downtown businessmen, professional spokesmen for the "motoring public," and highway engineers lined up on the other.

Each side knew it was right. Enemies of the roadways were determined to save such places as Federal Hill, an historic park, and Fells Point, the city's oldest neighborhood and last remaining window on the waterfront. Both were threatened by the oncoming expressways.

The builders were just as determined that the roads would go through. "Federal Hill has been exaggerated out of all proportion to its real importance," said one key figure, and another declared that he had seen Fells Point and that there was nothing there of any architectural significance.

For their part, the engineers saw their responsibility as being to their clients—the local officials and their counterparts in Washington. These were the people who were signing the checks for the highways, not the sentimentalists who were always out there parading around and making general nuisances of themselves over the few bits and pieces that remained of Old Baltimore. Thus, to behave in a professional way and observe the ethics of their profession, the engineers would not allow themselves to be distracted from the job they were being paid to perform.

Whether people wanted them or not, Baltimore was going to get those new roads.

Over the years, in Maryland and elsewhere, many private engineering firms had done very well in the highway business by adhering to this simple code of ethical behavior.

But increasingly in recent years, the neatly prescribed code of the engineers has been regarded by many citizens as anything but ethical. "It is the 'not my department' syndrome," says one critic of the Baltimore engineers, "the same logic that went into the V-2 rockets that bombed London. Only this time the victims are black."

Indeed, that is still another strange phenomenon of expressway instinct. The snake, if not racist, most certainly seems to know that white is more threatening to it than black. In Baltimore, for example, which was about 40% Negro when the fight over the new roads was at its hottest a couple of years ago, it turned out that the people in the homes that would have to be destroyed by the new expressways—some 3,600 homes in all—were over 80% black, mostly poor, and what was doubly cutting, most of the people in some of the doomed neighborhoods did not even own automobiles.

The interdisciplinary idea came forth in Baltimore at just about this time—and many in the community, including men who favored the new expressways, saw the idea as the way out of the city's dilemma. Its proponent was a local architect named Archibald Rogers and its central point was that large public works projects, such as Baltimore's new expressway system, ought to improve the communities through which they pass, rather than maim them. To accomplish this, said Rogers, you need the skills of many specialists, not just highway engineers.

Rogers called it a Design Concept Team and said it should be made up of architects, social scientists, housing experts, acoustical experts—all the specialists who could make creative contributions to the total design process, including the highway engineers.

Understandably, the engineers were not totally receptive, especially since Rogers had said the team should be headed by an architect. But the idea found strong support among many whom the engineers did listen to, including politicians in Baltimore and powerful men in Washington, such as Alan Boyd, the Secretary of Transportation, and Lowell Bridwell, who was the administrator of the interstate highway program, and by late 1967 Baltimore had both a Design Con-

cept Team and \$4.8 million in Federal money to reexamine its problem once again.

But it was not quite the team that Rogers had proposed, nor was its mandate, as interpreted in Baltimore, quite the sweeping one that enemies of the expressways wanted.

And for these reasons, Baltimore is still in turmoil over its highway problem.

For example, the team has four members—fewer than Rogers had suggested—and three of these are engineering people. There are no social scientists, acoustical experts, housing experts, what have you, on the team. Rather, such people are retained as consultants—and the team is free to accept or reject their contributions, according to its wishes.

Moreover, the team is not headed by an architect, but rather is headed by two men—one is an architect and the other an engineer. The architect is a man of national reputation, but he is an out-of-towner. The engineer has spent his professional life right there in Baltimore.

And that set of circumstances has been an important element in the story.

Architect Nathaniel Owings, of the San Francisco office of Skidmore, Owings & Merrill, brought a strong design group to the Baltimore project. But what Owings could not bring, and could not quickly acquire, was entree to the inner world of Maryland public works. Owings' co-chairman on the Design Concept Team, on the other hand, Engineer Edward Donnelly, was an officer in a firm that over the years has established excellent relationships within Maryland's two important power structures, in Baltimore and Annapolis. This firm was the J. E. Greiner Company, which had done most of the highway designing in Maryland for three decades.

The other members of the team are of lesser importance to this account. One is the New York firm of Parsons, Brinckerhoff, Quade & Douglas—mass transport experts—and the other is Wilbur Smith & Associates, of New Haven—traffic consultants. Neither really figured in the turmoil which has surged in Baltimore since the team's creation, for the parties to the new unrest have been Owings and his Californians, in one camp, and members of the Baltimore community itself, these being split into at least two others: Some wanted nothing more than to be rid of Owings and his troupe, so that the engineers could get on with building the roads. Others were getting anybody—team or no team—who wanted to concrete their neighborhoods.

What troubles Baltimore now—and here we come closer to the moral of the story—is that the people whose lives are affected by the new highways feel they have no voice in their community, no opportunity to choose, for example, between highways and parks. As a point of reference, let us note that both parks and playgrounds are badly needed in Baltimore. A study for the City Planning Commission shows the city's parkland and playground "deficit" to be in excess of 1,000 acres—roughly the same acreage as the new roads would take away.

Bureaucratic logic tells us it is specious to argue parks vs. highways, for everybody knows you cannot use "highway money" to build new parks. To be sure, even the people whose houses are in the path of the new roads know it—and this is precisely their argument: What is the logic of such logic?

If Baltimore had accepted the idea of the Design Concept Team as Archibald Rogers had in fact presented it—rather than simply picking up pieces of the concept—such questions as parks vs. highways would have been raised, for it is the essence of the idea that all such questions be considered—and all voices heard—in the course of reaching a design solution. (In the next issue of *Innovation*, Rogers will talk about the design team idea and how it came about—and how it fares today in other cities.) But Baltimore was not about to scrap everything and start

over still another time. So instead it tried to superimpose the concept team idea on what it already had. Essentially this amounted to taking its system of expressways, as planned by the engineers, and dressing them up. A large part of this work—under the more dignified name, urban design—fell to the people of Skidmore, Owings & Merrill.

There was trouble almost from the start. For one, there was Nathaniel Owings himself.

A restriction put on all team members was that nobody should talk publicly about the project. And certainly no member should utter criticisms of the routes the new highways were to take, for these routes were "givens" that would not be changed. And yet here was Nathaniel Owings getting into print with:

"Running a conventional freeway system through a city—using conventional methods of interposing it—is comparable to running a pair of shears through the warp and woof of a priceless tapestry."

And, at a dinner of Baltimore dignitaries, including the mayor and at least 500 others: "The concept team has unanimously agreed that the original route falls as an efficient transportation system."

Proponents of the expressways were furious. "We are Nat Owings' clients," declared the chairman-director of the State Roads Commission. "If he won't accept that fact, he won't be our architect. I don't care if he knows Lady Bird, or the President himself."

But what angered them just as much—and prompted questions of professional ethics—had to do with the activities of Owings' people within the Baltimore neighborhoods. Worse than just speaking out in public, Owings' people were going into neighborhoods and showing the residents how to stop the bulldozers. "They opened up fantastic alternatives for us," said a delegate to the State Legislature to a reporter from Architectural Forum. "They let us know that we didn't have to have it that way. Without their help, no citizen group could have gained the expertise to understand the technical alternatives."

Unethical! declared the builders. Owings' men are working against the interests of their client. They have forgotten their assignments and allowed themselves to get emotionally involved. As one critic puts it, they are "soft on people." Highly unprofessional!

But who is the client? Whose roads are these? Whose community is this?

Owings' designers maintained that the community was the client, citing the fact that their contract made the architects and planners responsible for, among other things, the social, economic, and esthetic needs of the city's environment.

No Sir, said the real client—which is to say, the source of contract funding—and two of Owings' key men were yanked off the project.

In a strict legal sense, the builders were right. As every engineer knows, if you cannot subscribe to the wishes of your sponsor, you do not subvert him; you resign the commission. But just as this undergraduate echo was rattling through the Baltimore highway corridor, two interesting things happened. First was the action of the new mayor of Baltimore, Thomas D'Alesandro III, son of a man who had been the city's mayor in years past, who decided last December that the routes were wrong after all, and selected a modified scheme that would be less destructive to the community. Second was simply the issuance of a memorandum, which came along in January from the Bureau of Public Roads, in Washington. What the memorandum did, in effect, was confirm that the architects and planners of Skidmore, Owings & Merrill had been right in involving themselves in the community:

"The rules, policies, and procedures established by this Policy and Procedure Memo-

randum are intended to afford full opportunity for effective public participation in the consideration of highway location and design proposals. . . ."

Some would say it is a new ball game in Baltimore. But that is not really true. Indeed, for many families the game ended years ago—for the people of the Franklin-Mulberry corridor, for example, whose houses have fallen. But what can be said of Baltimore is that its painful experience can stand as a lesson for other cities who will heed the advent of a new age of urban design, an age in which the phrase community participation is not simply desirable, but absolutely essential.

It was not long ago that community participation was anathema to the great builders of our society. It was a can of worms, a Pandora's box, a sure way to stop progress. Moreover, "we" knew better than "they" what was needed, what was good taste. Hence we would build for them, in secret of course, drawing upon our creative powers and basking thereafter in their gratitude.

Highways. Public housing. The works.

But that was a failure!

What happened? What went wrong? If we are honest with ourselves, we must concede that none of us is wise enough to know how to accomplish the total design of an urban environment. There are too many things to know for any man, or even one organization, to be master of all. And even if that genius did exist, who in this awakened society would be powerful enough, or foolhardy enough, to play surrogate for all the people? Anyone who has lived through Baltimore's troubles would shun that impossible role.

Baltimore is demonstrating that three areas of strength must exist—or be developed—in order to succeed at this difficult business of restoring and healing the urban fabric.

First there must be the professional specialists, with all the creative talents they can bring to the cities.

Second, the client. Traditionally, he brought nothing but money and the power of eminent domain. But now he must make a larger contribution, including a better understanding of the word community and a fuller knowledge of all available options.

And finally there is the community itself. In this case, the people of Baltimore. But in the larger sense, community means all the voices in each community that undergoes such change. To become an effective force in shaping change, people of all factions, all causes, must learn to work together—as indeed is happening in Baltimore. This learning process begins in protest, in being against the new roads. But if the people are to succeed at more than stopping things, they must learn to go to the next stage, to participation in the creation of a new community.

That is what a joint development of the highway corridor is all about: to involve the professional specialists, the client, and the community in the creation of something that is better than before. This is what the design concept team is striving to achieve in the Franklin-Mulberry area, for example, with its plan to build an educational facility on top of the tunneled roadway through Franklin-Mulberry. But as we saw in that story, the architects and planners recognized that joint development would be meaningless unless there was community involvement, unless the designers knew the needs and aspirations of the people of that particular community. And hence the idea of the "Design-In," where citizens could come into the design team's field office and express themselves—indeed, involve themselves—as their new neighborhood was being created.

It is worth taking the last moments of this story of Baltimore to explore the joint development idea further—to explore the potential of the idea, as well as the real problems that go with trying to make it work.

Through joint development, there is opportunity to design a roadway that will be a positive addition, rather than a negative force, in the disrupted neighborhood. Fair-minded men can agree that this is a desirable thing to do.

But what is the cost? And who will pay the bill?

These are questions that stand in the way of the idea's implementation—and, in fact, stand in the way of solving the total problem of urban expressways.

For example, if Franklin-Mulberry is to have its sunken roadway, if indeed the roadway is to be a positive addition, there must be a long platform built over the roadway—in effect, tunneling the automobile traffic through the community. On it, there can be schools, playgrounds, open spaces, all the positive additions. But platforms are costly: upwards of \$20 per square foot. And in areas such as Franklin-Mulberry, land is cheap: around \$3.50 per square foot. Thus, on the basis of "traditional" economics, the idea makes no sense. The traditional argument goes: Yes, there should be a new school, or new playgrounds, but why must we build such things on \$20 platforms? Let us scrap the platform and save the money. Let us put the school over here, on this \$3.50 vacant lot. The trouble with the traditional approach, however, is that it does not allow the new roadway to be anything but a battleline—a conduit for motor cars and a barrier that cuts the community into two parts.

But even the powers in Baltimore must tread cautiously through this dilemma: Even if they are determined that the traditional approach is wrong, even if they are determined to build the platform and allow the new community to be created on top of it, there is still another problem in their way—and that is the federal government. Despite its wishes to the contrary—as expressed earlier by the Bureau of Public Roads in its January memorandum on effective public participation—there is still uncertainty in Washington over how far the federal government can go in using "highway money" for such things as platforms. As the law now stands—the law being that which defines how money from the Federal Highway Trust Fund may be spent—the Bureau of Public Roads must be conservative in its approach to the expenditures of highway funds. For example, the Bureau of Public Roads feels that it is legally permitted to use money from the Highway Trust Fund to add a tile lining within the tunnel under Franklin-Mulberry, but it is far less certain that such money can be spent for the platform itself—and it can scarcely even consider expenditures for those positive additions that would go atop the platform, given the strict way in which the Highway Trust Fund law is written.

And thus we come back to the kind of problem that Alan Boyd and Robert Wood discussed, in their comments which set the stage for this story of Baltimore, the problem of coordinating the works of many powerful forces within the society so that those forces are directed at solving our urban problems rather than creating new ones. Or perhaps one should call it our urban problem—singular—for truly it is not a highway problem alone. Nor a housing problem alone. Nor a problem of parkland and playground deficits alone. Nor a problem of education alone. Rather, the total problem involves all of these and more—and all must be considered together before the urban problem can even be defined.

The outcome in Baltimore will turn on how well this complex problem can be defined—and on the strengths of the three key participants: professionals, client, and community. That grand old city may yet end the bitterness that has divided it for twenty years—if designers, client, and community are all involved in the learning process.

RADIO STATEMENT BY SENATOR ROBERT C. BYRD ON THE DRAFT

Mr. BYRD of West Virginia, Mr. President, I ask unanimous consent to insert in the RECORD a radio statement which I recently made on the subject of the draft.

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

STATEMENT BY SENATOR ROBERT C. BYRD

During the month of October, 29,000 young American men—nearly 400 of them West Virginians—will be drafted and ordered to serve for two years in the active service of our country's armed forces.

Many of these young men will enter the military grudgingly, at best, and painfully aware that they have no choice in the matter. For them, there are but two alternatives; one, relinquishing their personal freedom to the state through military service or relinquishing their personal freedom by going to prison.

For many of the men chosen, the draft will work varying degrees of personal and financial hardship. And, inevitably, some of the draftees will pay the supreme sacrifice. It is little wonder, then, that the equity of the draft is now being subjected to serious question.

In this time of world turmoil, the need for a strong, effective military is self-evident. The question becomes, therefore, not the *why* of military service, but the *how*.

It would be ideal if men about to embark on military duty could look forward to the prospect with enthusiasm. No employer in civilian life would hire an unenthusiastic or disgruntled fellow to work in the business. And for this reason, the idea of a well-paid, all-volunteer army seems attractive to some persons.

There are those, however, who do not believe that a sufficient number of men would volunteer under this approach. And this is no reflection upon the patriotism of our young men. Often they would not want to interrupt their educational careers; others would not want to disrupt their family lives. And so, I personally doubt that enough young men would volunteer to serve in order to meet our nation's military manpower and defense needs. I do not, however, wish to detract from the idea until further and careful consideration can be given to the idea.

The cost estimates, however, of an all-volunteer army range from \$4 billion to \$17 billion a year. And then there are those of us who believe that an army that loses its civilian orientation can become too mercenary, even posing a threat to the freedom of our civilian populace. And most of the countries in which the military has taken over, one will find that those countries have had mercenary armies.

So it will be a long time before the question of a volunteer army is resolved and we are faced, in the meantime, with what to do about the inequities of the selective service system as it exists today. Now any selective service system is going to work an inequity upon someone. Someone will feel that he is not being treated fairly.

One of the most oft heard criticisms of the draft is that it works hardest on the poor and on those not bright enough to go on to get a higher education, and thus get deferments because of college studies. The poor man, critics say, has just as much right to his freedom as the rich man. His instinct of self-preservation is just as strong.

On the other hand, there are those who believe that our brightest, most talented young men should be allowed to progress in their studies as far as they can and will, in order that they may then benefit their Nation through the utilization of their knowledge and their talents and their genius. In any event, the present system has evolved

out of experience and through careful study by the Armed Services Committees of both houses of Congress. And as I said earlier, there will be no perfect system devised.

President Nixon, however, has proposed a plan for eliminating some of the inequities. On May 13th of this year, the President gave his support to the much-discussed idea of a draft by lottery. Basically, it would put all young men who are in 1-A on an equal footing with regard to the possibility of being drafted. An important point of the proposal is that the youngest selective service registrants would be most likely to be drafted. Between the ages of 19 and 20, the President said, young men would experience "maximum vulnerability" to the draft. Under such a system the young man would know much earlier in life just where he stands with the draft and could plan his life accordingly.

An impartial, non-subjective draft system would not eliminate the question of involuntary servitude to the state. But I think it might go a long way toward removing some of the inequities in the draft over which we are now hearing some very legitimate complaints. At least, it ought to be carefully studied and considered in an effort to eliminate every inequity that we can possibly eliminate.

TOOLS OF COMMUNISM

Mr. FANNIN. Mr. President, I have followed some of the statements of recent days made by those who say that we must have peace in Vietnam, and that we must have it almost, apparently, at any price. The words have a ring about them that is reminiscent of Munich and the British Prime Minister's proclamation of "peace in our time." No one needs to be reminded that his call for peace came upon the eve of the most destructive war the world has ever known.

The day which has been called for as the focal point of these operations is October 15. As I understand, some Members of this body have lent their support to this October 15 movement. I wonder if they are aware of the kind of company they are keeping and of the possible misinterpretation of their intentions.

These questions come to me because just today my attention was drawn to a poster, brought to my office, which had been mailed from Cuba. The poster depicts a human skull inside the flying helmet of an American airman. The inscription on the poster says: "Days of support for Vietnam," and the dates designated are October 15 through 21.

Is it a coincidence that an organization of Latin American students, mailing their literature from Communist-controlled Cuba, happened to pick October 15, the same day that is being advocated as a day of protest in this country?

It has also been brought to my attention that the Vietnam Moratorium Committee, apparently well organized and financed with offices on Vermont Avenue in Washington, has quite an extensive publicity campaign in progress in the colleges to make the October 15 strike a success. This effort is getting quite a free ride in the news media. I think it is time that some additional information about it and its activities come to light.

Are Members of Congress aware that the program of this group, and others like it, includes a strike of 1 day this month, 2 days during the month of November, 3 days during December, and so

forth? Are those who are aiding these groups prepared to accept the anarchy and chaos which these people are proposing to unleash among us? Far more important, are those who deliberately undercut the President on these matters willing to accept and be responsible for the cost in lives of additional American servicemen who are killed by an enemy finding strength in the irresponsible dissent being voiced here? Are they aware that this strategy was formed during an East Berlin World Peace Conference held on June 25, 1969?

Mr. President, I ask unanimous consent that material pertaining to the Vietnam Moratorium Committee, its activities, a calendar of events it has planned, and a series of newspaper articles published in the Washington Evening Star, the New York Post, the Boston Globe, the Washington Post, and the New York Times be printed in the RECORD.

Senators and Representatives and other public officials, if they want to become entangled in these matters, should be aware of the whole body of protest in which they are becoming involved, and I believe should ask themselves the question: Whose work am I doing?

At another point, in the Extensions of Remarks, I shall ask to have printed related material pertaining to the tactics, techniques and strategy being employed by antagonistic forces, opposed to the peace and tranquility of America. This material bears upon the current question, and I hope that those who are involved in the questions affecting our youth and our Nation's future will find the opportunity to look it over.

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

Vietnam Moratorium Committee,
Washington, D.C., September 15, 1969.

EDITOR, CAMPUS NEWSPAPER: Enclosed you will find a press kit on the Vietnam Moratorium. The enclosures are self-explanatory—the rationale and plans behind what is planned as the largest anti-war drive ever organized.

To make it work, we need your help.

We have contacted student governments, anti-war groups and other on-campus organizations. If there is a Vietnam Moratorium Committee on your campus, we'd appreciate any publicity help you could give them. If not, and if you think "something" had better be done about the war—contact us. Also, since many students use you as their chief source of news about the outside world, we'd appreciate any play you could give to the enclosed release and related material.

A faculty support statement is being organized and will be sent to you to correspond with national release. Also, you might be interested in the upcoming front-page editorial endorsement in *The New Republic*.

The campus newspaper is our most important medium to reach students. We must, understandably, get adequate publicity before the week of October 15, to allow grass roots activity and planning to take place.

Again, if you're interested, contact us or the local Moratorium group.

Many thanks.

Peace.

Vietnam Moratorium Committee.

THE VIETNAM MORATORIUM

The Vietnam Moratorium is an effort to maximize public pressure to end the war by

encouraging a broad cross section of Americans to work against the war. The method is a recurring moratorium on "business as usual" to allow concerned citizens to spend that day participating in anti-war programs in their local community. The first day of moratorium is scheduled for October 15, and the work of that day will be directed towards building an enlarged and lengthened moratorium for November.

The Vietnam Moratorium:

Will expand by one day per month;

Is focused on ending the war with related issues (reordering priorities, the draft, taxes, inflation, etc.) being brought in by participants on the local level;

Encourages activities in which those unable to take the entire day off from work or classes can participate.

The Vietnam Moratorium is based on four models:

A labor withdrawal from normal business routines in order to organize locally for peace;

Vietnam Summer, i.e. local initiative and direction (a list of suggested activities is provided; a coalition of participating groups and individuals should determine what activity or activities would be most effective for your local community);

A "new politics" campaign, that is broad-based participation, door-to-door canvassing and small group contact in addition to mass rallies and a media campaign;

The March 4 work stoppage, when a number of universities closed for a day to allow people to direct their attention to the relationship between universities and society.

CALENDAR—SCHEDULED ANTIWAR DEMONSTRATIONS, FALL 1969

Date	Location and type	Sponsor
Oct. 8-11	Chicago (mass demonstrations and other actions—"Bring the War Home")	Students for a Democratic Society (RYM).
Oct. 15	Nationwide (1-day school shutdown)	Vietnam Moratorium Committee.
Oct. 25	Chicago (mass demonstration in support of "The Conspiracy")	New Mobilization Committee to end the war in Vietnam.
Nov. 8-15	Nationwide (variety of local actions)	Wide spectrum of radical antiwar groups, including New Mobilization Committee to end the war in Vietnam.
Nov. 13-14	Nationwide (tentative) (2-day school shutdown)	Vietnam Moratorium Committee.
Nov. 14	Nationwide (1-day school strike)	Student Mobilization Committee to end the war in Vietnam.
Do.	District of Columbia ("March Against Death")	New Mobilization Committee to end the war in Vietnam.
Nov. 15	District of Columbia and San Francisco (mass march and rally)	Do.
	District of Columbia ("March Against Death" Cont.)	Do.

STUDENT CALL FOR A VIETNAM MORATORIUM*

Ending the war in Vietnam is the most important task facing the American nation. Over the last few years, millions of Americans have campaigned, protested, and demonstrated against the war. Few now defend the war, yet it continues. Death and destruction are unabated; bombs and fire continue to devastate South Vietnam. Billions of dollars are spent on war while the urgent domestic problems of this country remain unattended. Moreover, the war has had a corrupting influence on every aspect of American life, and much of the national discontent can be traced to its influence.

The discredited policies of the past which have brought about this American tragedy have not been changed. We follow the same military advice which has created a futile and bloody conflict while we cling to the same policies which have caused the Paris negotiations to falter. The token displacement of 25,000 troops over a three month period simply is not the substantial change in policy that is so desperately needed.

Thus it is necessary for all those who desire peace to become active again and help bring pressure to bear on the present Administration.

We call for a periodic moratorium on "business as usual" in order that students, faculty members and concerned citizens can devote time and energy to the important work of taking the issue of peace in Vietnam to the larger community.

If the war continues this fall and there is no firm commitment to American withdrawal or a negotiated settlement on October 15, participating members of the academic community will spend the entire day organizing against the war and working in the community to get others to join us in an enlarged and lengthened moratorium in November. This process will continue until there is American withdrawal or a negotiated settlement.

We call upon all members of the university community to support the moratorium, and we commit ourselves to organize this effort on our campus and in the larger community. We ask others to join us.

COLLEGES ALREADY ORGANIZING FOR THE VIETNAM MORATORIUM

Alabama.—Auburn U; Birmingham-Soc. Coll; Jacksonville St. U; Tuskegee Inst; U of Ala. at Mobile; U of Ala. at Tuscaloosa.

Arizona.—Arizona St. U; U. of Arizona.

Arkansas.—Arkansas A.M. & N. Coll.

California.—Calif. Inst. of Tech; Calif. St. Coll. at San Bernardino; Chapman Coll; Chico St. Coll; Fresno St. Coll; Humboldt St. Coll; L.A. Comm. Coll; Merrit Coll; Occidental Coll; Pomona Coll; Sacramento St. Coll; San Fernando Valley St. Coll; Santa Monica Coll; Stanford U; U of Calif. at Berkeley, Davis, Irvine, L.A., Riverside, San Diego and Santa Cruz; U of the Pacific; U of So. Calif; Calif. St. Polytech. Coll. at San Luis Obispo.

Colorado.—Colorado School of Mines; Colorado St. Coll; Colorado St. U; Loretto Heights Coll; Regis Coll; Univ. of Colorado at Boulder and Denver; U of Denver.

Connecticut.—Fairfield U; Northwestern Conn. Comm. Coll; Sacred Heart U; So. Conn. St. Coll; U of Hartford; Wesleyan U; Yale U; Yale U Law School.

Delaware.—U of Delaware.

District of Columbia.—American U; Catholic U of America; George Washington U; George Wash. U. Law School; Georgetown U; Georgetown U Law Center; Howard U; School for Advanced International Studies; Trinity Coll.

Florida.—Bethune-Cookman Coll; Biscayne Coll; Fla. Presbyterian Coll; Stetson U; U of Miami.

Georgia.—Agnes Scott Coll; Emory U; Georgia St. Coll; Mercer U; Savannah St. Coll; West Georgia Coll.

Hawaii.—U of Hawaii.

Idaho.—Boise St. Coll; Idaho St. U; U of Idaho.

Illinois.—Augustana Coll; Barat Coll;

Bradley U; Chicago City Coll, Fenger campus; Ill. St. U; Knox Coll; Lake Forest Coll; Loyola U of Chicago; Loyola U Law Sch; Maryknoll Coll; Northeastern Ill. St. Coll; Northern Ill. U; Northwestern U; Northwestern U Law School; Rosary Coll; St. Xavier Coll; So. Ill. U at Edwardsville; U of Chicago; U of Ill. at Urbana and Chicago Circle; Western Ill. U.

Indiana.—Earlham College; Goshen Coll; Hanover Coll; Ind. St. U; Ind. U; Marian Coll; Purdue U; St. Mary's Coll; U of Notre Dame.

Iowa.—Drake U; Iowa St. U of Science & Tech; Iowa Wesleyan Coll; Luther Coll; U of Iowa; U of No. Iowa.

Kansas.—Kansas St. Coll. of Pittsburgh; Kansas St. U; St. Benedict's Coll; Tabor Coll; U of Kansas.

Kentucky.—Ashland Comm. Coll; Bellarmine-Ursuline Coll; Berea Coll; Catherine-Spalding Coll; Nazareth Coll. of Ky; Spalding Coll.

Louisiana.—La. St. U at Baton Rouge and New Orleans; U of SW La.

Maine.—Bates Coll; Bowdoin Coll; Colby Coll; Farmington St. Coll; Graham St. Coll; Nason Coll; Ricker Coll; St. Francis Coll; U of Ma. at Orono and Portland.

Maryland.—Columbia Union Coll; Comm. Coll. of Balto; Frostburg St. Coll; Hood Coll; John Hopkins U; Montgomery Jr. Coll; Morgan St. Coll; Prince George's Comm. Coll; Towson St. Coll; U of Md. at College Pk; Western Md. Coll.

Massachusetts.—American International Coll; Amherst Coll; Assumption Coll; Boston Coll; Boston Coll. Law Sch; Boston U; Boston U Law Sch; Clark U; Coll. of the Holy Cross; Emerson Coll; Harvard U; Harvard U Grad. Sch. of Arts & Science; Stonehill Coll.; Colleges of Amherst; Wesleyan Coll; Williams Coll.

Michigan.—Central Mich. U; East. Mich.; Kalamazoo Coll.; Kellogg Comm. Coll.; Mich. St. U; Oakland U; Saginaw Valley Coll.; U of Detroit; U of Mich.

Minnesota.—Coll. of St. Catherine; Macalester Coll; Mankato St. Coll.; St. Mary's Coll; St. Olaf Coll; U of Minn. at Minneapolis, Duluth, and Morris.

Mississippi.—Jackson St. Coll.

Missouri.—Immaculate Conception Seminary; Mo. West. Coll; Park Coll; St. Louis U; U of Missouri at Columbia, & Kansas City; Wash. U; Webster Coll.

Montana.—U of Montana.

Nebraska.—Hastings Coll; U of Nebraska at Lincoln.

Nevada.—Nevada South. U; U of Nev.

New Hampshire.—Colby Jr. Coll; Dartmouth Coll; St. Anselm's Coll; U of NH, Durham.

New Jersey.—Coll. of St. Eliz.; Drew U. Glassboro St.; Jersey City St. Coll; Princeton U; Rutgers U; Douglass Coll; Rutgers Law Sch; Seton Hall U; Trenton St. Coll; Upsala Coll.

New Mexico.—N. Mex. St. U; U of Albuquerque; U of N. Mex.

New York.—Adelphi U; Bard Coll; Canisius Coll; SUNY—Hunter; Herbert H. Lehman, Queens; Colgate U; Columbia; Cornell; Finch Col Fordham; Hobard & William Smith; Iona Coll; Keuka Coll; Kirkland Coll; Monroe Comm. Coll; NYU; Niagara U; Notre Dame of S.I.; Polytech. Inst. of Brooklyn; Pratt Inst.; Rochester Inst.; St. Bonaventure U; St. Joseph's Coll for Women; Siena Coll; Skidmore Coll; SUNY—Buffalo & Stony Brook; SUC—Brookport, Geneseo, Oneonta; SUNY at Delhi; Syracuse U; Union Coll; U of Rochester; Vassar; Wagner Coll.

North Carolina.—Appalachian St. U; Bennett Coll; Davidson Coll; Duke U; E. Carol. U; Elon Coll; Guilford Coll; Johnston C. Smith U; Pembroke St. Coll; St. Augustine Coll; Shaw U; U of NC at Chapel Hill & Greensboro; Wake Forest U.

North Dakota.—North Dakota State University.

*The "Student Call" has been signed by nearly 500 college student body presidents and campus newspaper editors. A faculty call is being written. Similar calls will be issued by businessmen, labor, professional and community groups; each addressed to their own constituency.

Ohio.—Antioch; Bowling Green St. U; Capital U; Cleveland St. U; Col of Mt. St. Joseph on the Ohio; Col of Steubenville; Denison; Heidelberg Col; Hiram Col; Kenyon Col; Miami U at Oxford; Oberlin; Ohio U; U of Cinn; U of Dayton; Wilberforce U; Wilmington Col; Youngstown St. U.

Oklahoma.—Oklahoma St. U; Phillips U; U of Oklahoma.

Oregon.—Lewis & Clark Col; Portland St. Col; Reed Col; U of Oregon; U of Portland.

Pennsylvania.—Albright Col; Allegheny Col; Bryn Mawr; Calif. St. Col; Cedar Crest Col; Chatham Col; Comm. Col of Phila; Dickinson Col; Drexel Inst.; Duquesne U; Edinboro St. Col; Elizabethtown Col; Gannon Col; Harrisburg Comm Col; Haverford Col; Lehigh U; Lycoming Col; Muhlenberg Col; St. Joseph's Col; St. Vincent Col; Shippensburg St. Col; Susquehanna U; Swarthmore; Temple U; U of Pa; U of Pitts; Ursinus Col; Villanova U; Waynesboro Col; West Chester St. Col.

Rhode Island.—Brown U; U of R.I.

South Carolina.—Benedict Col; Clemson U; U of SC.

South Dakota.—Augustine Col; Dakota Wesleyan U; Northern St. Col; Sioux Falls Col; U of SD.

Tennessee.—Austin Peay St. Col; Christian Bros. Col; Flisk U; Memphis St. U; Siena Col; S'western.—Memphis; U of Chattanooga; U of Tenn at Knoxville; Vanderbilt University.

Texas.—Rice U; Texas Lutheran Col; Tex. Wesleyan Col; U of St. Thomas; U of Tex. at Austin, Arlington, and El Paso.

Utah.—U of Utah.

Vermont.—Goddard Col; U of Vt.

Virginia.—Col of William & Mary; Hampton Inst; Norfolk St. Col; Randolph Macon Woman's Col; U of Richmond; U of Va; Va. Polytech. Inst.

Washington.—Central Wash St. Col; Gonzago U; Pacific Lutheran U; U of Puget Sound; U of Wash; West. Wash. St. Col.

West Virginia.—Bethany Col; Marshall U; Salem Col; W. Va. U.

Wisconsin.—Northland Col; Norbert Col; U of Wis. Madison and Whitewater.

[From the New York Times, Sept. 25, 1969]

DOMESTIC AFFAIRS

(By David E. Rosenbaum)

The organizers of the nationwide antiwar protest scheduled for Oct. 15 criticized President Nixon's Vietnam policy today as being no different from President Johnson's.

Sam Brown, the chief spokesman for the Vietnam Moratorium Committee, said that Mr. Nixon's statement yesterday that he would not be affected by protests against the war was "the kind of rigid stance which contributed so much to the bitterness of debate during the last days of the Johnson Administration."

David Hawk, another spokesman for the committee, said that "the evident cynicism of President Nixon's policies" had generated "a new and growing constituency for the antiwar movement."

The Vietnam Moratorium Committee hopes that students will stay away from classes on Oct. 15 to work against the war.

The group has received support from a number of prominent professors, including John Kenneth Galbraith . . . and Hans Morgenthau . . .

The organizers released statements of support from Senator McCarthy; Senator Charles E. Goodell, Republican of New York; Senator Mark O. Hatfield, Republican of Oregon, and Senator George McGovern, Democrat of South Dakota.

[From the New York Times, Sept. 27, 1969]

PEACE AFFAIRS

(By John W. Finney)

The Nixon Administration was confronted today with a Democratic uprising against its

Vietnam policy that threatened to make the war a divisive partisan issue at home.

President Nixon pleaded today at a nationally televised news conference for patience and support of his Vietnam policy. But even as he spoke, a group of liberal and moderate Democrats was considering how to force a confrontation with the Administration that could lead to the withdrawal of all American troops from Vietnam.

The secret caucus on Capitol Hill was called by Senator Fred R. Harris of Oklahoma, the Democratic National Chairman. About a dozen Senators and a dozen Representatives attended.

Out of the meeting came a decision by these Democrats to join cause with the nationwide student antiwar protest on Oct. 15 and to press in Congress for resolutions calling for an end to the war and a withdrawal of American troops.

As a symbol of support for the Student "Vietnam moratorium," consideration was being given to preventing the Senate from meeting on Oct. 15 for lack of a quorum.

Out of the meeting, therefore, could grow a partisan division on the Nixon Vietnam policy such as never confronted President Johnson. . . .

"It's time to take the gloves off on Vietnam," Senator Harris declared after the luncheon meeting in the Vandenberg Room of the Capitol.

[From the Evening Star, June 30, 1969]

WAR FOES PLAN COLLEGE MORATORIUM

(By Robert Walters)

A new organization opposed to U.S. involvement in the Vietnam war today announced plans for a day-long "moratorium" in the fall by students, faculty members and administrators at colleges and universities throughout the country.

The new form of protest against the war would be expanded each month—one day in October, two days in November, three days in December and so on—"until a firm commitment to a definite timetable for total withdrawals is made or until a negotiated settlement is signed," the group said.

Leaders of the group, the Vietnam Moratorium Committee, hope to "expand rapidly into other segments of the community," including individuals and organizations in the fields of politics, civil rights, business, labor and religion.

NOT A "STRIKE"

Although organizers of the group reject the use of the word "strike," they are, in effect, attempting to build a base for a national strike against a war which they say "has had a corrupting influence on every aspect of American life."

Coordinating the effort from a downtown Washington office are three young men who gained experience in political and anti-war organizing from last year's presidential campaign and prior activities of a similar nature. They are:

Sam Brown, 25, one of the principal organizers of college students and other young persons on behalf of Sen. Eugene J. McCarthy, D-Minn., in the 1966 presidential campaign. He currently is a fellow at Harvard University's Institute of Politics.

David Mixner, 24, another former member of the McCarthy campaign staff who currently is serving on the Democratic party reform commission headed by Sen. George McGovern, D-S.D.

David Hawk, 25, a former member of the U.S. National Student Association staff who earlier this year coordinated preparation of a statement in which more than 250 college student body presidents and college newspaper editors vowed not to serve in the Army until the Vietnam war ends.

CALLED TOP U.S. TASK

"Ending the war in Vietnam is the most important task facing the American nation.

Over the last few years, millions of Americans have campaigned, protested and demonstrated against the war. Few now defend the war, yet it continues," they said in a statement issued at press briefing today.

"Death and destruction are unabated, bombs and fire continue to devastate South Vietnam. Billions of dollars are spent on war while the urgent domestic problems of this country remain unattended. Moreover, the war has had a corrupting influence on every aspect of American life, and much of the national discontent can be traced to its influence," they said.

Rejecting President Nixon's announced commitment to end the war and his announcement earlier this month of an initial troop withdrawal, they said:

"The discredited policies of the past which have brought about this American tragedy have not been changed. We follow the same military advice which has created a futile and bloody conflict while we cling to the same policies which have caused the Paris negotiations to falter.

"The token displacement of 25,000 troops over a three-month period simply is not the substantial change of policy that is so desperately needed. Thus, it is necessary for all of those who desire peace to again become active and help bring pressure to bear on the present administration."

They said they were announcing their plans today "to give the President some time to act," but they emphasized that "a token partial withdrawal at any time will not deter the moratorium." They said their plans would not be altered if Nixon announced "token" troop withdrawals of 25,000 or 50,000 in August and October, as the President has been reported planning to do.

Referring to reports that Nixon is planning to cut United States troop strength in Vietnam from the current level of more than 500,000 to about 200,000 within the next few years, but not go below that number, Brown said "a Korean-type settlement is not acceptable."

He noted that approximately 60,000 American troops still remain in Korea "long after Americans ostensibly withdrew from that war" and said: "We want a firm commitment to get all of our troops out of Vietnam in a short time."

He said the organization has received commitments in the past week from 100 college campuses to join in the first "moratorium," scheduled for Oct. 15.

The group hopes to get 500 college and university campuses involved in the first protest, with participants remaining away from their classes and offices for a day to collect anti-war petitions, to distribute leaflets at factories and shopping centers and to attend rallies.

[From the New York Post, June 30, 1969]

BIG YOUTH WAR PROTEST IN THE WORKS

(By Warren Hoge)

WASHINGTON.—Three veteran youth organizers from the Presidential campaign of Sen. Eugene McCarthy (D., Minn.) are planning a nationally coordinated anti-war protest emanating from college campuses next fall.

Operating out of a newly opened five-room office here, they are reactivating the young McCarthy legions in a movement to persuade students and faculty at the U.S. colleges and universities to take appointed days off from classes and devote them instead to organizing community sentiment against continuation of the war in Vietnam.

The first target date is Oct. 15. On that day, participating members of academia will stage town meetings, demonstrations and rallies and, in the manner first practiced during last year's Presidential primaries, go from door to door seeking to enlist support throughout neighborhoods for efforts to bring the war to a swift end.

Under current plans, the student orga-

nizers on more broader emerging from the Oct. 15 "moratorium" would declare a similar shutdown for two days in November, three days in December and so on.

The movement aims to produce from the Administration "a firm public commitment to get troops out now, a commitment to a total withdrawal in a short-time period," explained Sam Brown, 25, national student coordinator for the McCarthy campaign and one of the three principal leaders of the new "Vietnam Moratorium Committee."

Joining Brown in laying the groundwork for the antiwar effort are David Mixner, 24, a McCarthy organizer in the nonprimary states and presently a member of the Democratic National Committee's commission on reforming party procedures, and David Hawk, 25, a McCarthy worker in New Hampshire and Wisconsin and currently an officer in the National Student Assn. Hawk was arrested by the FBI last March at the Jewish Theological Center in New York for refusing to report for induction. He is awaiting trial.

These three and four other staff members have secured promises of cooperation from more than 100 campuses in the past week, their first in an effort which they said would occupy all their time from now until Oct. 15.

Brown said the group had chosen the word "moratorium" to preclude use of the word "strike." They explained that "strike" bore unwanted connotations of violence. They also said that a "strike" would be wrongly interpreted as an action against the institutions struck rather than against the war.

"We hope to pull together the kind of coalition which existed during the McCarthy campaign," Brown said. "Maybe it can bring students back into the community too," he added.

"Since the goal of the action is to get massive and diverse sectors of American society to cease to do 'business as usual', it is important to employ actions and rhetoric that will maintain the broadest possible opposition to the war," a statement of purpose drawn up by the committee declared.

Brown said that neither the troop withdrawal scheme suggested by former Defense Secretary Clifford last week nor President Nixon's expression of his hope to better the Clifford timetable had satisfied Brown's group.

[From the Boston Globe, July 1, 1969]

STUDENTS ASK OCTOBER WORK HALT—YOUTH AT 100 COLLEGES PLAN NEW VIET PROTEST
(By Crocker Snow, Jr.)

Students at about 100 colleges and universities around the country are planning a one-day halt to all research and classroom work next October to work instead at ending the war in Vietnam.

A call for the anti-war action is now being circulated to campuses by a new group called the Vietnam Moratorium Committee. The protest would take place on Oct. 15, if, by then, there is "no firm commitment to American withdrawal or a negotiated settlement."

The plans were discussed publicly for the first time yesterday with a small number of reporters in Washington, D.C. Disclosure came at this moment to dispel rumors that the group was planning militant action in the Fall and to put President Nixon on notice of possible student reactions if the fighting continued unabated.

The committee hopes to expand the Oct. 15th moratorium to two days in November, three days in December and so on until the war is brought to an end.

The planned protest would differ from past student anti-war demonstrations in its emphasis on the involvement of more than just the academic community. The committee hopes to engage community organizations, churches, professional groups, labor union locals, civil rights groups, politicians and even high school students in the activity.

Participating student and faculty members are urged to branch out from campuses on Oct. 15, to circulate petitions and leaflets at shopping centers, factories and downtown areas.

The new committee is headed by Sam Brown, a staff aide to Sen. Eugene McCarthy last year, and now a fellow of the Institute of Politics at Harvard; David Mixner, another McCarthy staffer from last year who is now on the McGovern Commission for Reform of the Democratic Party, and David Hawk, a draft resister who organized the 250 student presidents and editors "We Won't Go" letter on the draft this Spring.

The trio is carefully avoiding the word "strike" in describing its plans for the Fall term.

"The industrial analogy really is not appropriate," said Brown yesterday. "We don't want to cripple universities or shut them down, but simply to use them as a base for working against the war."

The group is also stressing the inadequacy of a Korea-type settlement in Vietnam with large numbers of American troops committed there indefinitely.

A list of faculty sponsors for the demonstrations is presently being prepared. Letters have also been sent out by the committee to many national politicians, such as Senators McCarthy, Edward Kennedy, William Fulbright, George McGovern and George Alken soliciting their support for the plans.

The idea of the campus moratorium came from a Massachusetts group, Mass PAX (Political Action for Peace) earlier this Spring.

Student organizers now stress that plans are still in the early stage and details will be left largely to the decisions of individual campus groups.

College newspaper editors and class presidents from about 100 campuses have already pledged themselves to support and help organize the protest action on Oct. 15.

In the greater Boston area, the list includes student editors from Wellesley College, Boston College, Boston University and M.I.T. Harvard is not now listed as one of the campuses where the protest activities will take place. But the committee expects no difficulty in organizing there.

[From the Washington Post, July 1, 1969]

GROUP PLANS CAMPUS "MORATORIUMS" TO FREE STUDENTS FOR ANTIWAR DRIVE
(By Richard M. Cohen)

Three student leaders yesterday announced plans for a series of "moratoriums" in the fall which would free students to carry an antiwar message to the general community.

Using the door-to-door canvassing techniques of Sen. Eugene McCarthy's young volunteers in the 1968 primaries, the new organization hopes to draw labor, business, professional and civil rights groups into an escalating series of moratoriums.

Beginning Oct. 15, with a one-day stoppage on campuses, the moratoriums are scheduled to grow into affairs lasting two, three or four days in the following months. They will continue, said leaders of the Vietnam Moratorium Committee, "until a negotiated settlement is signed . . . or a definite timetable for bringing all American troops home from Vietnam is made."

"The strategy has received enthusiastic response," the Committee's organizers said in a statement signed by 100 student body presidents or campus editors. "It is anticipated that by the fall people will be working at nearly every major university and many colleges."

The Committee's organizers—Sam Brown, David Hawk and David Mixner—were active in both the campus "dump Johnson movement" and the Democratic presidential primaries.

Brown, 25, a former National Student Association activist now at Harvard's Kennedy

Institute for Politics, was a key student organizer for McCarthy. Hawk, 25, a NSA staff member, coordinated a campaign this spring which resulted in 250 campus leaders sending President Nixon a letter declaring their refusal to serve in the armed forces until the Vietnam war is ended. Mixner, 24, a former member of McCarthy's campaign staff, is now a member of Sen. George McGovern's Commission for Reform of the Democratic Party.

[From The New York Times, July 1, 1969]
CAMPUSES FACING DAY'S SHUTDOWN—OPPOSERS OF THE WAR SEEK "MORATORIUM" ON OCTOBER 15

(By Christopher Lydon)

WASHINGTON, June 30.—A new student antiwar campaign, led by veterans of the McCarthy for President drive and supported by campus editors and student-body presidents around the country, will try to shut down all normal university activities for a day on Oct. 15.

Sam Brown, a former divinity student at Harvard who organized the student canvassers for Senator Eugene J. McCarthy in the New Hampshire primary last year, outlined the plans of the Vietnam Moratorium Committee today at the opening of its national office here at 1029 Vermont Avenue NW.

The choice of the word "moratorium" to describe the interruption of classes represented a careful decision, Mr. Brown explained, to avoid the more inflammatory word "strike."

FUNDAMENTAL DEMAND

Although the committee hopes to work with other forces organized against military training, the antiballistic missile system and racism, its primary focus, Mr. Brown said, will be on the war in Vietnam and any "Korean-type settlement" that could leave American forces in Vietnam indefinitely.

The committee's fundamental demand is for a quickly negotiated peace or a "firm public commitment" by President Nixon to "the total withdrawal of American troops in a short period of time."

Unlike the widespread student efforts during the last year to "radicalize" campuses on a full range of social issues, the Moratorium Committee hopes to galvanize a more moderate majority position against the war.

It plans a doorbell-ringing, house-to-house campaign to the "larger community" of adults.

"People are angry at the kids," said David Hawk, a cochairman of the Moratorium Committee. "But, still, there really is a youth cult; people want desperately to talk with kids. A big part of our success in New Hampshire was that people were just so happy to have a kid knock on the door and talk to them."

"YOUR SONS AND DAUGHTERS"

Mr. Brown added, "We want to make it clear that the 2 per cent that people talk about on the campuses are really 70 per cent—that they're not just 'crazy radicals' but 'your sons and daughters.'"

He said that the plans for the moratorium had evolved through a series of private meetings after Jerome Grossman, a Boston businessman and president of the Political Action for Peace organization in Massachusetts, first proposed an October "general strike" against the war.

In Boston yesterday, Mr. Grossman said that he had acceded to changing "strike" to "moratorium," but that he still hoped to rally large numbers of blue-collar and white-collar workers to the October movement.

"The American people clearly want an end of this war. If it is still going on in October, we must show that we are prepared to bring the business of the country to a standstill to stop it," Mr. Grossman said.

Mr. Brown released a list of 95 student council presidents and editors of college

newspapers who he said had declared their support for the moratorium.

The committee's early funding, he said, has been provided by many of the individuals who contributed to Senator McCarthy's campaign last year. The committee has also made preliminary contacts with several other national antiwar groups, Mr. Brown said.

It hopes for support from individual members of Students for a Democratic Society, he said, but does not expect that radical organization's endorsement.

PRESIDENT NIXON'S WELFARE PLAN

Mr. BROOKE. Mr. President, a few weeks ago a most useful and constructive address on the President's welfare revisions was delivered in Los Angeles by Mr. James L. Flourney, a respected Negro attorney in that community. Mr. Flourney praised the President's proposals as "a sensible and human approach to the solving of a most sensitive social problem."

Because I believe that his point is well taken and exceptionally well developed, I ask unanimous consent that excerpts from Mr. Flourney's address be printed in the RECORD.

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

PRESIDENT NIXON'S WELFARE PLAN (Excerpts from a speech by Mr. James L. Flourney)

As the leading Nation in nearly every field of human endeavor, there is one area in which this country is sorely lacking—in fact we have failed—that is, our welfare system.

For some time now, we have struggled with an unworkable, antiquated method of doling out public relief funds; the results of which has been excessive cost and waste. And by doing so, we have contributed to the break-up of families and households. We have helped to emasculate the black male. And we've created a subculture of dependent stereotypes.

Now, at last, there is a proposal designed to revamp this obsolete welfare system. President Richard Nixon's welfare reform plan, as presented to Congress is imaginative, conceptive, and far-reaching, in my opinion. I support it wholeheartedly and I sincerely believe that—given an understanding of the scope of the Nixon plan—the majority of black people will take the same position. I am certain that black Republicans are solidly behind it.

Under President Nixon's plan, the present welfare system . . . known as the aid to dependent families with children (AFDC) program—the system that has done so little for so few at the expense of so many—will be totally abolished and there will be an entirely new family aid program to replace it. In other words, after all these years, we have finally admitted to ourselves that the present welfare system is "out-to-lunch", . . . and it took a Republican administration to come up with a practical plan that has a real chance for success; . . . and what's more, *the price is right!*

This is how it works. The Nixon welfare reform plan will provide direct Federal payments to all families with children whose incomes are below stipulated amounts.

There will be a concentrated effort to assist families headed by males who are employed full-time. This group is defined as "the working poor". The plan also includes families headed by a female or an unemployed father. This group is known as "dependent families".

Federal aid benefits for a family of 4 in the

"dependent family" group would be \$1,600 per year. That is: \$500 per person for the first 2 family members and \$300 per person thereafter. Using this scale, a 7-member family would receive \$2,500 per year.

In the group classified as the "working poor", a family of four with earnings up to \$3,920 per year would be eligible for payments. Families of 7, in this case, with earnings up to \$5,720 would be eligible. All families, in this group, would be allowed to disregard \$720 per year as work-related expenses—transportation, meals, clothing, etc. Benefits would be reduced as earning increased per year. Let me give you an example of this operation.

For a family of 4 that took in earnings of \$2,000 (per year), after deducting expenses, their income would be considered as \$1,280. Now, fifty percent of this income amount is subtracted from the \$1,600 figure that this family would receive if they were a "dependent family". The remainder is added to the family's earnings which, in this case, would increase the families total income to \$2,960. Thus, the "working poor" are rewarded for their efforts and therein lies an incentive.

The Nixon plan would require the continuation of State benefits equal to the difference between the proposed Federal minimum and a State's present benefit level. This is to insure that present benefit levels will not be reduced for families receiving aid under the existing AFDC program. All States, however, would receive fiscal relief under the Nixon plan.

States will not be required to supplement "working poor" families.

I think that the greatest factor of the Nixon welfare reform plan is its emphasis on work.

All applicants for assistance, who are not working, are *required* to register with the employment service. All recipients, who are employable, *must* accept training or employment—or lose their portion of the families assistance. And here we see the closing of what has always been a wide gap in our welfare system. It is clearly stated, . . . if able-bodied recipients are not willing to work or to be trained, then they don't get money from the Government. (If you don't work, you don't eat!)

Because the plan is work-oriented, it will contribute to helping families get off the relief rolls, rather than perpetuating their dependency.

It is of great importance to me that we are not creating a new, separate government department to handle this new plan. It is proposed that the Department of Health, Education, and Welfare be designated to administer the welfare reform plan.

The estimated cost for the first full year of the proposed plan is \$4 billion. This figure takes into account that *all* states will receive fiscal relief. Each state can spend as little as 50 percent of the amount spent in the base year for the present public assistance programs. *No* state, however will be required to spend more than 90 percent of expenditures in the base year for the categories mentioned. The states and local governments are also aided by the revenue-sharing program under the Nixon plan, which in the first year, will be \$1 billion. So, the state and local governments will not only be relieved of some of the financial burdens of the present welfare system, they will also be able to participate in sharing profits under the new plan.

In essence, what we have—in the Nixon plan—is a sensible and human approach to the solving of a most sensitive social problem. We are also providing hope and purpose for the poor of our country that will finally give to all our citizens a feeling of belonging.

Very simply, we are abolishing the old welfare system and bringing in an entirely new approach in its place. We are promoting a

work-oriented system that emphasizes and requires work and job-training. We are increasing work-incentive by providing help and supplements to the "working-poor". We are establishing a nationwide minimum for family-aid benefits. We are concentrating on helping families stay together. And we are reducing the financial burden of the states and enabling them to participate in a cost-sharing program.

With the welfare reform plan, we are not promising more than we can deliver . . . *for a change!* We both *can* and *must* afford to totally revamp our public aid system and make it one that encourages initiative, rather than perpetuates poverty.

We have the resources to do all these things. We have the facilities. And, now, we have the right kind of leadership in Washington. So it is the responsibility of all of us to use all our energies to muster the support necessary to carry out this plan. And it is particularly important that we, as Republicans, do all that we can to support the Nixon administration and the Republican leadership in this most enterprising endeavor. Let history say that it was the Republican Party that saved the poor in this country. And let *all* our citizens know that it is the Republican Party that cares about giving everyone a chance to participate in the "American Dream."

Thank you and God bless you all.

THE 7-PERCENT INVESTMENT TAX CREDIT

Mr. GOODELL. Mr. President, many of our tax laws have been abused, and there certainly is a great need to correct this abuse. In reforming our tax structure, however, we must be careful not to eliminate needed and beneficial tax provisions. One such provision in the 7-percent investment tax credit.

On August 20 of this year, Mr. Robert Tyson, chairman of the Finance Committee of U.S. Steel, addressed the Governor's 20th Annual State Economic Development Conference in Salt Lake City. At that time he presented industry's views in the investment tax credit and the possible effects of its repeal. Although I have reservations about some of the particulars in Mr. Tyson's article, I commend this timely address to the attention of Senators, and ask unanimous consent that it be printed in the RECORD.

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

[From NAM Reports, Sept. 15, 1969]

TAX BILL HAMPERS CAPITAL FORMATION

(By Robert C. Tyson)

American industry's advantage in productive efficiency would be jeopardized by the threatened repeal of the investment tax credit and by other features in the House-passed Tax Reform Act of 1969.

This bill involves direct tax relief for individual consumers, but also involves many so-called tax reform provisions which, in effect, partially pay for this tax relief. Many of these reforms, principally against corporations, would be detrimental to productive savings and investment—detrimental to capital formation and economic development. Moreover, to the extent that the tax cost of these reforms is passed on through higher prices, ironically consumers would indirectly pay for their own tax relief.

The repeal of the investment tax credit would especially tend to depress productive investment, because particularly corporations heavily invested in long-lived facilities would then be in effect doubly taxed in relation to

individual or other taxpayers unaffected by the repeal.

Other things being equal, investment money—development money—flows into those nations, states and localities where it is least taxed. To try to speed up development, some fiscal experts talk up so-called "tax incentives." I find the phrase a contradiction in terms, for to reduce taxes is to release incentives. After all, a tax is a cost, a burden, a deterrent and hence a disincentive. No one is ever normally impelled to earn or produce anything by the knowledge that the fruits of his labor will be taxed away from him—and this, by the way, is the fundamental disincentive of communism. A man may of course produce in spite of, but never because of, taxes.

Tax burdens, in addition to impairing competitiveness, have given rise to talk of tax rebellions across the land, and such talk has in turn given rise to the Tax Reform Act of 1969, claimed to be the most sweeping reform measure since the Federal income tax was started in 1913.

The net impact of the House package of tax relief and tax reforms is detrimental to productive savings and investment. According to official estimates, the tax relief by 1972 would add up to some \$9 billion, all for individuals. But the tax reform by 1972 would add up to some \$5 billion, all but about \$1.4 billion of which would come from corporations.

[Since House action, the Administration has recommended reducing the individual relief to \$7.3 billion and cutting the corporate rate 2 percentage points amounting to ultimate corporate relief of \$1.6 billion.]

Moreover, the tax relief for individuals appears weighted heavily in favor of the low and middle tax brackets while we know that significant productive savings and investment tend to flow from the higher brackets, which also would be heavily and adversely affected by the proposed tax reform. Furthermore, the excess tax relief over tax reform threatens more inflationary Federal deficits.

I am all for tax reform. But reform from what and to what? Oftentimes what one man calls a "loophole" another man calls a life preserver. In retrospect, a so-called tax loophole usually originates as a tax concession designed to alleviate the hardship of some earlier tax provision.

This is not to say that a periodic Congressional review of these relief measures is not a good thing. Indeed, tax reform should be a recurring process.

But I recall quite a few waves of alleged "tax reform" emanating from Washington. The rub with previous tax reform waves all too frequently has been that the tacked-on relief provisions are themselves complex amendments to an already rigid, over-complicated and overburdening Internal Revenue Code. And here, too, we more often than not get political solutions to economic problems. Thus tax reform, under the pressure of burdensome rates, has become a never-ending game.

I use the word game advisedly, for tax reform represents to many a citizen the opportunity to practice taxmanship—that is, that "a good tax is a tax that the other fellow pays and a bad tax is a tax that I pay."

Consider, for example, the proposal to plug the so-called loophole of tax exemption of municipal bond interest. To be sure, the purchaser of such a bond saves some taxes—but at the price of a smaller yield than he could have gotten on, say, a taxable corporate bond of comparable risk. If municipal bonds were no longer in the tax-exempt category, their yields would naturally have to rise, forcing municipalities to increase local tax rates unless otherwise relieved. As now proposed in the House Tax Reform Bill, a Federal subsidy would provide at least partial relief.

So I believe that far and away the most important long-range tax reform for eco-

nomie development and for the general well-being of both the public and private sectors is tax reduction. Tax reduction presupposes expenditure control. At any rate a tax cut is the kindest cut of all.

Now, as we are all painfully aware, national tax policy with its powerful repercussions on economic development has many ramifications. Among them are allowable deductions for depreciation, or recovery of capital, which become increasingly inadequate as inflation advances.

To be sure, Washington attempted in 1962 to alleviate the problem of depreciation deficiency. The Internal Revenue Service permitted faster capital recovery through shorter guideline lives for plant and equipment. Moreover, Congress enacted the investment tax credit which became a permanent feature of a depreciation reform package; the credit has permitted companies to deduct from their income tax liability up to 7 percent of the cost of certain depreciable equipment acquired and placed in service.

However, both the credit and the shorter lives, while steps in the right direction, still fell short of dealing adequately with the fundamental facility replacement problem arising from past inflation—let alone currently accelerating inflation—since total guideline depreciation over the lives of facilities is still limited to original cost. Such depreciation does not recover dollars having purchasing power equivalent to those originally expended many years ago for plant and equipment. Now, one of these steps—investment tax credit on equipment—may be reversed by Congress and the Administration, ironically, in the name of tax reform at the very time when inflation is mounting.

If the investment tax credit is repealed, such action could well add up to an "overkill" of the boom—and an "underkill" of inflation in the cost of facilities. You will recall that a combination of the investment tax credit suspension and a general credit crunch helped overkill the boom in late 1966. In a near panic over a possible impending recession, the economic managers in Washington hurriedly turned on the turned-off credit in early 1967, and we only experienced the "mini-recession" of that year.

I see a parallel between conditions in August 1969 and August 1966. Then as now wage rates were shooting up far faster than productivity; the Consumer Price Index was surging ahead; imports were rising much faster than exports; the Federal Reserve was stepping on the monetary brakes; capital spending was being challenged as "excessive." However, in 1966 the credit was merely suspended. Today it is up for repeal—to be wiped off the books—and if this is done both Washington and the business community had better worry about what would replace the credit.

One way out of this dilemma is for the Senate to consider continuation of the present credit but to require amortization of the credit over the life of the investment instead of full allowance at the time of investment. This alternate tax treatment of the credit might, at least in the short run, actually save the Treasury more revenue than outright repeal—and possibly help offset the excess tax relief over tax reform which is threatened by the House version of the bill.

For outright repeal, apart from possible "overkill," would recreate the very inequity that the credit served to eliminate in the corporate tax system. This is so because in an inflationary period depreciation becomes more inadequate and hence those companies which are more heavily invested in longer-lived capital equipment will pay relatively more tax than those having lesser capital investment requirements. Or, as I indicated earlier, in relation to individual taxpayers unaffected by the proposed repeal of the credit, such heavily invested companies in effect would be doubly taxed.

Such inequities and possible "overkill" could then only be avoided by equivalent de-

preciation reform. It has been reported that the Treasury is working on a study of possible equivalent depreciation reforms in lieu of the credit if repealed. In general, I hope that the thrust of these reforms provides greater flexibility to business so that in each case adequate capital recovery is assured. For the sake of the Administration-claimed "social priorities" and of the American economy in general, I would urge that this study be directed to meaningful depreciation reform so that inadequate capital recovery will be less of a drag on capital investment.

For it should be kept in mind that growing investment is crucial to rising productivity, that productivity gains are crucial to America's achieving "competitive labor," maintaining employment, reinvigorating our international competitiveness, and preserving the purchasing power of the dollar. Thus, increasing the efficiency of today's—and tomorrow's—employees requires improvements in the quantity and quality of capital goods. Yet this capital contribution to productivity is all too frequently overlooked. Indeed, in place of labor productivity, "capital productivity" may be the more apt phrase.

In summary investment and its corollary of economic development require incentive—the hope of profit and the fear of loss. In this competitive world, it is the hope of profit that explains why some areas and countries find lenders and investors eager to supply capital funds; it is the fear of loss that explains why others can't raise a dime. Profit and loss explain why capital sometimes takes flight when tax or labor or other aspects of the investment climate deteriorate. So let us never lose sight of the fact that if we are to have continued development, this nation must stop discouraging the expansion of capital formation.

Rising private investment is, then, the key to economic development. More money at work means more people at work. Profit-seeking investment is not government-to-government; it's people-to-people.

With rising capital formation we can go forward for America's greater economic development.

FIRE PREVENTION WEEK

Mr. PEARSON. Mr. President, this coming Sunday marks the beginning of National Fire Prevention Week. Running from October 5 through October 11, the purpose of this solemn observance is "to remind people of the headaches and heartaches resulting from destructive fire, and to urge them to observe firesafe practices."

Next week will signal the 48th international observance of what is probably the only "week" which began by simultaneous proclamation of the President of the United States and the Governor-General of Canada. In 1911, at the suggestion of the Fire Marshals Association of North America, October 9, the anniversary of the great fire of Chicago of 1871, was named as National Fire Prevention Day. On the later recommendation of a National Fire Protection Association Committee, President Harding extended Fire Prevention Week to a full week in 1922—a practice which has been faithfully followed ever since.

As Thomas Carlyle once observed:

Fire is the best of servants; but what a master.

Second only to the atom as a natural force with virtually unlimited potential for good and evil, fire has produced some of the worst disasters in the long history of man. The great fire of London in 1666 destroyed 13,000 buildings and the San

Francisco fire of 1906 did \$350 million in damage. The great Chicago fire of 1871, the holocaust we pause to remember next week, killed 250 persons and left 2,100 acres in smoldering ruins, destroying 17,430 buildings at a cost of about \$175 million.

And each day new evidence of fire's enormous destructive power is brought before us. Millions of acres of timber, thousands of lives, and billions of dollars worth of property have been needlessly lost because of man's carelessness with this primeval tool of civilization. Last year in my own State of Kansas, for example, 62 lives were snuffed out and \$11 million worth of property destroyed by fire. This represented an improvement over 1967 when 89 lives were lost, but the scope of the ravages caused by fire in this one State alone is still staggering.

Mr. President, in Kansas more than 2,000 paid firemen and 8,000 volunteers in 600 departments are on constant alert to protect the lives and property of our citizens. It is only fitting and just that we stop at least this once each year to remember the sacrifices they have made and are still making for the good and welfare of us all. The firemen of Kansas, and I am sure of every State, stand as being among our most dedicated public servants. We too often take them for granted, yet we owe them a debt of gratitude much larger than well-deserved words of praise can ever truly indicate.

The purpose of National Fire Prevention Week is not only to illustrate the dangers of being careless with fire or to remember with thanks the legion of firemen who protect us, it is also and primarily to prevent any further loss of life by fire. Last year in Kansas 184 cities won the Fireless Fire Prevention Week Award for their ability to forestall any fires in their areas during Fire Prevention Week. I hope this year their number will be doubled and that their vigilance will not slacken in the months to come.

Mr. President, in Kansas 10,000 fire prevention posters are being sent to the fire departments throughout the State for distribution. As a result of publicity and educational efforts such as these, many lives have already been saved. With everyone's full support, they will no doubt save many more next week and in the weeks that lie ahead.

It has long been said that an ounce of prevention is worth a pound of cure. In the field of fire prevention an ounce of forethought and caution is worth much more. What cure is there for a lost life? What cure is there for a million destroyed trees or the elimination of all the wildlife in an entire region. Obviously there is no cure at all for these and other disasters regularly caused by the misuse of fire.

Let us therefore embark upon National Fire Prevention Week with a prayer of thanks for our dedicated firemen and a vow to redouble our efforts to avoid the need for their services in the year ahead.

Mr. President, I ask unanimous consent that the official proclamation establishing Fire Prevention Week for the week beginning October 5 to be printed in the RECORD.

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

FIRE PREVENTION WEEK, 1969
(A proclamation by the President of the United States)

In an era when technological advancement has brought to our Nation an almost unbelievable array of conveniences and comforts, we still are plagued by the hazard of man's oldest implement for self-preservation—fire. The potential dangers associated with fire still present a real threat to human life and property.

The present level of our annual fire losses—more than 12,000 lives and over \$2 billion in property—is a measure of our failure to heed fire hazards and to correct them. It is essential that every citizen recognize that such losses can be avoided, but only by personal involvement, determination, and a realization that fires need not occur.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning October 5, 1969, as Fire Prevention Week.

I urge that we, as a Nation and as individual citizens, assume a positive approach to fire prevention through the support of community fire departments, State and local governments, the National Fire Protection Association, business and civic groups, and public organizations that are trying to combat the senseless waste of human life and national resources.

I also urge Federal agencies, through the Federal Fire Council, to initiate and carry on effective fire prevention programs not only for the protection of Government employees and property but also for the betterment of all segments of our society.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of August, in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-fourth.

LEO T. CROWLEY—ADVISER TO PRESIDENTS

Mr. NELSON, Mr. President, Leo T. Crowley, chairman of the Milwaukee Road railroad, and a resident of Madison, Wis., turned 80 years old last month.

It has been a few years since Leo Crowley spent much time in Washington. But back in the days surrounding World War II, he was a confidant and adviser to two of our great Presidents, Franklin D. Roosevelt and Harry S. Truman.

During those momentous days, Mr. Crowley served both his Presidents and his country in several important and sensitive capacities, earning the respect of his "bosses" and the gratitude of his country.

Even though he took on stupendous tasks, he performed well, even under the adverse circumstances of the days. His influence was great. Yet he was known as the "nearly anonymous" Crowley.

However, anonymous though he was then, he has been persuaded to tell his stories to the press. Laurence C. Eklund, Washington bureau chief of the Milwaukee Journal, deserves commendation for his carefully drawn series of the man more people should know more about.

I found this 10-part series extremely interesting and revealing of a portion of history which has to be studied and re-studied. I think my colleagues will find it worthy of their time.

I ask unanimous consent that this fine series be printed in the RECORD.

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

ADVISER TO PRESIDENTS: LEO CROWLEY TELLS OF HIS ERA OF INFLUENCE
(By Laurence C. Eklund)

Wisconsin's Leo Thomas Crowley turned 80 Friday, a fitting occasion finally to make known his own story of the powerful role he played in government and politics in World War II and the whole Roosevelt era.

Although he was one of the most influential men in Franklin D. Roosevelt's administration, Crowley, who lives in Madison, was known around Washington as the "nearly anonymous" Crowley.

This was not because of any innate shyness on the part of the tall, silver haired, mild mannered, soft spoken, somewhat austere Irishman who was born in Milton Junction, Wis., on Aug. 15, 1889.

It was due, rather, to a deliberate policy of remaining in the background on the part of an official who truly felt that a desire for publicity was a mistake for "fellows in government."

CULTIVATED OBSCURITY

While others basked in the radiance of headlines, Crowley cultivated obscurity.

That was one of the reasons why the still handsome bachelor remained a powerful behind the scenes presidential confidant, troubleshooter and adviser throughout the Roosevelt years, while some other New Deal functionaries created an enormous stir in the press, then faded back into oblivion.

Crowley held some of the biggest jobs in Washington, all at the same time: Head of the foreign economic administration, which included lend-lease; alien property custodian and chairman of the Federal Deposit Insurance Corp.

And for much of the time, too, he was board chairman of the Standard Gas & Electric Co., drawing a salary from the Chicago based holding company but not accepting government compensation.

The versatile Crowley served in the national government from 1933 to late in 1945, when he became board chairman of the Milwaukee road.

Now, a quarter of a century after the historic events he helped shape, Crowley, slimmed down from around 200 to 160 pounds, has broken his silence.

FOOTNOTES TO HISTORY

In several days of interviews in the board room of the Milwaukee road in Chicago, he gave hitherto unrevealed details of his break with President Harry S. Truman over Crowley's abrupt ending of lend-lease aid to America's allies after World War II ended in 1945.

In the course of these candid interviews Crowley provided some fascinating footnotes to history.

He told frankly why he preferred Roosevelt to Truman.

He revealed his differences with Truman over the latter's espousal of the peacetime draft.

He described how he arranged for the silencing of Father Charles E. Coughlin, the "radio priest" of Royal Oak, Mich.

He explained how it came to pass that a \$65 million power plant was located in Wisconsin.

"My sisters will give me hell for this," he mused as he contemplated the possible result of his talking to a reporter. "They don't want me to get involved in publicity."

Crowley was referring to his devoted sisters, Florence, Esther and Frances, who live in the family home in Madison and "take care" of him when he journeys there from Chicago each weekend in his private railroad car.

INTENDED FOR PRIESTHOOD

The strong sense of family that Leo Crowley has exhibited all his life was probably enhanced by the family responsibility thrust upon him at an early age. One of a brood of nine, he might have entered the priesthood as his immigrant parents wished had his father not died when he was 13. A major share of the burden of providing for the family fell upon him.

In Madison, to which the family had moved, he held a variety of jobs, first as a grocery delivery boy. Before he was 20 he was salesman for a paper and supply company, a profitable firm he soon headed. He bought stock in Madison's First National bank, made money in the stock market, became chairman of the First National and then president of the Bank of Wisconsin, also in Madison.

Crowley became an important lay figure in his church. For his part in building a new hospital, the pope made him a Knight of St. Gregory.

In Democratic politics, Crowley played a background role until the Roosevelt landslide of 1932 swept A. G. Schmedeman into the Wisconsin governor's chair. Crowley then became Schmedeman's chief adviser and looked upon by many as the "real governor."

Having headed a Wisconsin bank stabilization program, Crowley was able to counsel Roosevelt on the banking holiday that closed banks throughout the nation in 1933. Later that year, he was called upon to reorganize the farm credit administration in the midwest. In 1934 Roosevelt summoned him to Washington to take over chairmanship of the FDIC, the first of his many major assignments.

Why, many years later, did Crowley agree to tell his story as adviser to presidents?

One reason was his desire to set straight the record as he saw it, especially after being severely criticized by Truman in "Years of Decision," the first volume of the Truman memoirs. Crowley agreed that, without indulging in name calling, it was important to protect his own place in history.

SCANDAL FEARED

Persons in Washington who were close to the events firmly believe that Crowley's cutting off of lend-lease aid as foreign economic administrator averted what could have become one of the major scandals of American history.

The total of lend-lease spending under Crowley's direction, from September, 1943, to October, 1945, was about \$45 billion, at that time the biggest expenditure in history. Until then no one had been in charge of as much spending as the former Madison banker and grocery delivery boy.

According to the Library of Congress, lend-lease was cut off Aug. 21, 1945, just a week after the Japanese surrender.

[The date seems to strengthen Crowley's version of his difference with Truman, detailed in the next article, because the Truman account would indicate that lend-lease was cut off shortly after Germany surrendered.]

Truman charged that the sudden stoppage of lend-lease was clearly a case of policy making on the part of Crowley and Joseph C. Grew, acting secretary of state.

Crowley and Grew, Truman wrote, came into his office after a cabinet meeting on May 8, 1945, only hours after Germany's surrender, and said they had an important order in connection with lend-lease which President Roosevelt, who had died the month before, had approved but not signed.

It was an order authorizing the foreign economic administration and the state department to cut back the volume of lend-lease supplies when Germany surrendered.

"What they told me made good sense to me," Truman related. "With Germany out of the war lend-lease should be reduced. They asked me to sign it. I reached for my pen and, without reading the document, I signed it."

The storm broke almost at once, reported Truman, who accused Crowley of executing the order in an "unfortunate manner."

Truman charged that Crowley interpreted the order "literally" and placed an embargo on all shipments to Russia and to other European nations, "even to the extent of having some of the ships turned around and brought back to American ports for unloading."

"The British were hardest hit but the Russians interpreted the move as especially aimed at them," said Truman in his memoirs.

"Because we were furnishing Russia with immense quantities of food, clothing, arms and ammunition, this sudden and abrupt interruption of lend-lease aid naturally stirred up a hornet's nest in that country."

"The Russians complained about our unfriendly attitude. We had unwittingly given Stalin a point of contention which he would undoubtedly bring up every chance he got. Other European governments complained about being cut off too abruptly."

Truman said Crowley and Grew taught him the lesson early in his administration that he should always know what was in the documents he signed.

Truman also said he had learned from the experience that to be able to delegate authority safely one must "have people around him who can be trusted not to arrogate authority to themselves."

In a final dig at Crowley he reported that eventually he succeeded in surrounding himself with associates "who would not overstep the bounds of that delegated authority, and they were people I could trust."

ADVISER TO PRESIDENTS: DID TRUMAN PASS BUCK TO CROWLEY?

(By Laurence C. Eklund)

When Harry Truman was president, he used to have a plaque on his White House desk reading, "The buck stops here."

But Leo T. Crowley, the Wisconsin man who fell out with Truman over lend-lease at the end of World War II, intimates that Truman tried to pass the buck to him when Russia protested the abrupt cessation of lend-lease.

In an interview in which he broke his long silence on his experiences in Washington, Crowley denied charges in Truman's memoirs that Crowley was guilty of "policy making" in cutting off lend-lease in 1945.

MEANING CLEAR

Crowley, who is chairman of the Milwaukee road but still lives in Madison, did not refer to buck passing, but his version of that segment of history shows that that is clearly what he meant.

In his memoirs, Truman said that Crowley and Joseph C. Grew, acting secretary of state, got him to sign on May 8, 1945, the day Germany surrendered, a document ordering a reduction in lend-lease that had been approved by President Franklin D. Roosevelt, but not signed by him before his death Apr. 12.

WARNING BY F. D. R.

Truman claimed that Crowley cut off all lend-lease and did not just reduce it, thereby upsetting Russia. Crowley was head of the foreign aid administration, which had far-flung responsibilities, including lend-lease.

Crowley recalled in the interview that one of the last things Roosevelt told him before going to Warm Springs, Ga., where he died, was to be sure to shut off lend-lease before he (Crowley) left Washington. That was on Mar. 30, Roosevelt's last day in Washington.

"We were getting down to the tail end of the war and he didn't want me to let a lot of contracts run four or five years and not have any way of paying for them except out of our own country's pocketbook," said Crowley.

HOUSE ACTION CITED

"I felt Roosevelt was correct in wanting to shut off lend-lease. When I shut it off it stayed shut off despite Truman's complaining to me about the suddenness, and it was shut off before I left Washington, according to Roosevelt's wishes. Jimmy Byrnes (Secretary of State James F. Byrnes) supported me all the way through."

Crowley said Truman was in error in stating that the meeting with Crowley and Grew in the White House on May 8, 1945, had to do with the discontinuance of lend-lease.

The meeting, he said, was actually to review the procedure to be followed in the continuance of lend-lease to our allies in the prosecution of the second phase of the war—in the Pacific—the first phase having been in the European sector.

The intent to discontinue lend-lease aid summarily with the cessation of hostilities in Europe, said Crowley, was demonstrated by action in the house when the question of extension of the lend-lease act for a year beyond July 1, 1945, was being considered.

An amendment was then enacted specifically prohibiting the use of any lend-lease aid for postwar relief, rehabilitation or reconstruction.

After the termination of hostilities with Japan, on Aug. 14, Crowley said, he, Byrnes, and Fred M. Vinson, then director of the office of war mobilization, conferred with the president.

TAFT MOVE RECALLED

"We told him of the necessity of carrying out our commitments to congress as to the discontinuance of lend-lease aid at the end of the war," said Crowley.

"He had been the presiding officer of the senate at the time and he remembered distinctly that Sen. Robert A. Taft (R-Ohio) had offered the amendment to the lend-lease appropriation making it mandatory that lend-lease be discontinued at the end of the war."

"Truman further remembered Sen. Arthur A. Vandenberg (R-Mich.) explaining to the senate that he had gone into our policies regarding lend-lease very thoroughly and that he was satisfied that it was not the intent to use lend-lease for any purpose other than for what it was intended (for the war effort)."

Truman recalled all these matters at our conference and agreed with Byrnes, Vinson and myself that we should notify the various governments of the discontinuance of lend-lease and that I should contact our allies and so advise them before there was any publicity about it."

TRUMAN ACTED

But it was Truman who abruptly announced the shut-off of lend-lease, Crowley said, despite the fact that Crowley asked him to hold up the announcement until he could give the Russians advance notice.

"He called me up one afternoon and said he wanted to have a press conference the next morning and that he wanted to shut off lend-lease," Crowley recalled.

"He said he wanted me to have a statement prepared for him that night, and that I should get Joe Grew to help me and bring it up to his bedroom. I got hold of Joe Grew and we went over to the White House and worked all afternoon and all that evening getting the thing prepared."

"I tried to talk to Truman and told him he ought to hold it up until he first notified the Russian embassy what we were going to do, so they wouldn't be so shocked. And he said: 'No, I'm going to do it at a press conference tomorrow morning.' And he did. Then there was a little bit of a reaction."

BRITISH WANTED HOUSES

Commenting on the potential scandal of continuing lend-lease for nonmilitary purposes after the war, Crowley said the British wanted houses built to relieve a severe shortage.

"They didn't want houses that cost \$10,000," he said. "They wanted some that cost \$15,000. I wanted Truman to make the British pay for these houses (in a separate deal) after the war was over, but they didn't want to do that. They wanted them under lend-lease."

As to the Russians' disappointment alluded to in Truman's memoirs, Crowley insisted they understood very well that after the end of hostilities with Germany the continuation of lend-lease would be governed entirely by their contribution to the war against Japan.

He said Russia had not taken decisive action in the war against Japan.

ANSWERS TRUMAN

"This principle also had the full approval of the chiefs of staff, as did the application of the same principle to Great Britain," said Crowley.

Concerning Truman's charge that he was guilty of "policy making," he replied.

"I think the record shows adequately and completely that any action on my part relating to the treatment of our allies with regard to reduction and discontinuance of lend-lease was that required by me in accordance with the laws of the United States which made it solely a war measure."

A private letter to Crowley from Vandenberg on Aug. 25, 1945, backed him up:

"You have literally fulfilled your promises to congress in respect to lend-lease. As usual, your promises proved to be dependable. It is one more reason why I like to do 'business' with you."

Crowley left the government Oct. 15, 1945, resigning as alien property custodian and head of the Reconstruction Finance Corp., as well as foreign economic administrator.

He quit, Crowley said in the interview, because of the way Truman reacted to the cut-off of lend-lease and because of an earlier incident involving Gen. Charles de Gaulle of France.

Crowley recalled that when de Gaulle came to the United States before lend-lease was cut off, he (Crowley) asked Truman how much he was going to give the French leader.

"He said \$3 million," said Crowley. "I said: 'All right, just so we understand one another.' But de Gaulle was not satisfied with that and when he met with me he wanted more."

COMPLAINT FILED

Then, Crowley said, the French delegation went back to Truman, who agreed to "raise the ante and didn't tell me about it." He added that when he found out about this he complained to Truman:

"Let me tell you something. I'm staying here at a great sacrifice and the next time you do anything like that I'm going to quit you, and I'm going to quit you immediately."

Crowley said he felt Truman was not playing "quite square" with him by not backing him up, as Roosevelt had done.

"He was telling me one thing and doing another," said Crowley. "It was his fault. The truth of the matter was that he didn't understand lend-lease. He was going to be a great fellow, but he got a reaction from some of the liberals who wanted lend-lease used for foreign aid and industrial aid and things like that, like the Marshall plan."

In explaining his preference for Roosevelt over Truman, Crowley said:

"In the first place, Roosevelt, before becoming president, had done a lot of traveling and a lot of reading. He was quite a historian. . . . And he knew a lot of leaders (abroad), and their history and background.

"Truman didn't have the broad view of world affairs that Roosevelt had. Roosevelt was better equipped to deal with a broad range of world problems. He had confidence in me to do a job and let me go ahead without interference.

PRESIDENT A PROTECTOR

"I never saw Roosevelt but what I felt better about what I was doing. If he was short and snappy I knew he had worries on his mind. When I would say I was sorry to bring a new worry to him he would say: 'That's all right. I've got so many worries no one of them stays with me too long.'

"He had a great personal charm. He was a very intelligent man, and a very honest man. No matter how many people went to Roosevelt and disagreed with what I was doing he always told them that I was responsible to him and for them to leave me alone. You know, there was always a group in Washington that was always promoting something."

When he appointed Crowley foreign economic administrator Sept. 26, 1943, Roosevelt indicated what he felt about Crowley:

"Leo Crowley is one of the best administrators in or out of government."

[From the Milwaukee (Wis.) Journal, Aug. 19, 1969]

ADVISER TO PRESIDENTS: F. D. R. WARNED OF LONG TERM AID TO RUSSIA

(By Laurence C. Eklund)

About two weeks before he died, Franklin D. Roosevelt warned Leo T. Crowley, his foreign aid administrator, about making lend-lease commitments to Russia that might not be delivered until after the end of World War II.

In his last conversation with Roosevelt, on Mar. 30, 1945, Crowley said, the president told Crowley:

"You'll have to be careful of the commitments you make, because I have yet to get my first concession from Stalin."

Crowley, who broke with President Harry S. Truman and left the federal government after 12 years of service, recounted the warning in his long interview with this reporter.

STALIN "BUTTERED UP"

On some earlier occasions when Stalin and Roosevelt disagreed, Crowley reported, Roosevelt would "butter him up" by giving him a little more lend-lease.

"And he would disagree with his very good friend Winston Churchill and then he would kind of butter him up a little bit by giving him some additional lend-lease," Crowley added.

But that was before the United States called a halt to lend-lease when the hostilities ended.

"From my experience with Russia I found that country could not understand at all our own great generosity or our immense contribution to the war effort," Crowley related. "I'm thoroughly convinced that the Russians never understood the United States, or our motives in being so kind and generous in giving our allies lend-lease.

"The Russians couldn't understand a country that would do that for another country or any ally, and that we would want to do it for nothing.

"The Russians were hard people to deal with. When they came in to negotiate something we'd argue with them and they would go away and and when they came back again in three months they'd be in the same position they were earlier. There would be no change in their attitude."

Crowley, who negotiated personally with Stalin, recalled how he tried vainly to get Russia to agree to pay for materials on order that would be delivered two or three years after the war was over. He added:

"When I told her representatives that with the termination of the war with Japan we would expect Russia to pay for any materials or supplies that were then in the production stockpile they informed us that if they were required to pay for such mate-

rials they would have to screen them very carefully. They said they felt there would be very little of those materials they would want."

Crowley said Belgium was the only country that didn't owe the United States a debt when lend-lease was over, although he praised Holland's "very good" record, that country having given the United States seed potatoes when America was short of potatoes.

A \$11 BILLION DEBT

Crowley estimated that the Russians were indebted to us by about \$11 billion for lend-lease deliveries. He told this to James F. Byrnes, who throughout his service as Secretary of State from 1945 to 1947, called upon the Russians for repayment of the \$11 billion, but with no success.

Byrnes concluded that the Russians never intended to meet their obligations under lend-lease.

At his final meeting with Roosevelt, Crowley said, the president discussed with him a proposal made within the administration to lend Russia \$10 billion to further its economy.

"I told him that some members of congress had asked me about the proposal and had stated very emphatically their objections to it," Crowley said. I also told him that it would be a great mistake to give any consideration to a loan of that size until we knew something about what the peace objectives of Russia were going to be.

"He concurred very definitely in my views, repeating he had yet to obtain any concessions from Stalin. He related to me many other conversations he had with the marshal which I do not want to repeat at this time."

Treasury Secretary Henry Morgenthau, Jr., was identified later by Byrnes as the author of the \$10 billion loan proposal, made in a memorandum dated Jan. 10, 1945, addressed to Roosevelt but referred to the state department.

Morgenthau suggested the \$10 billion loan to Russia at 2% amortized over 25 years, to be used for the purchase of "reconstruction" goods in the United States, the amount to be repaid chiefly in strategic raw materials in short supply in the United States.

Byrnes noted that Morgenthau's proposal was submitted shortly after the Russians had requested that the United States extend them a credit of \$6 billion at a slightly higher interest rate of 2 3/4%.

"This would indicate that our treasury officials were not always the coldhearted, glassy eyed individuals all bankers are supposed to be," Byrnes observed caustically later.

Byrnes reported that when the memorandum was brought to his attention he had it placed in the "forgotten file," as he felt sure that Fred Vinson, the new secretary of the treasury, would not press it. Vinson didn't.

ADVISER TO PRESIDENTS: DRAFT BROUGHT ON NO. 2 RIFT WITH TRUMAN

(By Laurence C. Eklund)

Leo T. Crowley's second major difference with President Harry S. Truman, though not publicized at the time, was over the issue of the peacetime draft.

This occurred some months after Crowley, a holdover from the administration of Franklin D. Roosevelt, had been castigated by Truman for what Crowley considered his fully justified action in abruptly cutting off lend-lease aid to Russia and our other allies at the end of World War II.

At a cabinet meeting on Sept. 7, 1945, Crowley then the foreign economic administrator, reported that he had just returned from his native Wisconsin and that he was sure the country would be violently opposed to the continuation of any universal military training.

Truman just three weeks earlier had said he would ask congress to enact a peacetime military training program.

VIEW OF MIDWEST

Crowley represented the middle west as feeling that since the United States had just fought a war to end war, the adoption of universal training in peacetime would indicate a lack of faith in the United Nations as a peacekeeping organization.

To this Secretary of War Henry L. Stimson made what Navy Secretary James V. Forrestal called in his published diary, an "eloquent" rejoinder.

The substance of the war secretary's report was that the only way the United States could convince the world that the nation was serious about preventing another war was to show that America took its responsibilities in that direction with great seriousness.

Arguing against a peacetime draft, Crowley noted that the United States had the atomic bomb. To this Forrestal said history showed that countermeasures were developed against all new weapons.

Crowley insisted, however, that no matter how much the cabinet members felt they were right, the country would not support their position.

Stimson protested that he did not accept that statement of "cynicism" about the good sense and the willingness of the nation to accept its serious responsibilities.

What Forrestal did not record in his diary, however, Crowley recalled, was that Stimson then expressed the opinion that a lot of young men would be better off drafted into the army than if they remained in their own homes.

"I said that if that's a fact then God help our homes if the boys are better off in the military," said Crowley. "Then Truman brought up the question of giving the atomic bomb to Russia."

WHY GIVE BOMB?

Crowley said he expressed his indignation over proposing peacetime conscription at the same time that there was talk about giving the atomic bomb to Russia. He said Russia was the only country that could give us trouble in the next five years.

"If that is true, why give them the bomb?" he said he asked the cabinet.

Some time after the cabinet meeting, Crowley said Henry A. Wallace, then secretary of commerce, and Dean Acheson, at that time undersecretary of state, "indicated that they favored the idea" (of giving the bomb to Russia).

This statement by Crowley brought a denial from Wallace, who declared he had very complete notes of the meeting and that Crowley's memory "is utterly imperfect."

Crowley insisted in his interview with this reporter that he was satisfied Wallace did indicate he favored the idea. He described this as one of several "fallings out" he had with Wallace.

Crowley's report on the national attitude toward the draft was disturbing to the cabinet members representing the military services.

At the conclusion of the Sept. 7 cabinet meeting Truman asked Crowley to write him a memorandum on the peacetime draft, which Crowley provided on Sept. 26, as a strictly confidential paper for the president's own guidance.

In the unpublished document, which Crowley fished from his files in his Milwaukee road office in Chicago, he presented arguments which sound much like the arguments being made now in support of President Nixon's current attempt to end the draft.

"Peacetime conscription not only denies freedom by compulsory servitude, but weakens the moral and intellectual fiber of the nation when it can least afford it," Crowley warned Truman.

"It would take a precious year from the lives of our youth—a year away from home or from school, or both. It would interrupt or cause the abandonment of educational or vocational training in the so important formative, impressionable period of life."

Crowley was aiming at Secretary of War Stimson when he wrote:

"If a year of army life were as good for a boy of 18 as a year of home or school life, conscription would not be so bad. As a nation, we have thus far relied first of all on the home and the family for our moral strength and for building the moral strength of our youth.

"The family is the center of decent human living, the developer of character and higher aspirations, the source of better relationships between man and man which, we may hope, in the future will be reflected in the dealings of nation with nation.

"Whatever tends to weaken the family is a backward step in the development of our people.

"Can an equally good substitute for the family possibly be found in a military organization—an organization in which regimentation is an accepted necessity, which indoctrinates in the use of force, which provides training in the instruments of war and the destruction of life and property?"

The application of the results of research in pure science, said the Crowley memo, had made traditional armament and munitions of doubtful security indeed.

It pointed, he insisted, to the necessity of scientific leadership as the real basis of national security.

To this end Crowley recommended that a broad governmental program for scientific research and development be maintained. Such a program, he said, could also be fruitful for peaceful pursuits.

Crowley urged that in lieu of the draft, enlistment in the military and naval services be encouraged by all reasonable inducements and that the reserves and national guard receive all the help they needed to function as live, alert organizations.

While Crowley's views were privately stated, Sen. Robert M. La Follette, Jr. (Prog.-Wis.) publicly called Truman's draft proposal "a last ditch effort, against a back-draft of war, to force the undemocratic system of peacetime conscription on the people of this country."

Truman did not take Crowley's advice. A month after he received Crowley's memo he presented to a joint session of congress his plan for a peacetime draft which was eventually adopted. Truman told congress that the atomic bomb was of little value without an adequate army, air and naval force. Such a force, he argued, was necessary to "protect our shores, to overcome any attack and to enable us to move forward and direct the bomb against the enemy's own territory."

Crowley, who quit the Truman administration two months after that, said he still stood by every word of his 1945 draft memo.

"I don't think the peacetime draft has done our people any good the last 10 or 12 years," he said.

ADVISER TO PRESIDENTS: HANDLING ALIEN PROPERTY "NASTY" WARTIME JOB

(By Laurence C. Eklund)

On the night of the Japanese sneak attack on Pearl Harbor, Dec. 7, 1941, President Roosevelt called his favorite trouble shooter, Leo T. Crowley, to the White House and told him:

"Leo, I've got a job for you. The only scandal in Woodrow Wilson's administration was with the alien property custodian in World War I. I want you to take it on. Just as with your FDIC job, no one will interfere."

Recalling the incident more than 27 years later, Crowley said he reminded the president that he had seen a lot of good Germans

persecuted after World War I and he didn't want to see a repetition of that.

"You'll deal only with Germans, not with German-Americans, and no one will interfere with you," Roosevelt replied, anticipating the war with Germany which both countries declared four days later.

With that assurance Crowley took on what he called a "nasty job."

RECOMMENDED BY BYRNES

Crowley had been recommended for the alien property job by James F. Byrnes, the former South Carolina senator who was then a supreme court justice and later director of war mobilization, before President Truman made him secretary of state in 1945. Byrnes reminded Roosevelt that Crowley had proved to be an efficient administrator, had the respect of leaders in the world of business and finance, and that his relations with congress were excellent.

Roosevelt told Byrnes he also had been thinking of Crowley for the difficult assignment, but was concerned about loading more work on him. (Crowley was head of the Federal Deposit Insurance Corp.)

Crowley followed this country's foreign policy in handling the alien property and never got into a serious scrap. This time there was no scandal.

As custodian of alien property worth \$8.5 billion, Crowley was watchdog over enemy controlled businesses in the United States, foreign owned patents, copyrights and trademarks, and foreign ships.

He had control over such varied items as a mountainous pile of gold bars, a ranch, a Washington apartment house, a pile of scrap iron, a handful of diamonds, a bale of stocks and bonds.

Crowley made the patents available to United States firms, his fundamental idea being service. He advised Roosevelt in a letter that he "was letting small businessmen use patents to help convert plants to a sounder postwar world." The cost of using one of 40,000 enemy patents was only \$50.

These patents, Crowley said, included "some of the finest research achievements of modern science, particularly in the production of dyestuffs, plastics, pharmaceuticals and electrical goods."

EVEN ADJUSTABLE SLACKS

Among the patents seized were those for synthetic shellac, magnesium, the manufacture of aluminum, improved magnetic alloys, synthetic hormones and slacks for women that adjusted to various hip sizes.

Crowley took over the alien property job at a time Atty. Gen. Francis Biddle was contending it should be handled by the justice department and Treasury Secretary Henry Morgenthau, Jr., was insisting it should be done in his department.

MOST USEFUL MAN

By acting as the president's friction remover in this instance, Crowley was establishing what his close friend and White House adviser, Thomas G. (Tommy the cork) Corcoran, called a reputation as "the most useful man Roosevelt had around him."

"He was the best internal diplomatist of the entire Roosevelt administration," said Corcoran, the Washington lawyer who drafted much New Deal legislation.

"He was a catalyst, whose various titles meant nothing. He had a very personal relationship with Roosevelt, who trusted him for his adroitness in handling a delicate political situation."

Such a situation was involved in Crowley's peace making role in 1943 between Vice-president Henry A. Wallace and Commerce Secretary Jesse H. Jones, who were engaged in a name calling feud over control of wartime foreign buying.

They were quarrelling mainly over responsibilities for delays in stockpiling strategic materials.

Intervening with a snappy admonition to both, Roosevelt abolished Wallace's board of economic warfare, named Crowley head of a new office of economic warfare in July, 1943, and created the foreign economic administration (FEA) in its stead, in September, with Crowley as administrator. All foreign economic operations were thereafter centralized in FEA.

PRESIDENT IRKED

Concerning the open brawling between Wallace and Jones, Crowley recalled:

"Roosevelt sent for me one day in 1943 and said he was going to let them both go that night and send letters to their homes. He was tired of their disagreeing publicly. Wallace was against everything Jones wanted. Milo Perkins (executive director of the board of economic welfare) was aggressive against Jones."

In his letter to Wallace and Jones the president wrote:

"I am sure the unfortunate controversy and acrimonious public debate which has been carried on between you in the public press concerning the administration of foreign economic matters make it necessary in the public interest to transfer these matters to other hands.

"I am sure the American people understand that both of you have attempted to do your duty as you have seen it, but we must go forward without any further public debate as to matters which are now academic so far as winning the war is presently concerned."

NATIVE OF MILWAUKEE

The Milo R. Perkins referred to by Crowley was a native of Milwaukee, a 1916 Riverside high school graduate who had been put to work by Wallace, his fellow boomerang thrower, running the board of economic warfare.

Because of personnel problems, said Crowley, his assignment as foreign economic administrator was "the toughest job I had."

"There were two personnel groups quarreling with each other," he said. "The Jones group was always on my side and the Wallace group always against me.

"Jesse Jones had more courage and more sound imagination than any man I ever knew in government. I could go to him with a problem and we could sit down and talk it over. He'd understand it.

"I never had any difficulty with Wallace, but his people were just unsound. Perkins was one of them and I let Milo go."

TIP VIA PRESS

It was alleged at the time Roosevelt shook up the wartime economic board that Wallace was spurred on by Perkins in his disputes with Jones about jurisdiction in foreign economic affairs.

Crowley himself doesn't remember the details of how he got rid of Perkins but others recall that he did it in a manner they said was typical of him.

They recall that Crowley didn't want to fire Perkins if there was any likelihood Roosevelt would be annoyed, so, according to their recollection, he had a reporter ask the president at a regular press conference if Perkins was to remain in office.

ARRAY OF AGENCIES

When Roosevelt reportedly replied that Crowley would decide that, Crowley did indeed decide, and a few hours later Perkins was out.

Perkins, a skilled raiser of azaleas, was best known for his success in making the food stamp plan to get rid of agricultural surpluses really work. That was when his good friend Wallace was secretary of agriculture.

Crowley's new omnibus bureau consolidated the activities of 14 agencies with \$35 billion at his disposal. These included the export-import bank, United Nations relief and rehabilitation, lendlease and organiza-

tions set up to develop rubber and oil resources.

Crowley retained his chairmanship of the Federal Deposit Insurance Corp., through which he continued to hold sway over a large section of American banking. And he continued as alien property custodian.

The sole restriction placed on Crowley was that the functions of his office "shall be exercised in conformity with the foreign policy of the United States by the secretary of state."

Crowley was on the friendliest terms with Secretary of State Cordell Hull. Unlike Wallace and Perkins, he was willing to submit wholeheartedly to guidance in matters of foreign policy.

When Crowley quit government service in October, 1945, the FEA was abolished and its functions were divided among other government departments.

Before Roosevelt died he wrote Crowley that "in your hands it (FEA) became a powerful weapon against our enemies."

ADVISER TO PRESIDENTS; HOW RADIO PRIEST WAS MUZZLED

(By Laurence C. Eklund)

The silencing in 1942 of the Royal Oak (Mich.) radio priest, Father Charles E. Coughlin, a shrill critic of this country's involvement in World War II, was one of Leo T. Crowley's behind the scenes contributions to the war effort that was much appreciated by Franklin D. Roosevelt.

Coughlin, whose harrangues over the air and writings in his Social Justice magazine had stirred millions of devoted followers, was causing a lot of trouble for a harassed president trying to prosecute a war.

Going on the air in 1926, Coughlin had built the Shrine of the Little Flower with contributions from his listeners.

With the slogan "Roosevelt or ruin," Coughlin was an early supporter of Roosevelt, lavishing praise on the New Deal.

But when the president failed to move fast enough in pushing the priest's brand of populism, the slogan changed to "Roosevelt AND ruin" and soon he was calling the president a liar and an upstart.

In 1935 Coughlin founded the National Union for Social Justice, a new political party which ran a candidate for president in 1936, the year he founded his weekly paper, Social Justice.

OPPOSED WAR PREPARATIONS

In the late 1930s Coughlin opposed Roosevelt's stand on war preparations, but in 1940 he visited the president at Hyde Park. After the visit he broadcast on the radio in support of a Roosevelt third term.

But it wasn't long after Roosevelt's third term election that Coughlin resumed speeches and writings that were regarded as extremist. His talks became anti-British and, in the opinion of some administration leaders, a defense of Adolf Hitler's nazism. And he continued to be anti-Semitic.

"The United States and Great Britain are planning a postwar program," he told the nation the day after Pearl Harbor. "Vitaly related to that program is the confiscation of all raw materials in the world."

Great Britain, the controversial priest charged, had a propensity for deserting her allies "because of her unwillingness or inability to fight her own battles."

He demanded to know if Americans would bow down to totalitarian decrees restricting automobile use and their way of life or whether they would listen to reason and terminate a war which no one could win and which "Americans can lose completely."

BIDDLE ACTS

This exhorting of the nation to failure was too much for Atty. Gen. Francis Biddle, who on Apr. 14, 1942, asked Postmaster General Frank C. Walker, himself a Catholic, to

invoke the espionage act of 1917 to suspend the second class mail privileges of Social Justice.

Biddle relied on a section of the act barring false statements made with the intent to interfere with the operation of the military forces of the United States or to promote the success of its enemies. He denounced Social Justice as "traitorous" and as mirroring "the Axis propaganda line."

SPECIAL GRAND JURY

The attorney general asked a special District of Columbia grand jury to investigate whether Coughlin had falsely represented that his parents, Thomas J. and Amelia Coughlin of Royal Oak, were the owners of Social Justice.

The priest had disavowed any connection with the paper since 1940. Its editor was E. Perrin Schwartz, a former copy editor for The Milwaukee Journal.

Offering on Apr. 20 to waive immunity and testify before the grand jury, Coughlin insisted that he was not the publisher, editor or owner of Social Justice, but that he was willing to accept responsibility for its policies and content.

It was at this point that Crowley, who was noted for settling rows within the administration and cleaning up messes, stepped into the situation. A leading Catholic layman, he had impressive connections within the church hierarchy. He was on intimate terms with princes of the church.

ADVICE TO F. D. R.

In his recent extended interview with the writer, Crowley said he told Roosevelt: "You're making a martyr out of him (Coughlin). You brought him to Hyde Park, gave him publicity, and when he went against you you got mad at him."

Crowley said he told Biddle: "You don't prosecute men because you disagree with them."

He said he advised the attorney general he would accomplish more by not suing, and that it was sufficient for Coughlin to show his parents as owners of Social Justice.

Crowley recalled that he got hold of Archbishop Samuel Stritch of Chicago and Archbishop Edward Mooney of Detroit—both of whom later became cardinals—and told them that Coughlin should be silenced.

"I asked Archbishop Mooney to have him discontinue his paper and to keep him off the air," said Crowley. "After the archbishop talked to him he did go off the air and quit publishing his paper."

The priest's alternative was to be unfrocked.

Twenty years later Biddle who died last Oct. 8, praised Crowley for his skill and adroitness in handling the delicate matter.

When the question of Crowley calling on Archbishop Mooney in Detroit was discussed, Biddle said he wondered whether they should talk to the president about it first.

"On the contrary, Leo said, that would embarrass both of them," Biddle recalled later. He quoted Crowley as saying: "I'll bring it back tied up—then we can tell the president."

END OF FATHER COUGHLIN

"In three days he was again in my office, smiling and rubbing his hands at the success of his mission," Biddle continued. "The archbishop had agreed at once, without any stipulation or condition. He had sent for Father Coughlin and told him that he must stop all his propaganda on the air or by pen, for the duration (of the war)."

"Social Justice should not be published again. The archbishop wanted his word now. The alternative was being unfrocked. The priest agreed, and the archbishop confirmed the understanding in a brief letter to the president, FDR was delighted with the outcome. That was the end of Father Coughlin."

Crowley, who said he stopped the legal

proceedings Biddle was considering, recalled that Roosevelt called Biddle over to the White House after the Coughlin incident "and for six months I sat down with Francis and advised him."

No information was revealed at the time as to how Coughlin had been silenced, and a number of reporters for liberal newspapers were critical of Biddle for not pressing for an indictment.

It was generally agreed later within the administration that an indictment and a noisy, protracted trial raising the issue of freedom of speech and press would not have helped achieve the national unity necessary to the success of the war effort.

GAVE 1962 INTERVIEW

Having been consigned to oblivion, Coughlin remained fairly silent within his parish until 1962, when he emerged for an interview in which he insisted he was correct in opposing Roosevelt's wartime alliance with Russia and his aid to the Soviet Union.

In June, 1966, Coughlin's request for retirement as pastor of the Shrine of the Little Flower was granted by a new archbishop, John F. Dearden, to whom the priest had been "an obedient, good soldier."

There were also kind words that year from Richard Cardinal Cushing of Boston, who said Coughlin "was a man decades ahead of his time."

"Before priests and pastors lobbied openly for remedial social legislation, he besieged congress with the voice of the people," said Cushing on the occasion of the golden jubilee of the priest's ordination.

"I submit that our jubilarian made his commitment to the poor of America long before 'antipoverty' became the popular word of the social planners."

BELATED BLAST

And then, last December, angry words issued once again from Royal Oak. It was the Coughlin of yore, breathing fire and brimstone in a 54 page pamphlet, "Helmet and Sword," his first since Crowley had him silenced.

In it he denounced liberal priests, bishops and "loudmouthed clerical advocates of arson, riot and draft card burning."

He accused his superior, now John Cardinal Dearden, who is president of the National Conference of Catholic Bishops, of "under the table approval" of dissident priests whose aim he said was to "upset Pope Paul."

The irrepressible priest, a not so mellow 78, made a biting attack on churchmen who have criticized the church ban on birth control.

In a book being published this month, Coughlin claims that Pope Pius XII was politically blackmailed by secular governments to abandon his neutrality stance in World War II.

Coughlin hints that Roosevelt heavily pressured the pontiff to side with the Allies and that the pope and the president were responsible for the cancellation of his radio broadcasts.

ADVISER TO PRESIDENTS: STATE BANK PLAN MODEL FOR NATION

(By Laurence C. Eklund)

His success as chairman of the Wisconsin banking review board thrust Leo T. Crowley onto the national political scene for the first time as an adviser to President Franklin D. Roosevelt in the 1933 banking holiday.

Having made some money in the stock market in the lush 1920s, Crowley invested his surplus cash in two banks in Madison, to which he had moved as a youth from his native Milton Junction.

He bought stock in the First National bank, becoming chairman of its board, and he and his associates bought the Bank of Wisconsin, of which he became president.

At that time chain banking, a hot political issue, was sweeping the country, and when the Wisconsin Bankshares Corp. took over the two Madison banks, Crowley became a buyer of other state banks for the holding company.

NAMED BY LA FOLLETTE

Republican Gov. Philip F. La Follette, later head of the Progressive party, appointed Crowley to the state banking review board, which Crowley, with characteristic zeal, proceeded to organize as chairman in 1931-'32.

La Follette did this on the advice of Frank W. Kuehl, who as an assistant state attorney general and acting banking commissioner was stabilizing the banks of the state. Kuehl, now living in retirement in Washington after many years of government service, explained he recommended Crowley to La Follette because of his belief that the "chains" should be represented on the new board.

When Albert G. Schmedeman, a Democrat, was elected governor with Crowley's help in 1932 he dumped the critical problem of failing banks in Crowley's lap.

Crowley's work on the Wisconsin board attracted the attention of President-Elect Roosevelt, who had become acquainted with him four years earlier.

BECOME U.S. FORMULA

Even before Roosevelt was inaugurated for his first term he called Crowley to Washington to discuss the Wisconsin bank stabilization plan that had been used first at Cottage Grove.

This plan became the formula for reopening the nation's banks after the bank holiday.

Crowley and Schmedeman journeyed from Madison to Washington, which they found in a state of tension on the eve of Roosevelt's inauguration on Mar. 4, 1933.

It was cold and rainy in Washington, and panic was spreading among the people as the banking situation grew worse by the hour. With news of new bank failures in Pennsylvania and Massachusetts the tally of financial disaster was almost complete.

Excitement rose among the pre-inaugural crowds as hundreds of visitors pouring into the capital to celebrate a change of government learned to their dismay that banks "back home" had closed.

They pondered a bleak future as they realized their inability to cash checks for hotel expenses and return transportation.

CALLS FROM HOME

Soon after arriving in Washington on a Friday morning Crowley and Schmedeman began getting frantic telephone calls from Wisconsin bankers who had gone to Chicago to confer there with the president of the First National bank.

"They told us they didn't think they could go through Saturday because of heavy withdrawals," Crowley recalled. "The bankers holiday was scheduled for Monday, but they wanted the holiday for Saturday instead of Monday."

That night Crowley and Schmedeman met with Roosevelt in the Mayflower hotel. It was the night before the inauguration, and Crowley outlined the situation to the president-elect and gave his advice on the basis of his Wisconsin experience.

"When Roosevelt decided he was going to have a banking holiday he said to me: 'You go ahead and declare yours (for Wisconsin) for Saturday and I'll declare mine effective Monday morning,'" said Crowley. "When we got through with Roosevelt it was well past midnight."

WHERE'S O'MALLEY?

A resolution calling for closing the state's banks was drawn up. The next problem was to get hold of Lt. Gov. Thomas J. O'Malley who would have to sign it as acting governor.

"We telephoned the Milwaukee Sentinel and asked them to withhold the publication of the banking holiday resolution until we had things worked out," Crowley related.

"The announcement in the Sentinel, which went to press about 12 o'clock, was that there was to be a banking holiday in Wisconsin. We hadn't had the resolution drawn yet and we hadn't got hold of Tom O'Malley."

"It was along about 3 or 4 o'clock in the morning that O'Malley signed it in Madison. The Sentinel, which had held up its first edition, then published it. It closed the banks of Wisconsin all up tight, the day Roosevelt was inaugurated. The banks were normally open on Saturday."

MIDNIGHT MEETING

"After we got them closed we had to have some provision to get them open again because there was nothing in the law that gave any one the power to open them again."

Crowley returned to Milwaukee that Saturday night for a midnight meeting with state bankers at the First Wisconsin National bank. The understanding was that all the banks would be opened at the same time.

Schmedeman called a special session of the legislature and under the guidance of Crowley, who became known as "the real governor of Wisconsin," the necessary legislation was passed. It permitted the federal government to help.

On the night of Mar. 8 Roosevelt called a group of congressional leaders to the White House to make known the principal features of a banking bill his advisers had drafted.

Among other things, the measure provided that banks would reopen only under license by the treasury. Those deemed to be sound would reopen immediately. Those about which there was any question would be operated by conservators until it was determined that they were completely solvent. Hopelessly insolvent banks would be kept closed and liquidated.

SIGNED SAME DAY

The bill was introduced in the senate the next morning and passed with only seven dissenting votes. In the house, after 30 minutes of debate, the bill was passed by acclamation and at 8 p.m. it was signed by the president.

Soon after that Roosevelt, impressed by Crowley's banking savvy, instructed Henry Morgenthau, jr., then governor of the farm credit administration (FCA), to have Crowley reorganize farm credit practices in the midwest, working out of the FCA St. Paul office. He became co-ordinator of the federal land bank at St. Paul.

"Soon we were loaning a million dollars a day to keep the heads of the farmers above water," said Crowley.

FOE OF RED TAPE

Some months later, at a dinner in Milton Junction honoring Crowley as a native son, James B. Borden, then Wisconsin budget director, was telling the home town folks the secret of Crowley's success.

"Red tape means nothing to him in his young life," said Borden, a native of neighboring Milton. "He does things, then tells you to find the way out of it."

Borden suspected on that occasion that it was Crowley's forthright manner that put him at the side of the president.

As an outgrowth of his participation in the banking holiday Crowley in March, 1934, was named by the president to be chairman of the Federal Deposit Insurance Corp. (FDIC). He succeeded Walter J. Cummings, the first chairman of FDIC, who went to Chicago after a brief tenure to be president of the Continental Illinois Bank & Trust Co.

Crowley saw FDIC develop to a point where it insured 60 million bank accounts in the United States up to \$5,000. He sold the American people confidence in their banking system.

When he left FDIC at the end of his government service it was possible for the agency to liquidate and reimburse the government the money it invested, plus a dividend of 22%, "and return every penny of the assess-

ments that the banks paid to the corporation."

On Oct. 15, 1945, a number of senators rose in the senate to pay tributes to Crowley on his retirement after nearly 12 years as FDIC chairman. The following were typical:

Robert M. La Follette, Jr. (Prog.-Wis.)—"Mr. Crowley has rendered most distinguished public service. His administration as chairman of the board has been an outstanding success. He took charge of that very important responsibility against a background of the bank failures which swept over the country in the depth of the great depression. He has administered the corporation without regard to political consideration and in the public interest."

Sen. Arthur H. Vandenberg (R-Mich.)—"He has rendered one of the great, outstanding services of our time to the American people. When FDIC was initiated it was looked upon as something of an experiment. In many quarters it was viewed with skepticism. This great adventure was launched not only in the midst of considerable doubt in the government itself but at a time when the fiscal pulse of the American people was beating very low.

"I hesitate to think what might have happened in this country in the late thirties if there had not been popular reliance upon this underlying warranty that the bank accounts in America were safe, and that can never be dissociated from the utterly impartial, always courageous management Mr. Crowley gave this great institution."

ADVISER TO PRESIDENTS: STATE PROGRESSIVES
WOODED BY F. D. R.

(By Laurence C. Eklund)

As a Democratic workhorse Leo T. Crowley first became involved in local party affairs in Madison in 1924.

He strove vainly to help carry Wisconsin for Alfred E. Smith for president in 1928, when his analysis of the mid-west vote won the respect of Franklin D. Roosevelt.

Crowley told in an interview how at about that time he first met Roosevelt in his New York apartment after FDR had decided to run for governor of New York.

Crowley said Roosevelt told him to keep in touch with him and write him a letter, but to send the letter to his New York apartment, not to Albany. He quoted Roosevelt as telling him then that he was going to try to get the nomination for president in 1932 and that then "we'll be together."

A CLOSE FRIENDSHIP

It was the beginning of a close friendship. From that time on, Crowley served as Roosevelt's political eyes and ears for Wisconsin, Minnesota, North and South Dakota and Iowa.

The Roosevelt landslide of 1932 swept Crowley's friend Albert G. Schmedeman, into office as governor of Wisconsin, along with some inexperienced legislative candidates whom Crowley had induced to run to help fill out the Democratic ticket.

Crowley recalled that Schmedeman told him, somewhat plaintively: "You got me elected now you've got to help me."

"I told him I didn't want a job with a title . . . I would help all I could," Crowley said. "He was taking up pieces of legislation and asking what I thought. Al was taking it easy and I was working harder."

RICHELIEU OF WISCONSIN

Although he had no official title, Crowley became Schmedeman's chief adviser. His quietly effective organizing ability gave him virtual control of the state.

His office was wherever he could find a desk and a chair. Probably the busiest man in the state capitol, he had up to 200 callers a day.

During that period Crowley was known as the Richelieu of the Schmedeman administration.

The reference, inspired perhaps as much by envy as by admiration, was to the brilliant Cardinal Armand-Jean du Plessis de Richelieu, who for 18 years in the 17th century was the absolute ruler of France under Louis XIII.

CLOSE TO PROGRESSIVES

When he moved onto the national scene, Crowley became one of the busiest men in Washington, too. Roosevelt sought his political advice, as well as piling one job after another on him.

Crowley was the president's liaison with the La Follette Progressives, causing some disgruntlement among old line Wisconsin Democrats who weefully described themselves as "stepchildren" of the New Deal.

Both Roosevelt and Crowley liked Sen. Robert M. La Follette, Jr. Crowley regarded him and James F. Byrnes of South Carolina as the two most capable senators he knew.

In 1938, at Roosevelt's suggestion, Crowley tried to get the La Follettes not to run a candidate for senator on the Progressive ticket against Democratic Sen. F. Ryan Duffy, whom Roosevelt also liked.

The strategy didn't work, however. The Progressives insisted on running their own candidate, Herman L. Ekern. As a result the liberal vote was split, and Duffy was defeated by Republican Alexander Wiley.

When Roosevelt was running for a third term in 1940 Crowley, again on behalf of the president, arranged for support of Progressives in the state-wide elections if they would support the president.

BARGAIN MADE

The bargain was agreed upon and Roosevelt carried the state while Sen. La Follette, who was later to reject the president as a warmonger, won re-election by a wide margin.

A businessman, Crowley spoke the language of businessmen, many of whom were Republicans, and they often co-operated with him. He was on good terms with congressmen of both parties.

As one prominent Republican congressman commented at the time: "We can do business with Crowley because he's a man of his word."

One of the leading Republicans in congress with whom Crowley got along well was Sen. Arthur H. Vandenberg of Michigan.

LETTER TO VANDENBERG

"Vandenberg and I were very close," said Crowley. "In 1934, when he was up for re-election in Michigan, which was one of the worst states in the country for banking trouble, he wrote me a letter and asked me some questions about the Federal Deposit Insurance Corp.

"Answering his letter, I thanked him for his interest. He had helped me on banking legislation and he used my letter for publicity purposes in his campaign."

Asked whether he objected to that, Crowley replied: "Well, it made some of the Democrats mad."

Crowley related how he recommended Henry A. Wallace to Roosevelt as his vice-presidential running mate in 1940 even though personally he would have preferred Byrnes.

He said Roosevelt asked for his analysis of a list of possible running mates.

Included were Wallace, Supreme Court Justice William O. Douglas, Sen. Burton K. Wheeler of Montana, House Speaker William B. Bankhead of Alabama and Jesse H. Jones, who ran the Reconstruction Finance Corp.

Crowley said he was analyzing the names that afternoon when Roosevelt called again and said: "Come over and let's go over those names again."

He said he told the president that apparently what he was worried about was that he had had trouble with Vice-President John Nance Garner and was looking for a running mate who "would be satisfied with being

vice-president, would not be running for president and would carry out your policies."

"I said: 'I think the one fellow that can help you would be Henry Wallace,'" said Crowley. "I said he could help as a running mate and would co-operate with Roosevelt."

Roosevelt then told Crowley he would give Robert E. Hannegan—the Missourian who was later to become Democratic national chairman and then postmaster general—a letter stating that either Wallace or Douglas would be satisfactory as his running mate.

SENT TO CHICAGO

This was a week before the national convention in Chicago, and Roosevelt asked Crowley to go to Chicago "to work with the fellows and nominate Henry Wallace if you can."

"I told him that I thought Jimmy Byrnes would make the best vice-president for him," said Crowley. "He said: 'No, the colored question would come up and we'd have a lot of trouble with it and I think it would be better to take Wallace.'"

[Byrnes later said Roosevelt told him he should be nominated for vice-president, but that Roosevelt did not believe that the Democratic party was yet ready to accept any man from the deep south, either for president or vice-president. Byrnes said Roosevelt told him he did not agree with those who doubted the wisdom of nominating Byrnes because of his religious history. Byrnes was baptized a Catholic but later became a Protestant.]

Later, in Chicago, Hannegan met with Roosevelt and afterward reported to Crowley that Byrnes would be satisfactory as a running mate.

SCOOP FOR JOURNAL

"When the president called me that Sunday night at the Blackstone hotel after dinner I said: 'I understand you approved Jimmy Byrnes.' He said: 'No, and you and I understand one another. You know who I approved. I haven't told anyone else about Wallace, but I told you. What I said still goes.'"

Crowley recalled telling J. Donald Ferguson of The Milwaukee Journal that Wallace would be nominated for vice-president, and that Ferguson had a "scoop" on the story well in advance of Wallace's nomination.

Ferguson, in a story dated July 16, 1940, that carried the headline "Wallace Likely Prospect for Place on Ticket," referred to the then secretary of agriculture as a "dark horse" candidate.

The Journal man, later to become president and editor of The Journal, reported that Roosevelt had brought Wallace to Washington from Iowa as a Progressive Republican and that New Deal insiders were saying frankly that without the Progressive Republican votes there weren't enough Democratic votes in the country to win in 1940.

ADVISER TO PRESIDENTS: RAILROAD WANTED
POWDER PLANT NEAR BARABOO AND GOT IT
THERE

(By Laurence C. Eklund)

The political support of Leo T. Crowley, a man of great behind the scenes influence throughout the more than three terms Franklin D. Roosevelt served as president, was not a matter that was taken lightly by members of congress—from other states as well as Crowley's native Wisconsin.

Although Republican Rep. William H. Stevenson of Onalaska was permitted to make the announcement in 1941, it was well known within the Wisconsin congressional delegation that it was Crowley who saw to it that the \$65 million Badger Ordnance Works was located in the Merrimac-Baraboo area in Sauk county.

There was some puzzlement over selection of a 7,400 acre site that included some of the state's richest farm lands.

In a somewhat querulous front page editorial The Milwaukee Journal demanded to

know why such rich agricultural land was selected for the big powder plant rather than sandy wastes available in other parts of the state.

RAILROAD WANTED IT

Twenty-eight years later, Crowley has provided the answer. It was because the North Western road wanted it there.

Crowley recalled that Rowland L. (Bud) Williams, then president of North Western, told him he wanted to have the powder plant located in the Merrimac-Baraboo area because his railroad ran there and he wanted to get some business for the railroad.

"I said yes I'd help him," Crowley recalled. "I went with him to the office of Gen. George C. Marshall, then army chief of staff, introduced him, and told George what he wanted.

"It was Marshall as chief of staff who made the decision. Then they had to get all that farm land out there and I got two, three or four real estate men to get options for them on several farms. They finally worked it out."

MILWAUKEE ROAD AIDED, TOO

Crowley noted with satisfaction that the Milwaukee road, which went to Sauk City, also got some business through the selection of the site.

He hastened to make it clear that there was no conflict of interest involved on his part, since this decision was made in 1941 and he didn't become chairman of the Milwaukee road until December, 1945.

"It was to the advantage of the army to have transportation available," he said. "The two railroads got some business and the local people got employment."

Crowley explained that then, as now, it was customary to let the local congressman make the announcement. Thus Stevenson, the Republican whose district included Sauk county at the time, was generously allowed to announce a decision made by a Democratic administration.

In making public details provided him by the war department, Stevenson said on Oct. 29, 1941:

"This particular location was selected because it is ideal for powder works. The area is well drained and sandy and it is hidden away.

"It is considered desirable to have plants of this type established away from the sea coast and away from large centers of population."

SOIL FOR "CAMOUFLAGE"

And to blunt the criticism of conservationists and Sauk prairie farmers, Capt. W. G. Hoar of the army quartermaster's division explained that the good soil of the Sauk prairie was vital to the proposed plant because of "landscaping for camouflage."

Hoar contended that the sandy soil of Adams or Juneau counties, which had been proposed as alternative sites, would not be suitable because rich topsoil would have to be hauled in and that would be more expensive than buying good land in the first place.

Back in 1941 war department officials would admit only that the Sauk county site was selected because of "influence from the White House." That influence was exerted by Crowley through his good friend, the then occupant of the White House.

At the time the decision was made Merrimac, a quiet village on the Wisconsin river, claimed a population of 234 persons.

The North Western road ran through there, all right, but none of its trains stopped there. The nearest station was Lodi, seven miles away, to which two trains ran daily. Other rail connections were through Baraboo.

REVITALIZED IN 1966

Reflecting on his key role in the selection of the site, Crowley was pleased to point out that "they're still operating up there, and the plant has been revitalized."

The plant, operated for the army by Olin Mathieson Chemical Corp., was reactivated in 1966 as Vietnam war demands for am-

munition stepped up. It employs about 4,800 persons.

Lester Muckerman, an Olin Mathieson, official at East Alton, Ill., recently estimated the plant's value at \$350 million. There are about 1,500 buildings scattered around the property, many of them separated by walls of earth and stone to minimize the danger of an explosion.

A \$300 million, five year improvement plan for the sprawling explosives works has been drafted. This includes a new acid plant estimated to cost upward of \$5 million. After more than a quarter of a century of use, the army says that much of the plant needs improvement.

The facility is the only plant in the country producing ball powder for the M-16 rifle, the basic weapon being used by today's soldier.

The plant would be needed for a long time even if the Vietnam war were to end immediately, according to John M. Troyer, civilian executive assistant to Lt. Col. Russell O. Enoch, the plant commander.

ADVISED TO PRESIDENTS: BIG MAN IN GOVERNMENT IS IN BIG BUSINESS, TOO

(By Laurence C. Eklund)

Usually when the Milwaukee road passenger train pulls out of Chicago for Madison, Wis., at 6:30 p.m. Thursday, the private railroad car of Leo T. Crowley, the road's board chairman, is attached.

That would be Leo Crowley, the successful man of business as contrasted with Leo Crowley, the powerful government official of the Roosevelt era, going home for the weekend.

In the private railroad car, a symbol of past elegance that is still used by a number of railroad executives, Crowley is served dinner by O'Neil Barnes, a former Milwaukee road dining car steward.

He will spend the weekend in his 12 room Tudor style home overlooking Lake Wingra, often in the company of adoring nieces and nephews, children and grandchildren of his late brothers and a sister.

Then on Monday morning, after being served breakfast by one of his three sisters who keeps house for him, he returns to his private car for the journey back to Chicago, beginning at 7:15.

DIRECTLY TO OFFICE

When the train arrives in Chicago, he goes directly to his office—room 874 in the Union Station building.

Crowley also uses the private car for business trips. He used it in Milwaukee to entertain luncheon guests when he was pushing construction of the new Union station as an adornment to a revitalized downtown Milwaukee to be used by both the Milwaukee and North Western roads.

With the exception of the years 1963 to 1966 Crowley has been chairman of the Milwaukee road board since December, 1945.

He has spent much of his time in recent years working toward consummation of the \$1.5 billion merger of the Milwaukee and North Western roads into a 22,000 mile rail network serving the midwest and northwest.

Final arguments were held before the interstate commerce commission a month ago on the recommendation of ICC examiner Henry C. Darmstadter that the merger be approved, to effect savings of about \$31.7 million a year.

DECISION DUE SOON

A decision is expected late this year or early in 1970.

The North Western and the Milwaukee since early in 1965 have had a merger agreement under which the former would acquire the latter. But recently the North Western has suggested the "possible" purchase of its assets by the Milwaukee, which would reverse the roles of buyer and seller.

Crowley's aggregate income as chairman of the board, director and chairman of the

Milwaukee road's finance committee is \$81,400 a year. He is also chairman of the Wisconsin Public Service Corp., with offices in Milwaukee and public utility operations in various areas of the state.

Crowley, who neither smokes nor drinks because of his sinuses, has spent much of his life living in hotels—the Mayflower in Washington and the Blackstone in Chicago.

In Chicago he is chauffeured between the Blackstone and his office by a Milwaukee road employe in a rented Ford.

LONG A MILLIONAIRE

He gets to his office at about 7:45 a.m. and the chauffeur usually picks him up at about 3:30 or 3:45 p.m. to return him to his hotel, where he goes to bed at 11 p.m. and gets up at 5 a.m.

Yellowing newspaper clippings of 25 years ago described Crowley as a millionaire then. It seems safe to assume that he has not become impoverished since.

Crowley, who took over the support of a large family after the death of his father in 1913, had no comment on his current financial condition, except to say: "Well, hope I leave my sisters comfortable."

Because of his responsibilities as head of a large family Crowley was unable to continue his formal education beyond graduation from Madison Central high school. Later in life, however, he was made an honorary member of Phi Beta Kappa, denoting scholarship, and he managed to pick up half a dozen honorary doctorates from Catholic colleges and universities.

As a result of what he conceded later were "good breaks," Crowley made money in the stock markets, because a prominent Madison banker and by the time he became chairman of the Federal Deposit Insurance Corp. in 1934 was rated a prosperous businessman.

In 1939 Crowley accepted the lucrative job of chairman of the board of the "billion dollar" Standard Gas & Electric Co., a Chicago utility holding company from which he eventually drew a salary of \$75,000 a year.

F. D. R. APPROVED

Time magazine noted at the time that Crowley took the utility job "with apparent White House approval," a fact that he confirmed in the interview with this reporter.

"President Roosevelt let me operate as chairman of Standard Gas all those years I was in government," said Crowley.

There was no conflict of interest problem at all, he said, in the fact that he was getting \$75,000 a year from Standard Gas when he was not taking a government salary.

When it was suggested that it was remarkable that he was able to handle the Standard Gas job for seven years while holding down several big government jobs, Crowley explained that the company moved personnel from New York to Washington "who were capable of doing things."

PROPERTY TO LIQUIDATE

It was during that period, he said, that the utility holding company act was passed. Under the act big utility holding companies had to liquidate. Standard Gas had property all over the country which it had to liquidate.

"What we were doing was cleaning up the balance sheets to comply with the law," he said.

Crowley tried vainly to resign from the government three times. In 1939, he said, he told Roosevelt he had accepted appointment to the board of directors of the Pan American Airways and the board of Lehman Corp., the Wall Street investment firm. He quoted Roosevelt as telling him:

"No, you go back and you retire from both those boards and tell them I don't want you to quit. We may be involved in a war and I want you to stay with me until after the war. After the war I'll help you with anything you want."

So Crowley resigned from the boards of Pan American and the Lehman Corp.

Later, when he tried to resign from the

government during the war, Roosevelt told him: "I cannot accept your resignation. You are doing a fine job, and I want you to remain until Germany is eliminated from the war."

His top pay with the government, before he joined Standard Gas & Electric, was \$15,000 a year, which was then the salary of a cabinet officer. He was a "nothing a year" man the rest of the time.

When Crowley joined the Milwaukee road as board chairman in 1945 it had just returned to private control after 10 years of receivership.

At other times in a busy business career Crowley served on the board of the Philadelphia Co., the National Guardian Life Insurance Co. and the Fox River Paper Co.

His family once owned the Goodall-Crowley Oil Co. at Beloit. He owned an interest in radio station WEMP in Milwaukee until he sold it in 1944 to the late Mrs. Robert M. La Follette, Jr.

LET'S NOT FENCE IN THE FOUNDATIONS

Mr. GOODELL. Mr. President, far-reaching changes in the tax treatment of private foundations have been proposed in the Tax Reform Act of 1969 (H.R. 13270). Some of these proposals have already generated a tremendous amount of public concern over their possible effect upon the vital contributions which foundations make to the scientific, intellectual, cultural, and social development of this country. In my opinion, this concern is quite rightly justified.

The subject of foundation tax reform is a complex and delicate one. It must be deliberated in depth and with great care. In order to continue to bring to the attention of Senators some of the fundamental issues involved, I ask unanimous consent to have printed in the RECORD an informative article entitled "Let's Not Fence in the Foundations," written by Irwin Ross, and published in Fortune for June 1969, prior to the passage of H.R. 13270 in the House.

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

LET'S NOT FENCE IN THE FOUNDATIONS (By Irwin Ross)

The men who run America's foundations are worried. As custodians of great wealth wielding unique influence in the nation's life, they have long been accustomed to criticism. But in recent months the critical chorus has grown louder, and foundations now face the likelihood of legislation that could conceivably limit their freedom and scope of operation.

Two unrelated developments have contributed to the change in atmosphere. On the one hand, foundations have become increasingly involved with the controversial problems of poverty and race relations, provoking charges that they have become "too arrogant, too biased, and too political," as one syndicated columnist put it. Even the usually friendly New York Times has urged foundations to adopt "informal rules" to avoid "the role of a shadow government . . . not responsive to the electorate." At the same time, the growing public clamor for tax reform has focused attention on the financial malpractices of some foundations, stirring demands for drastic curbs on the way they do business.

In February, the House Ways and Means Committee, which initiates all tax legislation, began a long-heralded investigation of

foundations. During several days of public hearings, committee members heard every criticism, prejudice, and vagrant anxiety currently voiced about foundations: they were blatant tax dodges; they had surreptitiously invaded the political arena; they spent their money frivolously, often rewarding favored friends; they squandered vast sums abroad. Some witnesses proposed reforms or punitive measures. For example, Representative Wright Patman of Texas, who has been conducting a personal crusade against foundations since 1961, called for a 20 percent tax on gross income and capital gains.

Sensing the mood, top Treasury officials in the Nixon Administration presented an elaborate packet of proposals, largely dealing with the financial operations of foundations. With this in hand, Chairman Wilbur Mills took the Ways and Means Committee into closed session at the end of April to write the legislation it will ultimately report out to the House.

Some reform is undoubtedly needed; but the danger is that in its zeal to eliminate abuses of the tax-exemption privilege, Congress could end up crippling a valuable American institution. If the basic philanthropic operations of foundations should be curtailed or hampered, we would all be impoverished. At their best, foundations are a great source of initiative and experiment that enormously enrich the life of nations. In the U.S. they have developed into a powerful force for social change and human betterment—a third force, as it were, independent of business and government.

Even the most reputable foundations are guilty of lapses of judgment, but the broadest possible freedom of action is an essential ingredient of their successes. They have often provided the seed money, the risk capital for enterprises that neither government nor business has the interest or capacity to pursue. Sixty years ago a mere \$18,000 grant from the Carnegie Foundation for the Advancement of Teaching launched Abraham Flexner's famous survey of the deplorable state of American medical education, a study that ultimately led to a revolutionary upgrading of standards. In its early years, the Rockefeller Foundation sponsored a public-health program that eliminated the debilitating disease of hookworm from the southern U.S. and from fifty-two foreign countries.

In recent years, sizable financial support from the Ford and Rockefeller foundations has led to the development of new strains of rice and wheat that will soon enormously increase the food supply in all of Asia. Birth-control programs in the populous countries of the underdeveloped world would never have got beyond the pilot stage without foundation support. Here in the U.S., grants from the Taconic, Ford, and Carnegie foundations financed preschool projects for impoverished youngsters that became the inspiration for Head Start, the most popular undertaking of the federal antipoverty program. In the early Sixties, Ford Foundation money backed a new concept in legal aid for the poor—neighborhood law offices in slum areas—which flowered into a large-scale program under government auspices a few years later. The examples can be multiplied endlessly.

DOLL LIBRARIES AND STATUS SYMBOLS

Much of the current criticism tends to overlook the fact that foundations come in various shapes and sizes. There are an enormous number of them. According to the Foundation Center, the chief information-gathering agency in the field, some 22,000 foundations were in existence at the end of 1968, and they are proliferating rapidly; in 1950 there were only 1,000, and last year alone 2,000 new ones were created. (The Internal Revenue Service counted more than 30,000 foundations in 1968, but some of the

organizations it regards as foundations either lack endowments or do not make grants.)

The best known are the large general-purpose foundations, which support a wide range of causes. More numerous, and generally much smaller, are the special-purpose foundations (some of which are quite narrow in their interests, like the International Doll Library Foundation of Greenwich, Connecticut). There is a separate category of over 200 community foundations, whose endowments come from a variety of local donors and whose income is distributed almost exclusively to local charities. About 2,000 company foundations constitute still another group; these are sponsored by corporations and serve as conduits for corporate charity. Though they are nominally independent, their trustees are mostly officers of the sponsoring corporation.

Well over half of all the foundations are small family operations, most of which lack a professional staff or even an office; they are usually run by the donor, his children, and perhaps the family lawyer. Indeed, about two-thirds of all foundations are very small, with assets of less than \$200,000 or annual grants totally under \$10,000. In many instances they are little more than status symbols for their donors—or tax shelters.

All told, U.S. foundations control \$20.5 billion in assets and give out about \$1.5 billion a year. Nearly 18 percent of those assets are held by the Ford Foundation, which is by far the biggest, with well over \$3 billion in its portfolio. The Rockefeller Foundation comes next with \$890 million, then the Duke Endowment with \$629 million. Twenty-six foundations have assets of over \$100 million each, fifteen of over \$200 million. Fewer than 7 percent of the foundations control 90 percent of all assets.

All of which amounts to a vast agglomeration of wealth, pledged to public charity but under the exclusive control of private individuals—a condition that inevitably inspires concern and sometimes controversy about the way foundations spend their money. The concern is natural, but some of the criticism is eccentric, not to say absurd. Thus Patman, testifying before the Ways and Means Committee, decried the vast sums the Rockefeller Foundation spent abroad in 1966: "The Foundation spent \$1,693,762 in India, but not a penny in Arkansas. It spent half a million dollars in Uganda, but not a cent in Idaho. It spent more than \$1 million in Nigeria, but it could bring itself to spend only \$1,000 in Kentucky."

Patman was equally outraged about grants made by the Bollingen Foundation, a Mellon creation, which operates one of the most distinguished cultural programs in the country. He accused Bollingen of specializing in "the development of trivia into nonsense," because it financed such research projects as "the phenomenology of the Iranian religious consciousness" and "the origin and significance of the decorative types of medieval tombstones in Bosnia and Herzegovina." Said Patman: "If the Mellons are more interested in medieval tombstones than in Pittsburgh poverty . . . that is the Mellons' affair. However, there is no obligation upon either the Congress or the American citizenry to give the Mellons tax-free dollars to finance their exotic interests."

EDUCATION OR SEVERANCE PAY?

Congressmen had considerably more reason to be disturbed by some recent activities of the Ford Foundation. Notable were the voter-registration drive that Ford financed during the 1967 mayoralty election in Cleveland, and the "travel and study" awards totaling \$131,069 that it gave to eight aides of Robert Kennedy after the assassination last year. McGeorge Bundy, president of the foundation, spent four and a half hours before the Ways and Means Committee, in the course of which he defended both actions.

The grants to the Kennedy staff stirred

up more of a fuss in Washington than any other single foundation action. Bundy explained that he and his colleagues wanted "to help" the men after the tragedy. The most appropriate method seemed to be to invite several of them to participate in the foundation's long-established "travel and study" award program, a species of advanced adult education "designed to develop the abilities and educational backgrounds of persons . . . in fields in which the foundation works." The generous grants covered both compensation and travel expense. For example, Jerry Bruno, who had been in charge of planning Kennedy's campaign trips, was given \$19,450 for a seven-month study of "methods and styles of national political campaigning in the United States." Bundy stressed that all eight individuals were eminently qualified for the awards, which had previously been given to more than 2,000 people.

He had trouble, however, in persuading the committee that with the Kennedy men the project was truly educational. "It looks to me like severance pay," remarked Representative John W. Byrnes of Wisconsin, the ranking Republican member. Other Washington observers suspected political favoritism—an unwarranted assumption, given the coolness of Bundy's relations with the late Senator—or what *Life* called "intra-Establishment clubbiness." Bundy was clearly vulnerable when he invoked com-

passionate reasons, rather than resting his case on the personal qualifications of the recipients. The Ford Foundation had not previously been in the business of personal charity.

In the Cleveland episode, the foundation had made a \$175,000 grant to the local chapter of CORE. A portion of the money went for a voter-registration drive in three Negro slums—at a time when a Negro candidate, Carl Stokes, was running for mayor. In many quarters, the foundation grant was held to be partly responsible for Stoke's victory. Bundy's congressional inquisitors wanted to know whether this venture was educational or political, and if political was it not inappropriate for a tax-exempt foundation?

Bundy defended voter-registration drives as a proper field for foundation activity, since they extended democratic participation. He insisted that the foundation had never examined the connection between a particular registration campaign and the election of a specific individual; he thought that would be improper. The fact was, however, that in Cleveland the registration drive could only redound to the advantage of one candidate. Once again, Bundy was vulnerable. The foundation would have been beyond criticism had it also financed voter registration drives in three white areas of Cleveland.

The testimony before the committee left a number of Congressmen with the feeling that foundations had too much freedom. "The area of foundations' activities is almost

wide open," Representative Byrnes later complained. "Anything that anybody can conceive of can be said to be educational. We must develop some guidelines."

The Internal Revenue Code already lays down some guidelines, but they are quite vague. Oddly, the code does not even define foundations, but lumps them with a variety of other tax-exempt organizations that also receive tax-deductible gifts. (According to the generally accepted definition, a foundation is a private, nonprofit organization with a principal fund and its own board, whose money comes from private sources—not from public appeals—and which makes grants to outside organizations; it may also operate certain programs of its own.) The code specifies that foundations and other philanthropic organizations can have the privilege of tax exemption if they engage in religious, charitable, scientific, literary, or educational activities, as well as "testing for public safety" and "the prevention of cruelty to children or animals." They are prohibited from participating in election campaigns and from devoting a "substantial part" of their activities to lobbying—defined in the code as "carrying on propaganda, or otherwise attempting, to influence legislation." There is no definition of "substantial," however. The Internal Revenue Service makes such a determination on an ad hoc basis, depending on the amount of lobbying and the volume of other activities.

THE 15 RICHEST

	1968 (in millions)			Date founded	Founder	Major fields of endeavor
	Assets	Income	Grants and projects			
Ford Foundation.....	\$3,659	\$155	\$256.8	1936	Henry Ford and Edsel Ford (Ford Motor Co.)	Nearly all-inclusive.
Rockefeller Foundation.....	890	32.8	38.9	1913	John D. Rockefeller (oil).....	Education, medicine, art, agriculture, urban problems.
Duke Endowment.....	629	21.5	18.1	1934	James B. Duke (tobacco).....	Education, hospitals, religion, child care—in North and South Carolina.
Lilly Endowment.....	580	6.8	6.9	1937	Lilly family (drugs).....	Community services and urban problems, education, religion, primarily in Indiana.
Pew Memorial Trust (1967 figures).....	437	5.8	4.9	1957	Pew family (oil).....	Education, hospitals, religion, various conservative causes.
W. K. Kellogg Foundation.....	435	14.2	13.6	1930	W. K. Kellogg (cereals).....	Medicine, agriculture, and education.
Charles Stewart Mott Foundation.....	413	15.6	12.2	1926	Charles Stewart Mott (G.M.).....	Education, health, and welfare programs, primarily in Flint, Mich.
Kresge Foundation.....	353	7.4	4.8	1924	Sebastian S. Kresge (variety stores).....	Education, hospitals and medical programs, arts, and humanities.
John A. Hartford Foundation.....	352	16.6	15.5	1929	John A. Hartford (A & P).....	Medical research.
Carnegie Corporation of New York.....	335	13.4	12.6	1911	Andrew Carnegie (steel).....	Education.
Alfred P. Sloan Foundation.....	329	13.7	15.9	1934	Alfred P. Sloan (G.M.).....	Science, engineering, higher education, management.
Longwood Foundation.....	226	7.0	3.9	1937	Pierre S. du Pont (E. I. duPont de Nemours & Co.).....	Operation of Longwood Gardens, a park in Pennsylvania; hospitals and education.
Rockefeller Brothers Fund.....	222	8.4	7.8	1940	Rockefeller family (oil).....	Agencies in the New York area, and special worldwide projects.
Moody Foundation.....	200	6.6	4.7	1942	Mr. and Mrs. William L. Moody Jr. (cotton, banking, and insurance).....	Education and medicine in Texas.
Houston Endowment (1967 figures).....	193	14.3	3.1	1937	Mr. and Mrs. Jesse H. Jones (investments).....	Education, primarily in Texas.

The regulations also define "scientific," "educational," and "charitable" pursuits in broad terms. Educational activity is not necessarily confined to the classroom, and an organization is regarded as educational even if it advocates a particular viewpoint, "so long as it presents a sufficiently full and fair exposition of the pertinent facts." If it merely presents unsupported opinion, its tax exemption can be revoked—as happened to H. L. Hunt's Life Line Foundation, whose principal activity was sponsoring conservative radio commentators. As for "charitable" activities, the Internal Revenue definition comprehends the normal meaning of the term as well as efforts "to lessen neighborhood tensions," to defend human and civil rights, and "to combat community deterioration and juvenile delinquency."

The difficulty about "tightening up" the language of the law, as Byrnes and some others have suggested, is that the exercise can easily become too restrictive; in an effort to eliminate one undesirable type of activity, the prohibition may be drawn too sweepingly. The problem is illustrated by one of

the Treasury's recent proposals. Responding to the criticism of the Ford Foundation's voter-registration drive in Cleveland, the Treasury has included in its recent proposals a recommendation that foundations be forbidden to engage in any activity "directly connected" with an election campaign, no matter how educational in purpose. Such a blanket prohibition would encompass all voter-registration drives, as well as all educational programs about the issues and panel discussions involving the candidates. In other words, foundations would have to refrain from doing what even radio and television stations are free to do under the "equal time" law.

Once the government starts to regulate the program area of foundations, it is impossible to foresee where the process will end. Congressman Patman would presumably prohibit sending foundation money abroad; he would also, one gathers, like to eliminate "trivia" and "nonsense" from the cultural programs of foundations. How could that be done without setting up some national arbiter to judge the worthiness of a symphony orchestra or an art museum?

One of the great virtues of foundations is the broad charter now permitted them in law. Their freedom is essential to their leavening role in society. They must be free to pioneer, to aid projects that lack majority support, indeed to aid unpopular causes. Without such freedom there would be little point in maintaining private philanthropy.

A ROLE GOVERNMENT CANNOT PERFORM

It can be argued, of course, that there is something undemocratic in the institution of the private, tax-exempt foundation. Here is a vast reservoir of wealth in private hands, answerable to no one but self-perpetuating boards of trustees. It is wealth that was privately created, of course, but inasmuch as estate duties range up to 77 percent, most of it would have gone to the federal Treasury had it not been donated for philanthropy. Even the few foundations, like Carnegie and Rockefeller, that were created before the estate tax was passed in 1916, have benefited from tax exemption on their portfolio earnings. The retention of these enormous funds in private hands can be justified only on the grounds that there is a role

for private philanthropy that government cannot perform. That role is to help provide a dispersion of initiative in society, a multiplicity of sources furnishing support for all the winds of doctrine.

In the end the best justification of foundations is their results. Sometimes the results are so evident as to be beyond argument, as with the Rockefeller Foundation's malaria-control program or with the Ford Foundation's generous grants (\$180 million to date) that kept educational television alive through many lean years. Even the science of rocketry and space exploration, on which the government has since spent billions, was dependent in its early years on the slender but sturdy reed of foundation support. From 1934 to 1941, the Daniel and Florence Guggenheim Foundation was the sole backer of Dr. Robert H. Goddard, whose pioneering discoveries in rocketry laid the basis for the new technology. During most of Goddard's life, the U.S. Government lacked the vision to finance him.

THEY CAN'T STAY ABOVE THE BATTLE

It often takes years, of course, before the final outcome of foundation efforts becomes apparent. In the interim the test is whether foundations are undertaking worth while projects that otherwise might not get done. The relevance and utility of foundation programs are nowhere more apparent than in their current involvement with the problems of poverty, race relations, and urban conflict. In the early 1960's the large foundations spend timidly, if at all, in these areas; civil-rights groups, for example, received their only wholehearted support from such small foundations as Taconic, New World, Field, and the Stern Family Fund. In the last few years, however, the large foundations have devoted an increasing proportion of their resources to urgent domestic problems. As a group, in 1968 American foundations spent an estimated \$270 million—more than 18 percent of their total outlays—on programs dealing with poverty and race relations.

The Rockefeller Foundation, for example, now commits about a quarter of its funds to its Equal Opportunity Program, which aids Mexican-Americans and Indians as well as Negroes in combating discrimination and developing more effective leadership. The Ford Foundation, which last year allocated over \$62 million to its National Affairs division—about 30 percent of its total program—is all over the lot, helping to finance the rehabilitation of the Bedford-Stuyvesant slum area in Brooklyn, supporting income-maintenance experiments among the poor, trying to encourage reform in big-city police departments, educating the clergy in urban problems, aiding a church-sponsored effort to combat prejudicial radio and TV broadcasts. Ford also gave sizable assistance to a host of minority-group organizations, including \$1,050,000 for the National Urban League's "New Thrust" an effort to develop stable new leadership in Negro slums.

The foundations' increasing involvement in the domestic arena underscores a simple fact that was less apparent in the past: to be effective a foundation must make choices, take sides, support causes. In such matters as population control, civil rights, and school decentralization, a foundation takes sides by merely funding a project. To be above the battle is to be irrelevant; to be relevant is to risk controversy.

Is there any danger or impropriety in such one-sided involvement on the part of organizations spending quasi-public funds? There might be if U.S. foundations were a monolithic force. But in fact, they vary greatly in their interests, preferences, political predilections. Right now, to be sure, some of the biggest and most visible foundations—Ford, Rockefeller, Carnegie, Danforth—are liberal in their orientation. But there are also some large conservative foundations,

such as the Pew Memorial Trust in Philadelphia, the Lilly Endowment in Indianapolis, and the Moody Foundation in Galveston. Pew, for example, supports such conservative organizations as the Christian Anti-Communism Crusade, Americans for the Competitive Enterprise System, the Freedoms Foundation at Valley Forge, and Harding College of Searcy, Arkansas. None of the conservative foundations happen to be activist as the liberal ones, but this condition need not be immutable.

The great strength of American foundations is the availability of an organization for every taste and cause. The Charles Stewart Mott Foundation, whose \$413 million assets make it seventh in the national ranking, is almost exclusively devoted to the interests of Flint, Michigan, where the ninety-three-year-old benefactor makes his home. Mott's youngest son, Stewart, runs an entirely different kind of foundation in New York called Spectemur Agendo ("Let us be known by our deeds"). It supports programs that Stewart Mott proudly proclaims to be "unconventional, controversial, and unacceptable to traditional sources of foundation support." Among them: abortion education, and research in extrasensory perception.

The great freedom and discretionary powers of foundations obviously lead to error at times. While further legal restraints on programs would be unwise, foundations might profitably rethink some of their own guidelines to prevent such blunders as those Ford made with the Kennedy staff awards and the Cleveland voter-registration drive. Significantly, help in this task may come from the recently established Commission on Foundations and Private Philanthropy, a panel of distinguished private citizens headed by Peter G. Peterson, chairman of the board of Bell & Howell Co. The commission is planning to study the matter of appropriate guidelines regarding "controversial public policy issues," as well as the whole range of foundation activities, in the hope of warding off ill-considered regulatory action.

WHERE ACTION IS NEEDED

This plea for freedom embraces only the program area of foundations. But when it comes to the financial operations of foundations, there is a compelling case for tighter government regulations. In this area many abuses have occurred, particularly on the part of small foundations. The more blatant abuses can be reached by present law, which requires that a foundation "be operated exclusively" for religious, educational, charitable, or the other permissible purposes. If a foundation is used for the palpable benefit of the people who control it, the Internal Revenue Service can crack down by revoking its tax exemption.

A celebrated example is the Public Health Foundation for Cancer and Blood Pressure Research, which was controlled by the late James H. Rand Jr. of Remington Rand. In 1965 Internal Revenue alleged that Rand sold his Connecticut home to the foundation for over \$231,000—for use as a research center—and then continued to live in it. The foundation also paid the household expenses and the salaries of Rand's servants. Nearly \$160,000 was spent to construct a research laboratory in Stuart, Florida, to grow vegetables free of toxic insecticides; the vegetables were consumed by Rand and his friends. Three grants totaling \$650,000 went to close personal associates of Rand, for use in the "advancement of human welfare"—apparently their own. The I.R.S. claimed a tax deficiency of \$11,700,000 plus a \$5,900,000 fraud penalty. Rand is dead; the foundation, whose assets don't cover the tax bill, is litigating the matter and prefers not to talk about the entire unpleasantness.

In general, however, the Internal Revenue Code has been too permissive. It does not deal, for example, with the conflict between

public and private interest that arises when a foundation is used to preserve control of a corporation. This is commonly done by giving the foundation a controlling bloc of stock, much of which would otherwise have to be sold off to pay estate taxes. Thus the W. K. Kellogg Foundation controls Kellogg Co., through a trust that owns about 51 percent of the cereal company's shares; the John A. Hartford Foundation exercised effective control of A & P; the Lilly Endowment, which owns 23 percent of Eli Lilly & Co., ensures that the Lilly family is not likely to be dislodged from control.¹

When a foundation is used in this way, its public obligations do not necessarily get slighted. The Ford Foundation, which originally held 88 percent of the motor company's stock (in nonvoting shares), has over the years given away \$3.4 billion, a sum nearly as great as its current assets. The foundation regularly distributes capital gains as well as income and in every one of the last ten years has cut into its principal to finance its programs. And its holding of Ford stock has dwindled to 25.5 percent.

Philanthropy does get shortchanged, however, when the corporate stock that a foundation holds for control purposes produces meager income. For instance, the Lilly Endowment keeps virtually all its assets in low-yielding Eli Lilly stock (whose market value, however, has advanced an average 23 percent in the last five years); last year the endowment's disbursements amounted to only 1.2 percent of its assets. The James Irvine Foundation owns over 53 percent of Irvine Co., which in turn owns a sixth of the land in Orange County, California; it gets only enough income to make charitable contributions of about \$1 million a year—though it modestly values its assets at \$123 million.

HOW TO MAKE THEM GIVE AWAY MORE

To get at this kind of problem, the Treasury has proposed certain changes in the law. One would make it mandatory for a foundation to distribute every year a sum equal to at least 5 percent of its investment assets. (A two-year transition period would be allowed.) Another would require foundations to divest themselves of controlling interests in businesses within five years of receiving such control. Ownership of 35 percent of the voting shares of a corporation would be regarded as conclusive evidence of control; if the equity was between 20 percent and 35 percent, Internal Revenue would examine the facts and determine whether effective control existed. The public interest would assuredly be served by both these measures. Many more millions would be available for philanthropy if foundations with low-yield assets were forced to spend principal or to diversify holdings.

REPORTING TO THE PUBLIC

The other main area of foundation abuse is in what is called "self-dealing"—sales and purchases, loans and borrowings between the foundation and the people who control it. Under present law, if a foundation rents property or makes a loan to its donor, it must charge a "reasonable" rent or interest rate, and demand "adequate" security. The regulation, however, is very difficult to police. In a case cited by the Treasury, the William Clay Jr. Foundation of Fort Worth lent money to a corporation controlled by its donor. The only security for the loan was an oral promise that the corporation would execute a mortgage on its real estate if the

¹ The Henry Luce Foundation has owned 12.1 percent of the common stock of Time Inc., publishers of Fortune, since the death of Henry R. Luce in 1967. In 1968 the foundation had assets of \$87 million and distributed almost \$2 million to various projects in public affairs, education, religion, and the Far East.

foundation so requested. The foundation never made such a request. The I.R.S. challenged the transaction on the grounds that there was no adequate security: if the corporation went bankrupt, its promise to produce a mortgage would be valueless. The court, however, held that the security was adequate. In another case, a donor contributed \$65,000 to a foundation; the money was then lent back to the donor's firm. He was thus in the neat position of getting an income-tax deduction for money invested in his own business.

The Treasury advocates abolishing all self-dealing. It also recommends that mandatory civil penalties be imposed on foundation personnel who violate any of the proposed new rules, and that the federal courts be given the authority to ensure that foundation assets are used for charitable purposes. Among other things, the courts could fine or remove trustees, rescind transactions, and divest assets. Up to now, the states alone have had this power, and only a dozen states have enforcement programs.

One significant area is not covered by the Treasury proposals: the obligation of foundations to let the public know what they are doing. Most of the large foundations feel this obligation keenly; they publish detailed annual reports and answer almost any question about their activities. But many foundations are amazingly hostile to public scrutiny. The Pew Memorial Trust, the fifth-largest foundation in the country, publishes no report and will not even receive reporters. In rebutting Fortune's inquiries, Allyn R. Bell Jr., who runs the trust, referred blandly to "our announced desire of remaining anonymous as far as possible."

Of the 22,000 U.S. foundations, only 140 publish annual reports; for the rest, the only publicly available information about their finances and program is to be found in the skimpy data that they file with Internal Revenue. Form 990A lists the recipient of each grant and the money involved, but provides no descriptive data about the purposes for which the funds were expended. The paucity of information from the great majority of the foundations is scandalous, but is unlikely to be rectified until they are legally required to produce annual reports.

The abuses of foundations can readily be eliminated, without prejudicing the integrity of the institution. The institution deserves to be preserved, whatever the loss of revenue to the Treasury from estate taxes. The full record shows that foundations are worth their price.

RECESS

Mr. KENNEDY. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. That would leave morning business still open when the Senate convenes, if the Senate convenes prior to 2 p.m.

Mr. KENNEDY. That is correct.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senate stands in recess subject to the call of the Chair. The morning business will remain open if the Senate convenes prior to 2 p.m., at which time the unfinished business will be laid before the Senate by unanimous consent, under the previous order.

Thereupon (at 1 o'clock and 1 minute p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 2 p.m., when called to order by the Presiding Officer (Mr. GRAVEL in the chair).

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

The PRESIDING OFFICER. Under the order of yesterday, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 2917) to improve the health and safety conditions of persons working in the coal mining industry of the United States.

The PRESIDING OFFICER. Under the unanimous consent agreement, the roll will be called to ascertain the presence of a quorum.

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.

Mr. JAVITS. Mr. President, will the Senator withhold that momentarily? We are doing a little talking.

The PRESIDING OFFICER (Mr. HUGHES in the chair). It is nondebatable.

Is there objection to the request of the Senator from Massachusetts?

Mr. RANDOLPH. Mr. President, the coal mining industry is today a highly—

The PRESIDING OFFICER. The unanimous-consent agreement is in effect. The agreement will have to be called off, or the Senator will have to have a quorum call.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the unanimous consent agreement be waived so that—

Mr. BYRD of West Virginia. Mr. President, we cannot hear the unanimous consent request.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the unanimous consent agreement be waived so that we might permit discussion and debate on the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, reserving the right to object, I am willing to waive the unanimous consent agreement for the purpose of hearing Senator RANDOLPH, but I am not willing to vacate the unanimous consent agreement at this time. If that is understood, I have no objection.

Mr. KENNEDY. Mr. President, I withdraw that request.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

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

[No. 103 Leg.]

Aiken	Dominick	Kennedy
Allen	Eagleton	Long
Allott	Ellender	Mathias
Anderson	Ervin	McCarthy
Baker	Fannin	McClellan
Bayh	Fong	McGee
Bellmon	Fulbright	McGovern
Bennett	Goldwater	McIntyre
Bible	Goodell	Metcalf
Boggs	Gore	Miller
Brooke	Gravel	Mondale
Burdick	Griffin	Montoya
Byrd, Va.	Gurney	Moss
Byrd, W. Va.	Hansen	Mundt
Cannon	Harris	Murphy
Case	Hartke	Muskie
Church	Holland	Nelson
Cook	Hollings	Packwood
Cooper	Hruska	Pastore
Cotton	Hughes	Pearson
Cranston	Inouye	Pell
Curtis	Jackson	Percy
Dodd	Javits	Prouty
Dole	Jordan, N.C.	Proxmire

Randolph	Sparkman	Tydings
Ribicoff	Spong	Williams, N.J.
Russell	Stennis	Williams, Del.
Saxbe	Stevens	Yarborough
Schweiker	Symington	Young, N. Dak.
Scott	Talmadge	Young, Ohio
Smith, Maine	Thurmond	
Smith, Ill.	Tower	

Mr. KENNEDY. I announce that the Senator from Mississippi (Mr. EASTLAND) and the Senator from Montana (Mr. MANSFIELD) are necessarily absent.

I also announce that the Senator from Michigan (Mr. HART) and the Senator from Washington (Mr. MAGNUSON) are absent on official business.

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. HATFIELD) and the Senator from Idaho (Mr. JORDAN) are necessarily absent.

The PRESIDING OFFICER (Mr. HUGHES in the chair). A quorum is present.

Under the unanimous consent agreement, the Senator from New Jersey has 45 minutes and the Senator from Vermont has 45 minutes.

Who yields time?

Mr. WILLIAMS of New Jersey. Mr. President, I yield such time as he may desire to the Senator from West Virginia (Mr. RANDOLPH).

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

THE COAL MINER IS A RESPONSIBLE CITIZEN

Mr. RANDOLPH. Mr. President, I am grateful for the cooperation of my able colleagues, the chairman of the Committee on Labor and Public Welfare (Mr. YARBOROUGH) and the chairman of the Subcommittee on Labor, the Senator from New Jersey (Mr. WILLIAMS).

Mr. President, the coal mining industry is today a highly mechanical complex, depending to a large degree on the well-developed American ability to provide machines and technology. The men who mine coal no longer have picks and shovels as their basic tools. In the larger underground mines, as in all surface mining, they use huge machines, to tear the coal from the earth, and do their work in superventilated atmosphere.

Therefore, Mr. President, in our consideration of this important legislation to improve the working conditions of miners the Labor Subcommittee and the Committee on Labor and Public Welfare of necessity have been compelled to devote much attention to matters of a technical nature.

But, at the same time, we have had firmly fixed in our minds the realization that what we were doing was for the benefit of the men who work in one of our most hazardous industries. While we dealt with technology as the way to improve health and safety conditions in the mines, the men who will benefit were also discussed, both in Congress and by interested parties elsewhere.

The technical aspects of this legislation have been explored at length, and they will be given further close scrutiny, as we consider the measure in this forum.

Today, Mr. President, I would like to discuss the men of the mining industry without whom the industry could not operate despite its status as one of the most highly mechanized in the United States.

I have known miners all of my life. I grew up in a mining State, the one it is

my privilege to represent in the Senate together with my distinguished colleague (Mr. BYRD). So, over the years, I have become acquainted with men who mine coal. Hence, I am familiar with their attitudes, their problems, their philosophy and their way of life.

I know the miners of West Virginia and other mining regions as stalwart citizens of their communities, subject to the same fears and joys, the same ambitions and desires as people elsewhere. In short, miners are not as different from nonmining citizens as they are sometimes depicted.

They are proud of their trade as miners, one that requires considerable skill and judgment, particularly in today's sophisticated mines.

I regret considerably that miners too frequently have been pictured as other than what they are. Too often they have been "discovered" in the hills and valleys where the coal lies and where miners live and work. Then, unfortunately, miners as a class—as a whole—are presented as ignorant, exploited semihumans lacking in intelligence or the simplest amenities of civilized life.

This, Mr. President, is not true. It is not fair. It is a cruel misrepresentation of a strong and independent segment of our society.

I am becoming disgusted at hearing and I am tired of seeing the coal miners of West Virginia depicted as men who live like animals. That is not true at all. More men work at coal mining in West Virginia than at any other job, and coal mining is one of the highest-paid industrial jobs in the Nation. In January of this year, the average American miner was earning \$170.95 a week, more than \$4 an hour. His average income was higher than are those of either steelworkers or workers in automobile manufacturing.

Could people earning the wages of today's miner be seriously labeled impoverished, downtrodden, and enslaved? That is not true, either. I do not believe that a man receiving \$170 a week in wages has to live in a shack if he does not want to live in such an abode.

Of course, we should strive to improve the safety of working and occupational health conditions of the coal miner, just as we should do for every American worker. Yes, more must be done to protect the miner from accidents at work; certainly we must see that his health is protected more adequately. The legislation now before us is designed to help us reach these objectives.

I hope that we can approach this legislation in an objective manner, free from excessive emotionalism. I hope we shall see less of the overdrawn image of today's coal miner as ignorant, oppressed and exploited. Some of them are under some mining conditions; the vast majority are not.

Today's miner is a highly skilled workman. His days of sporadic employment are long gone. Coal mines today are working mostly at full capacity, many of them on long-term contracts that will provide steady jobs for years. There is, in fact, an actual shortage of miners in some coal-producing regions.

Some people would have us believe that the miner lives in squalor in a com-

pany town and owes his soul to the company store. The truth is that the stereotyped coal camp of the past is near extinction. Miners now own cars, freeing them to live where they want and to commute to their jobs. Many miners live in and enjoy the advantages of cities and towns while continuing to work in mines.

There are, of course, still slums in mining areas just as there are slums in every highly industrialized region of the world. This is undesirable, and great strides are being made to eliminate both the urban and rural slums. But there are few of the "company towns" of the 19th-century and early 20th-century type. Miners own their own homes, and in some cases where housing is inadequate, coal companies are helping to promote the development of new towns and new housing developments.

There are still a few company stores, but they exist only as a convenience for miners who work in isolated areas. And they must compete with the supermarkets and stores of the nearest town for the business of today's very mobile miner.

In West Virginia, for example, there are two new housing developments where miners have the first choice of buying their own homes. These developments were produced under the sponsorship of a coal company which brought together the bankers, builders, and others required to make the projects successful.

To obtain a profile of today's miner and his way of life, I asked earlier this year that a survey be made in West Virginia. I wanted to find out how many stories I had been hearing about miners might be true. I wanted hard, statistical facts to determine if my own observations were faulty or if I, and millions of others, were being misled.

A large mine in northern West Virginia, employing 367 men, was selected for the survey. The average employee is 42 years old and has been a miner for over 16 years. That the traditions of coal mining are strong is shown in the fact that 182 of this mine's workers came from coal mining families.

Only six of them live in company-owned housing, and this is by their own choice.

Here are some of the other findings of the survey taken at that 367-man mine: 63 percent of the miners own their own homes; 98.6 percent have indoor bathrooms; 95 percent own automobiles; 97 percent own television sets; 92 percent have a telephone at home; 99 percent have indoor plumbing; 78 percent go away from home on vacations.

The 367 employees at the Survey mine have 859 children, 137 of them in high school and 25 in college. Only 41 of the children of high school age, among the 859, dropped out before finishing high school. These figures certainly dispel any notion that the children of miners are denied an education.

The average wage at this mine should be more than \$8,500 this year, not including overtime.

Mr. President, many of the old notions about miners are today generalizations contrary to the facts.

Whatever may have been the case in the past is not true in any substantial degree in 1969. It is easier for some people

to promote better working conditions for miners—a totally worthwhile objective on its merits—if they are depicted as something other than ordinary people living ordinary lives.

Poverty and deprivation are deplorable, whether in West Virginia, Washington, D.C., New York City, or on an Indian reservation. But it cannot be successfully attacked until we know its true nature and extent.

Poverty is not the hallmark of the coal miner any more than it is of the average American.

As we consider the legislation now before us, I stress the need for an accurate picture of the men who will benefit from it, rather than a distorted apparition that is a combination of the past and of fancy.

Mr. RANDOLPH. Mr. President, I make a point of no quorum.

The PRESIDING OFFICER. From whose time is the time for a quorum call to be taken?

Mr. RANDOLPH. From my time.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Who yields time?

Mr. WILLIAMS of New Jersey. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

COMPENSATION

Mr. WILLIAMS of New Jersey. Mr. President, I am gravely concerned about a problem, not now covered by S. 2917, which I believe needs attention by the Congress, namely the problem of providing some means of protection to the miner and his dependents we have forgotten—the inactive coal miner who is totally disabled and unable to work because he contracted pneumoconiosis or black lung while working in the coal mines.

The active miner of today who toils manfully deep in the bowels of the earth to produce about 15 tons of coal per day was, until recently, the forgotten man, but the tragedies of the past year and one-half have raised him high in the eye of the public. The people of this Nation have been shocked by these unfortunate events and have demanded, on his behalf, that Government and industry do a great deal more—not just half way measures—to improve his lot. The active miner of today is feeling the wonderful benefits that an aroused public can bestow on him. The bill before the Senate today is a tribute to this public awareness.

The bill before you today affords him the protection he so desperately needs. It gives directions to the Secretary of the Interior, which prior to this year, were thought to be impossible in this industry.

But today, Mr. President, as I have said there is another "forgotten man" in this industry who also cries for help. He is the inactive miner who was unfortu-

nate enough to have breathed the coal dust which he toiled in the mines and who now is totally disabled from a disease that he can hardly pronounce—pneumoconiosis—but what he can feel. This has been called by many names, but the most popular is—black lung. Not only is he forgotten, but also his wife and children, and when he dies from this disease, his widow and children are forgotten.

Volume 4 of the committee's hearings, which you all have on your desks, graphically depicts the effects of this disease in the lung. It is not pretty to look at. Imagine how it must be to those who have contracted this disease and know that there is no known cure.

It is estimated by the Public Health Service that about 9 percent of the number of nonworking miners in this country are suffering from complicated pneumoconiosis. Yet, in many cases, these former miners and their dependents are not eligible for compensation payments under State laws. At present, only seven States, West Virginia, Pennsylvania, Colorado, Alabama, Virginia, Tennessee, New Mexico, and Ohio provide any benefits for persons afflicted with this disease. In most cases, these State programs do not cover former miners or widows of miners or only provide minimal benefits for those people.

In my opinion, there is an urgent need to provide a program to help these forgotten people.

The amendment I offer today to S. 2917 would help these people.

The amendment would be a substitute for the present title V of the bill. It would establish on an interim basis a program of assistance to the States in providing emergency health disability benefits to inactive coal miners who are totally disabled and unable to be gainfully employed due to complicated pneumoconiosis contracted while working in the Nation's coal mines. Under the amendment, the Secretary of Health, Education, and Welfare is directed to develop expeditiously interim disability standards for use in this program. The standards would establish, among other things, what constitutes coal miner's complicated pneumoconiosis, the basis for determining who is eligible for benefits, and the means, methods, and procedures for filing claims and for the proof of eligibility. In this regard, it is intended that such standards recognize that the concern of this amendment is to help not only totally disabled miners, but also the widows and children of miners who have died in the past from a condition that was directly related to this occupationally caused disease. The standards would be effective as soon as possible after enactment, but not later than 90 days after the operative date of title V of the bill.

Once the standards are established, the Secretary is directed to undertake immediately to enter into agreements with the States under which they would administer this program pursuant to these standards. The States must give assurances as part of this agreement to pay one-half of the benefits payable during the fiscal years ending June 30, 1972, and June 30, 1973.

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

Mr. WILLIAMS of New Jersey. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for an additional 5 minutes.

Mr. WILLIAMS of New Jersey. Mr. President, once an agreement is entered into, the Secretary shall make grants to the States for the purpose of this title. During the remainder of this fiscal year, and during all of the next fiscal year, the program would be fully Federal funded. This will give the States time to obtain the funds necessary to finance their half in the next 2 fiscal years, when the Federal assistance will be limited to one-half of the estimated benefits needed for those two fiscal years. If, in the case of a State which now provides some benefits for this disability, that State reduces its benefits to eligible persons, the amendment prohibits the making of Federal payments under this program. In other words, this is not to be construed as a substitute for on-going State programs.

If, however, benefit payments are made to eligible persons under other provisions of law due to disability caused by coal miner's complicated pneumoconiosis, such benefit payments would be deducted from payments under this amendment. Payments under welfare laws, of course, would not count as a deduction for this purpose.

The benefits are payable under this amendment according to a formula which would provide: To the miner without dependents, \$1,635 annually; to the miner, with dependents, \$2,496 annually; to the miner, with two dependents, \$2,904 annually; and to the miner, with three or more dependents, \$3,264 annually.

Eligible widows and dependents thereof would be treated in the same manner as the miner.

The amendment would authorize appropriations of \$10 million for grants for the remainder of this fiscal year, \$30 million in the next fiscal year and \$15 million annually in the 2 years thereafter. The program would terminate by the end of the last fiscal year. If appropriations are not adequate in any one year, the grants and benefits will be reduced proportionately.

The amendment would also direct HEW to conduct a comprehensive study on this whole problem of benefits for this disease and report back to the Congress in the fall of next year. On the basis of this study, the Congress can then consider again this problem and determine what, if any, further Federal assistance will be needed.

Last, the amendment would authorize annual appropriations to the Secretary of the Interior and the Surgeon General to carry out the research program set forth in this bill.

The bill directs the Secretary and the Surgeon General to conduct comprehensive studies, experiments, and demonstrations in their respective areas of expertise in the field of coal mine health and safety. Special efforts are to be made to find improved methods for the recovery of persons from a mine after an

accident, to solve the problem of underground-to-surface communications, to find improved and safer sources of power to haul men and coal underground, and to illuminate active working places. In addition, section 201(b) requires research in connection with hazards from trolley wires and trolley feeder wires, signal wires, the splicing and use of trailing cables, and in connection with improvements in vulcanizing of electric conductors, improvement in roof control measures, methane draining in advance of mining, where such drainage relates to safety, improved methods of measuring methane and oxygen concentrations and the use of improved underground power equipment.

The Surgeon General and the Secretary will conduct an accelerated program to reduce dust concentrations underground. This section also would direct the Surgeon General to conduct research and studies on the health conditions of nonminers working with or around coal products in areas outside coal mines.

It is intended that the Secretary and the Surgeon General act promptly to carry out these directions and that funds are, in fact, provided to the levels set in the amendment. These levels are established at what appears to be the need for this program as testified to by the departments involved.

The PRESIDING OFFICER (Mr. PACKWOOD in the chair). Who yields time?

Mr. RANDOLPH. Mr. President, the able chairman of our Subcommittee on Labor of the Committee on Labor and Public Welfare has explained the purpose and provisions of the amendment.

I now send to the desk an amendment on behalf of myself, the Senator from West Virginia (Mr. BYRD), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Vermont (Mr. PROUTY), the Senator from New York (Mr. JAVITS), the Senator from Kentucky (Mr. COOPER), the Senator from Pennsylvania (Mr. SCOTT), the Senator from Kentucky (Mr. COOK), the Senator from Pennsylvania (Mr. SCHWEIKER), and the Senator from Ohio (Mr. SAXBE). I ask that the amendment be read.

The PRESIDING OFFICER. An amendment cannot be offered while a point of order is pending.

Mr. JAVITS. Mr. President, I ask unanimous consent that the amendment be read for the information of the Senate.

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

The amendment will be stated.

The assistant legislative clerk read as follows:

On page 118, line 13, through page 122, line 14, substitute the following:

"TITLE V—INTERIM EMERGENCY COAL MINE HEALTH DISABILITY BENEFITS

"Purpose

"SEC. 501. Based on a recent study conducted by the United States Public Health Service, Congress finds and declares that there are a significant number of inactive coal miners living today who are totally disabled and unable to be gainfully employed due to the development of complicated pneumoconiosis while working in one or more of the Nation's coal mines; that there also are a number of surviving widows and

children of coal miners whose death was attributable to this disease; that few States provide benefits for disability from this disease to inactive coal miners and their dependents; and that, in order to give the States time to enact laws to provide such benefits or to improve those laws where token or minimal benefits are provided, it is, therefore, the purpose of this title to provide, on a temporary and limited basis, interim emergency health disability benefits, in cooperation with the States, to any coal miner who is totally disabled and unable to be gainfully employed on the date of enactment of this Act due to complicated pneumoconiosis which arises out of, or in the course of, his employment in one or more of the Nation's coal mines; to the widows and children of any coal miner who, at the time of his death, was totally disabled and unable to be gainfully employed due to complicated pneumoconiosis arising out of, or in the course of, such employment; and to develop further any detailed information and data on the extent to which past, present, and future coal miners are or will be totally disabled by complicated pneumoconiosis and unable to be gainfully employed, on the extent to which assistance to such miners and their dependents is needed, and the most effective method for assuring such assistance.

"Interim disability benefit standards"

"Sec. 502. (a) The Secretary of Health, Education, and Welfare (hereinafter referred to in this title as "the Secretary") shall develop and promulgate interim disability benefits standards governing the determination of persons eligible to receive emergency coal mine health disability benefits under this title and the methods and procedures to be used in disbursing such benefits to such persons. Such standards shall take into consideration the length of employment in coal mines considered sufficient to establish a claim for such benefits; reasonable and equitable means, methods, and procedures for filing and establishing proof of disability, consistent with the purposes of this title, by the coal miner or, as appropriate, his survivor to enable such person to receive benefits as soon as possible after enactment of this Act; and such other matters as the Secretary deems appropriate. Such standards shall be effective upon publication in the *Federal Register*, unless the Secretary prescribes a later date which date shall not be more than ninety days after the operative date of this title. The provisions of Section 553 of title 5 of the United States Code shall apply to the promulgation of such standards.

"Assistance to states"

"Sec. 503. (a) Upon publication of the interim disability standards by the Secretary under this title, the Secretary shall enter into agreements with any State pursuant to which he shall provide financial assistance, in accordance with the provisions of this title, to the States to carry out the purpose of this title, and the States shall receive and adjudicate, in accordance with such standards, claims for interim emergency coal mine health disability benefits from any eligible person who is a resident of such State. Such State shall also agree to pay one-half of such benefits during the fiscal years ending June 30, 1972, and June 30, 1973. Such agreements shall, in addition to such other conditions as the Secretary deems appropriate, include adequate assurances that the State shall provide such fiscal control and fund accounting procedures as may be appropriate to assure proper disbursement and accounting of grants made to the State under this section; and that the State will make such reports to the Secretary, in such form and containing such information, as the Secretary may from time to time require.

"(b) Beginning after the effective date of any agreement entered into with a State under this section and ending on June 30, 1973,

the Secretary, subject to the provisions of this section, shall, from sums available therefor for any fiscal year, make grants to such States equal to the estimated sums needed by such State to pay all such benefits to eligible persons through June 30, 1971, and to pay one-half of such benefits to eligible persons during the fiscal years ending June 30, 1972, and June 30, 1973. No benefits shall be paid under this section to an eligible person if the State, after the enactment of this Act, reduces the benefits for disability caused by complicated pneumoconiosis to which such person is otherwise entitled under such State's laws or regulations. Benefits paid to an eligible person under this section shall be reduced by an amount equal to any payment made to such person under any other provision of law for a disability directly caused by complicated pneumoconiosis arising out of, or in the course of, employment in one or more of the Nation's coal mines.

"(c) Interim emergency coal mine health disability benefits shall be paid under this section to persons determined by the State pursuant to such standards to be eligible to receive such benefits. Such benefits shall be paid as soon as possible after a claim is filed therefor and eligibility determined, except that such benefits shall terminate when such person is no longer eligible, or on June 30, 1973, whichever date is first. The amount of benefits payable to an eligible person under this section shall be determined as follows:

"(1) In the case of total disability, such eligible person shall be paid benefits during the period of such disability up to a rate equal to 50 per centum of the minimum monthly payment to which an employee in grade GS-2 with one or more dependents, who is totally disabled, is entitled under the provisions of sections 8105 and 8110 of title 5, United States Code;

"(2) In the case of the death of a miner resulting from such disease, and eligible widow shall be paid benefits at the rate the deceased miner would be entitled to receive such benefits if such miner were totally disabled until such widow dies or remarries;

"(3) In the case of any eligible person entitled to benefits under clauses (1) or (2) of this subsection who has one or more dependents, such benefits shall be increased at a rate of 50 per centum of the benefits to which such persons is entitled under clauses (1) or (2) of this subsection, if such person has one dependent, 75 per centum, if such person has two dependents, and 100 per centum, if such person has three dependents; except that such increased benefits for a child, brother, sister, or grandchild, shall cease if such dependent dies or marries or becomes 18 years of age, or if over age 18 and incapable of self-support becomes capable of self-support.

"(d) There is hereby authorized to be appropriated from funds in the Treasury for the fiscal year ending June 30, 1970, not to exceed \$10,000,000, and for the fiscal year ending June 30, 1971, not to exceed \$30,000,000, and for the fiscal years ending June 30, 1972, and June 30, 1973, not to exceed \$15,000,000 annually for the purposes of this title. If the amounts appropriated for any fiscal year are less than the amounts necessary to enable the Secretary to make the full amount of grants to all States which have entered into agreements with him under this title, the grants to each State for such fiscal year, and the payments to eligible persons required to be made during such fiscal year under such agreements, shall be proportionately reduced.

"Study"

"Sec. 504. The Secretary shall immediately undertake a study to determine the extent to which coal miners are or will be totally disabled due to complicated pneumoconiosis developed during the course of employment in the Nation's coal mines and unable to be

gainfully employed; the extent to which the States provide benefits to active and inactive coal miners and their dependents for such disability; the adequacy of such benefits, the need for, and the desirability of, providing any Federal, State, or private assistance for such disability; the need for, and the desirability of, extending the provisions of this title for persons eligible for benefits under this title; and such other facts which would be helpful to the Congress following completion of this study, as the Secretary deems appropriate. In carrying out this study, the Secretary shall consult with, and, to the greatest extent possible, obtain information and comments from, the Secretary of the Interior, the Secretary of Labor, and other interested Federal agencies, the States, operators, representative of the miners, insurance representatives, and other interested persons. The Secretary shall submit a report on such study, together with such recommendations, including appropriate legislative recommendations, as he deems appropriate, to the Congress not later than October 1, 1970."

On page 106, between lines 13 and 14, add the following new subsection:

"(e) There is authorized to be appropriated to the Secretary of the Interior such sums as will be necessary to carry out his responsibilities under this section and section 201(b) of this Act at an annual rate of not to exceed \$20,000,000 for the fiscal year ending June 30, 1970, \$25,000,000 for the fiscal year ending June 30, 1971, and \$30,000,000 for the fiscal year ending June 30, 1972, and for each succeeding fiscal year thereafter. There is authorized to be appropriated annually to the Surgeon General such sums as may be necessary to carry out his responsibilities under this section. Such sums shall remain available until expended."

The PRESIDING OFFICER. What is the will of the Senate?

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

The PRESIDING OFFICER. To whose time is the quorum call to be charged?

Mr. KENNEDY. The time is to be equally divided.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT AGREEMENT

Mr. KENNEDY. Mr. President, I ask unanimous consent that the previous order to vote on the point of order be rescinded along with the time limitation associated therewith; that the point of order be withdrawn; that the amendment offered by the Senator from West Virginia (Mr. RANDOLPH) and others be made the pending business; and that debate on the amendment be limited to 1 hour, to be equally divided and controlled by the majority leader and the minority leader, or whomever they may designate.

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

Mr. KENNEDY. I yield.

Mr. JAVITS. Mr. President, I think this is an admirable resolution of a problem which the Senate faced, of committing itself one way or the other on the point of order. I think the Senator from Vermont (Mr. PROUTY) rendered the

Senate a signal service in raising the question. The question will be studied carefully and we will not be caught in this position again.

I thank the Senator from New Jersey (Mr. WILLIAMS), the Senators from Kentucky (Mr. COOPER and Mr. COOK), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Massachusetts (Mr. KENNEDY), and all the other Senators who participated are entitled to great credit for this solution.

The Senate should understand the conclusion. We are offering an amendment relating to compensation for workers affected by black lung the pending business. It is not amendable. If the Senate does not like it it can vote the amendment down and bring up another amendment. We are not locking anything in except this amendment as it stands.

Mr. President, I hope Senators will show an interest and come to the Chamber to listen to the debate before voting.

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

Mr. HOLLAND. Mr. President, reserving the right to object, and I do not object, it is my understanding that an addition to the subject matter mentioned by the Senator from New York is that this proposed amendment, which would be made the pending business without the privilege of amendment under the proposed unanimous-consent agreement, also contains an authorization which would finance the general operation of this bill, and that that authorization covers the same sum as was proposed to be expended each year for the first 30 years under the bill as originally drawn. Is that correct?

Mr. JAVITS. The Senator is correct.

Mr. HOLLAND. I have no objection. I appreciate the Senator's cooperation in working out the agreement.

Mr. COOPER. Mr. President, I join the Senator from New York in stating that a very fair agreement has been worked out. We have now gotten away from the question of the point of order. It is a unique question, and it can be studied should a similar question come before the Senate. The amendment is for authorization, but Congress and the Committee on Appropriations could work its will in the authorizations recommended both for research and a temporary system of compensation.

As I said, I would be glad to vote for such an amendment and I shall join as a cosponsor.

Mr. JAVITS. Mr. President, reserving the right to object I would not want the Senator to go away without understanding that at my request we have allowed a study to be made of the question of self-financing by the industry as a possible alternative. Other than that, the substantive part is as stated.

Mr. President, I wish to add to my previous comments the name of the deputy leader on the Democratic side, the Senator from West Virginia (Mr. BYRD), which I inadvertently omitted, who also helped work out the admirable compromise.

Mr. BYRD of West Virginia. I thank the Senator.

The PRESIDING OFFICER. Is there

objection to the unanimous consent request? The Chair hears no objection, and it is so ordered.

The clerk will state the amendment.

The assistant legislative clerk read as follows:

On page 118, line 13, through page 122, line 14, substitute the following:

"TITLE V—INTERIM EMERGENCY COAL MINE HEALTH DISABILITY BENEFITS

"PURPOSE

"SEC. 501. Based on a recent study conducted by the United States Public Health Service, Congress finds and declares that there are a significant number of inactive coal miners living today who are totally disabled and unable to be gainfully employed due to the development of complicated pneumoconiosis while working in one or more of the Nation's coal mines; that there also are a number of surviving widows and children of coal miners whose death was attributable to this disease; that few States provide benefits for disability from this disease to inactive coal miners and their dependents; and that, in order to give the States time to enact laws to provide such benefits or to improve those laws where token or minimal benefits are provided, it is, therefore, the purpose of this title to provide, on a temporary and limited basis, interim emergency health disability benefits, in cooperation with the States, to any coal miner who is totally disabled and unable to be gainfully employed on the date of enactment of this Act due to complicated pneumoconiosis which arises out of, or in the course of, his employment in one or more of the Nation's coal mines; to the widows and children of any coal miner who, at the time of his death, was totally disabled and unable to be gainfully employed due to complicated pneumoconiosis arising out of, or in the course of, such employment; and to develop further any detailed information and data on the extent to which past, present, and future coal miners are or will be totally disabled by complicated pneumoconiosis and unable to be gainfully employed, on the extent to which assistance to such miners and their dependents is needed, and the most effective method for assuring such assistance.

"INTERIM DISABILITY BENEFIT STANDARDS

"SEC. 502. (a) The Secretary of Health, Education and Welfare (hereinafter referred to in this title as "the Secretary") shall develop and promulgate interim disability benefit standards governing the determination of persons eligible to receive emergency coal mine health disability benefits under this title and the methods and procedures to be used in disbursing such benefits to such persons. Such standards shall take into consideration the length of employment in coal mines considered sufficient to establish a claim for such benefits; reasonable and equitable means, methods, and procedures for filing and establishing proof of disability, consistent with the purpose of this title, by the coal miner or, as appropriate, his survivor to enable such person to receive benefits as soon as possible after enactment of this Act; and such other matters as the Secretary deems appropriate. Such standards shall be effective upon publication in the *Federal Register*, unless the Secretary prescribes a later date which date shall not be more than ninety days after the operative date of this title. The provisions of Section 553 of title 5 of the United States Code shall apply to the promulgation of such standards.

"ASSISTANCE TO STATES

"SEC. 503. (a) Upon publication of the interim disability standards by the Secretary under this title, the Secretary shall enter into agreements with any State pursuant to which he shall provide financial assistance,

in accordance with the provisions of this title, to the States to carry out the purpose of this title, and the States shall receive and adjudicate, in accordance with such standards, claims for interim emergency coal mine health disability benefits from any eligible person who is a resident of such State. Such State shall also agree to pay one-half of such benefits during the fiscal years ending June 30, 1972, and June 30, 1973. Such agreements shall, in addition to such other conditions as the Secretary deems appropriate, include adequate assurances that the State shall provide such fiscal control and fund accounting procedures as may be appropriate to assure proper disbursement and accounting of grants made to the State under this section; and that the State will make such reports to the Secretary, in such form and containing such information, as the Secretary may from time to time require.

"(b) Beginning after the effective date of any agreement entered into with a State under this section and ending on June 30, 1973, the Secretary, subject to the provisions of this section, shall, from sums available therefor for any fiscal year, make grants to such States equal to the estimated sums needed by such State to pay all such benefits to eligible persons through June 30, 1971, and to pay one-half of such benefits to eligible persons during the fiscal years ending June 30, 1972, and June 30, 1973. No benefits shall be paid under this section to an eligible person if the State, after the enactment of this Act, reduces the benefits for disability caused by complicated pneumoconiosis to which such person is otherwise entitled under such State's laws or regulations. Benefits paid to an eligible person under this section shall be reduced by an amount equal to any payment made to such person under any other provision of law for a disability directly caused by complicated pneumoconiosis arising out of, or in the course of, employment in one or more of the Nation's coal mines.

"(c) Interim emergency coal mine health disability benefits shall be paid under this section to persons determined by the State pursuant to such standards to be eligible to receive such benefits. Such benefits shall be paid as soon as possible after a claim is filed therefor and eligibility determined, except that such benefits shall terminate when such person is no longer eligible, or on June 30, 1973, whichever date is first. The amount of benefits payable to an eligible person under this section shall be determined as follows:

"(1) In the case of total disability, such eligible person shall be paid benefits during the period of such disability up to a rate equal to 50 per centum of the minimum monthly payment to which an employee in grade GS-2 with one or more dependents, who is totally disabled, is entitled under the provisions of Sections 8105 and 8110 of Title 5, United States Code;

"(2) In the case of the death of a miner resulting from such disease, an eligibility widow shall be paid benefits at the rate the deceased miner would be entitled to receive such benefits if such miner were totally disabled until such widow dies or remarries;

"(3) In the case of any eligible person entitled to benefits under clauses (1) or (2) of this subsection who has one or more dependents, such benefits shall be increased at a rate of 50 per centum of the benefits to which such person is entitled under clauses (1) or (2) of this subsection, if such person has one dependent, 75 per centum, if such person has two dependents, and 100 per centum, if such person has three dependents; except that such increased benefits for a child, brother, sister, or grandchild, shall cease if such dependent dies or marries or becomes 18 years of age, or if over age 18 and incapable of self-support become capable of self-support.

"(d) There is hereby authorized to be appropriated from funds in the Treasury for the fiscal year ending June 30, 1970, not to exceed \$10,000,000, and for the fiscal year ending June 30, 1971, not to exceed \$30,000,000, and for the fiscal years ending June 30, 1972, and June 30, 1973, not to exceed \$15,000,000 annually for the purposes of this title. If the amounts appropriated for any fiscal year are less than the amounts necessary to enable the Secretary to make the full amount of grants to all States which have entered into agreements with him under this title, the grants to each State for such fiscal year, and the payments to eligible persons required to be made during such fiscal year under such agreements, shall be proportionately reduced.

"STUDY

"SEC. 504. The Secretary shall immediately undertake a study to determine the extent to which coal miners are or will be totally disabled due to complicated pneumoconiosis developed during the course of employment in the Nation's coal mines and unable to be gainfully employed; the extent to which the States provide benefits to active and inactive coal miners and their dependents for such disability; the adequacy of such benefits, the need for, and the desirability of, providing any Federal, State or private assistance for such disability; the need for, and the desirability of, extending the provisions of this title for persons eligible for benefits under this title; and such other facts which would be helpful to the Congress following completion of this study, as the Secretary deems appropriate. In carrying out this study, the Secretary shall consult with, and to the greatest extent possible, obtain information and comments from, the Secretary of the Interior, the Secretary of Labor, and other interested Federal agencies, the States, operators, representative of the miners, insurance representatives, and other interested persons. The Secretary shall submit a report on such study, together with such recommendations, including appropriate legislative recommendations, as he deems appropriate, to the Congress not later than October 1, 1970."

On page 106, between lines 13 and 14, add the following new subsection:

"(e) There is authorized to be appropriated to the Secretary of the Interior such sums as will be necessary to carry out his responsibilities under this section and section 201(b) of this Act at an annual rate of not to exceed \$20,000,000 for the fiscal year ending June 30, 1970, \$25,000,000 for the fiscal year ending June 30, 1971, and \$30,000,000 for the fiscal year ending June 30, 1972, and for each succeeding fiscal year thereafter. There is authorized to be appropriated annually to the Surgeon General such sums as may be necessary to carry out his responsibilities under this section. Such sums shall remain available until expended."

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays are ordered.

Who yields time?

Mr. WILLIAMS of New Jersey. Mr. President, I yield 5 minutes to the Senator from Kentucky.

Mr. COOK. Mr. President, I rise to congratulate the distinguished Senator from New Jersey (Mr. WILLIAMS) and the Senators from West Virginia (Mr. RANDOLPH and Mr. BYRD) for working out this matter with the Senator from Vermont (Mr. PROUTY), the senior Senator from Kentucky (Mr. COOPER), and myself, for many, many reasons.

First, Mr. President, I felt the adversary proceedings yesterday were tremendously helpful. I felt we were well

within the realm of proposing something, not only new for the Senate but, and I am not quite sure, in some respects rather disastrous for many collective industries throughout the country. I am pleased to say that during the course of the debate yesterday my senior colleague from Kentucky (Mr. COOPER) and I made it very clear that the real problem to be faced here was a problem that both of us and many other Senators were perfectly willing to see fully financed and to see this problem of black lung finally handled on a logical and compassionate basis by the Senate.

I felt, as did many of my colleagues, in my colloquy with the junior Senator from Missouri (Mr. EAGLETON) that this was an important enough issue, important on its merits, that we try diligently, and as a result this compromise was worked out.

I cannot say enough about the distinguished Senator from New Jersey (Mr. WILLIAMS) for not only understanding the problem but also realizing that the ultimate answer to the problem is really to solve it and not to continue debate on the floor of the Senate.

I hope, as was expressed by the Senator from New York, that the question of Article VII of the Constitution of the United States in regard to this body, can be examined. I hope that the expressed precedent, as was suggested yesterday, that revenue measures, if they are not anything more than a significant part of a bill, can be passed by this body, and will be seriously reviewed because I think it goes to the heart of the authority that this body really has.

The Senator from New York expressed the feeling that he did not in any way want to give up any right that this body might have. I concur in those remarks wholly and completely. But for myself I would say that if, by the Constitution of the United States, there is some right that this body does not possess, that it is possessed by the other body, then I do not feel that I am giving anything up but that I am, in fact, following the dictates of the Constitution of the United States and upholding its principles.

I conclude by saying that my State of Kentucky will be very grateful to this body for this amendment. The coal miners of my State can look, for the first time in many years, to the culmination of a dream, to the culmination of a drive, to the culmination of a program that will see to it that elimination of the horrible disease to which they have been subjected will now totally and completely be recognized by this country and fully implemented by the Senate.

Again my thanks to the distinguished Senator from New Jersey.

Mr. JAVITS. Mr. President, will the Senator from New Jersey yield me some time?

Mr. WILLIAMS of New Jersey. Mr. President, I yield such time as he may desire to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I support the amendment of Senator RANDOLPH to establish an interim program for payment of benefits to inactive miners who

have been totally disabled by pneumoconiosis.

This is an unusual and dramatic proposal—but it is directed at an unusual and dramatic problem—our sublime insensitivity to what is probably the worst occupational disease in the country—black lung.

Mr. President, there exist today in the United States literally thousands of former coal miners who have reaped, as their sole reward for long and faithful service underground, ravaged lungs, enlarged hearts, and retirement years spent as semi or complete invalids, slowly choking to death. All because of coal dust. The tragic consequences of this disease were testified to by many witnesses who appeared before the committee. As Dr. Murray Hunter put it:

But what you must understand is that if the coal miner has five times the respiratory disability of the nonminer, you also have to understand that respiratory disability is like no other. Respiratory disability is the most agonizing kind, because respiratory death is preceded by 20 odd years of respiratory disability in some cases. And it is one thing to die at 75 of a stroke or a coronary after the productive life of a physician or U.S. Senator, and another thing to die after 20 years of breathlessness where you couldn't mount the stairs without stopping two or three times.

Mr. President, we do not know the exact number of victims of black lung. But we know that responsible sources estimate that its victims number over 100,000 with 50,000 of them disabled to some degree. We know, according to the Public Health Service prevalence study that 20 percent of all inactive, and 10 percent of all active miners show X-ray evidence of the disease, and that, of these, 9 percent of the inactive and 3 percent of the active miners have progressive massive fibrosis, the complicated form of the disease that causes severe disability and ultimately death. We know, according to Dr. Lorin Kerr, of the United Mine Workers Welfare and Retirement Fund, that in Pennsylvania alone "nearly 1,000 miners die of coal workers' pneumoconiosis every year and the same disease is listed as a contributory cause of death for almost 1,000 more." Finally, we know that X-ray evidence may not even tell the whole story, that in some cases even severe disability may occur absent X-ray changes characteristic of complicated pneumoconiosis.

In S. 2917, the Committee on Labor and Public Welfare has reported out a measure which we on the committee believe will end this deadly scourge once and for all. But we have done nothing to help those who have already fallen prey to black lung—to those who might not have been disabled and forced to spend the rest of their lives as vegetables had we only seen our duty and done it sooner.

I say "our duty" advisedly. For the root of the problem is the utter failure of all of us, and that includes the industry, the medical profession, and the Government—particularly the Public Health Service—to recognize this disease before being embarrassed into doing so—at least 20 years late, by Great Britain and other European countries.

Our failure to recognize coal workers' pneumoconiosis as a separate disease has had two particularly insidious effects: First, it obviously precluded any attempts, through private efforts or legislation, to control coal dust, and second, it operated to prevent many miners disabled from black lung from obtaining even minimally decent workmen's compensation. As a result, the thousands of inactive miners disabled by black lung are not only condemned to life as virtual invalids, they must also live out that life in abject poverty.

The amendment which is now before us is an attempt, on an interim basis, to do something about this problem, pending a study and report on permanent measures by the Secretary of Health, Education, and Welfare. Ordinarily, we would wait for the Secretary's report before acting, but this problem is so serious, and of such magnitude, that I do not believe that, in conscience, we can ask these former miners or their widows and families to wait several more years for help.

I emphasize, Mr. President, that the entire Nation shares the responsibility for this tragic situation; witness after witness who testified on this bill stressed America's complete insensitivity to the problem of black lung until very recently—it was not until the mid-1950's that black lung was recognized by responsible medical authorities as a disease. Britain, on the other hand, began to recognize the disease in 1934, and it became compensable in 1943. In the United States, until last year, only three States recognized black lung as a compensable disease; in other States the only way miners could receive compensation is if they could convince examining boards they had silicosis, which usually was not possible. One former miner who appeared before the committee testified to the difficulty he had encountered obtaining compensation in West Virginia. To prove his case he was forced, at his own expense of over \$1,300, to have a biopsy taken, and even then he only received a 40-percent disability award based on silicosis.

This case is the rule, not the exception. Through the years, American authorities have been almost exclusively concerned with silicosis, notwithstanding that black lung probably affects more workers, with worse results, than does silicosis.

This preoccupation with silicosis, and consequent insensitivity to black lung was developed most clearly in the testimony of Dr. Lorin Kerr of the United Mine Workers' Welfare and Retirement Fund. I ask that the relevant excerpts from Dr. Kerr's testimony be printed in the RECORD.

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

EXCERPT FROM TESTIMONY OF DR. KERR

The U.S. Public Health Service recently reported that in 1950, American coal miners died at nearly twice the rate of other workers; diseases of the respiratory system killed miners at a rate five times greater than the general working male population; and the mortality rate for American coal miners was roughly twice those reported for British coal miners.

Among the living, the Pennsylvania Department of Public Health reported in 1967 that 19,175 coal miners had X-ray evidence of coal workers' pneumoconiosis and 23,768 more were disabled by the disease. In 1965, the U.S. Public Health Service reported that throughout the entire Appalachian soft coal mining area one out of every 10 active, and one out of every five former miners had X-ray evidence of the same disease.

These and other American statistics are a grisly repetition of those reported by British investigators for the last 25 years. In Great Britain, coal workers' pneumoconiosis accounts for more deaths than all other forms of dust diseases combined. Since 1930, it has constituted the greatest medical and social problem in all industry.

It is safe to conclude from all available information that in the United States, as previously stated, that at least 125,000 active and former coal miners have some stage of coal workers' pneumoconiosis and of this number nearly 50,000 may be disabled by the disease. In the last 20 years, at least one million miners have been exposed to a daily dose of life-threatening coal dust.

Scientific studies have repeatedly shown that achievement is not confined to any one nation. New discoveries and inventions usually occur simultaneously in a number of different locations. Why has coal workers' pneumoconiosis been an exception? Why, with our outstanding contributions in medicine, should we stand today where the British did nearly 30 years ago?

A major reason for this situation is that coal workers' pneumoconiosis is not well known or widely organized in the United States. Until recently, little has appeared in American medical journals on this disease and most of the earlier articles were reports on British research and surveys. This lack of concern about coal workers' pneumoconiosis has been due in part to a belief that conditions reported in Britain did not exist in the United States. It is also due to the conviction that only silica and dust containing silica is injurious.

I would like to depart from the record a moment to elaborate on this item, if I may, Senator.

We began research here in the United States on silicosis about 1915 with studies that were done in the tri-state area where the lead and zinc mines are located near Joplin, Mo. This followed a 1902 study in South Africa concerning high tuberculosis mortality rates among gold miners. It was determined that silicosis provided the development of the tuberculosis among these miners.

This study was followed by others elsewhere. Mass X-rays were first used in a 1911 study of silicosis. Subsequent studies here in the United States revealed a lot of silicosis in various industries.

Slowly it was thought to be diminishing. Then about 1930 a tunnel was dug at Gauley Bridge, W. Va. It is difficult to say whether it was silicosis or whether it was an overwhelming dose of dust in the lungs of these men that caused so many deaths. However, it created such a scandal that there was a congressional investigation. This was followed by a National Silicosis Conference in 1936 called by the Secretary of Labor, Madam Perkins. The reports were made in 1937. The definition of silicosis was one that had been developed in 1933. It has since been incorporated into most workmen's compensation legislation in the country. In fact, there was no workmen's compensation for silicosis until about 1937.

There has thus been this focus of attention over the years on silica and coal dust has been classified as an inert dust because it did not produce any fibrosis in the tissues.

I think it is important to keep in mind that when silicosis did hit the headlines here

in the United States it was followed by a congressional investigation, a National Conference on Silicosis, and the development of certain recommendations some of which are still not implemented. Even today we do not know the actual incidence or prevalence of silicosis in the United States. There is no accurate reporting on that disease either.

The impact of physician knowledge and attitudes is apparent in inaccurate or incomplete death certificates. These documents are essential for determining the existence of dangerous coal dust requiring governmental action for control or eradication. Too often no records mean no action.

A final comment on our 30-year lag behind the British is provided by Dr. Donald Hunter, the world-famous British authority on occupational health. Ten years ago in his book, "Health in Industry" he wrote extensively on coal workers' pneumoconiosis and said that not until 1934 did British physicians begin to accept the fact that coal dust in miners' lungs produces a slowly progressive fatal disease. He continued to say:

It must be admitted that medical men by their ill-informed complacency have a heavy load of responsibility to bear for this failure to discover the true state of affairs, a failure which constitutes what is probably the greatest disgrace in the history of British medicine.

Today, 35 years later, American medicine has barely begun to overcome its "ill-informed complacency" and "discover the true state of affairs" regarding coal workers' pneumoconiosis.

I can vividly remember, 21 years ago when I came with the UMWA Welfare and Retirement Fund, the constant stream of wheezing, breathless coal miners coming to the area medical office in Morgantown, W. Va., seeking relief from the struggle to breathe. I can also remember how overwhelmed I felt. Never in my earlier professional experience had I observed or heard of a single industry with so many men who seemed to be disabled by their jobs. I say "seemed to be disabled by their jobs" because doctors said these men rarely had silicosis and it was unusual to find a physician who even suspected that coal dust might be dangerous. The disability was called miners' asthma and it was accepted by miners and doctors as part of the job.

We, in the fund, also became acutely aware of the unusual medical care these breathless miners required. They had more colds and other respiratory infections than other miners and these infections lasted longer. Some of these men would become so ill when they had an upper respiratory infection that they would need to be hospitalized, where they frequently would stay for 2 and 3 weeks, several times every year. Oxygen in the hospital or at home seemed to bring more relief than anything else. If all the tanks of oxygen these men have used were laid end-to-end I would venture that a long green line would run at least 6,000 miles—twice across the Nation, coast-to-coast.

I might say parenthetically that I computed that, myself, and I think it is quite accurate.

In searching for the cause of the shortness of breath afflicting the coal miners, the fund's medical administrators could not agree with those doctors who claimed that it was due to "compensationitis" or nervousness. I can assure you that were I as breathless as some of the miners I have seen I would be nervous. But to claim it was due to nervousness and had nothing to do with dust was nonsense. I know of one doctor who even maintained that breathlessness was due simply to a fear of coal mining.

Our search for answers also included a review of death certificates but they were of little help. Cor pulmonale or right-sided enlargement of the heart was often given as the cause of death but there would be no

mention of what we now know was the primary cause of the heart failure—coal workers' pneumoconiosis.

No Government agency, including health departments, could answer our questions. They were all willing to listen but no one knew the cause of the breathlessness and no one was willing to even guess how many breathless miners were disabled by their jobs.

Mr. JAVITS. Mr. President, Dr. William Stewart, the Surgeon General of the United States, fully concurred with Dr. Kerr, as to the American preoccupation with silicosis. Furthermore, he could find no excuse for the failure of the Public Health Service to initiate a prevalence study until 1970. He testified:

I don't know all the story behind this, Senator Randolph, but I know that in the thirties there was great concern and attention to silicosis and the attention was drawn to it because of the high incidence of tuberculosis among people who have silicosis. And it was felt that the problem was caused by the amount or the percent of silica in the dust. This was not only the prevalent feeling in the United States, it was pretty well a worldwide consensus that silica caused the problem. In the forties, we began to realize that there were similar pathologies appearing on the X-rays from other kinds of dust, asbestos dust, cotton dust, and so on. There were also some studies done by various researchers in the United States among some of the coal mines where the silica content in the dust was very, very low and yet they were reporting pneumoconiosis in the miners. I don't know why it took us until 1960 to get around to doing the prevalence work, but it was just a matter of the way the state of knowledge developed.

Last year several States, including West Virginia, amended their laws to provide compensation for victims of black lung. But in West Virginia, for example, the new law only applies prospectively; it does nothing for the thousands of miners or their widows and children, who have already been disabled from black lung and forced to retire.

Those are the miners whom this amendment has been directed at. It is also directed at those miners in States like Pennsylvania, whose benefits, under special programs, are so pitifully small that no former miner can be expected to live on them. In Pennsylvania, for example, many miners receive only \$75 to live out their days.

This amendment will not allow any former miner to live in the lap of luxury—neither \$136 for a single miner nor \$272 for a family of four is anything more than the minimum level of decency requires. What we are trying to do, in substance, is give these people some temporary help for 2 years pending receipt of the Secretary's report on more permanent measures and deal with this tragic situation.

Mr. President, I do continue to express the hope that a way will be found to have this whole operation, at least in material part, financed by the industry itself. We have argued that at great length. It is a very important point, in this and many other measures.

Therefore, I approve very much of the fact that the authorization is \$30 million for 1971, and then goes down to \$15 million in 1972 and 1973 with the States required to match the amounts of Federal

aid. I hope that the program eventually proves to be self-financing by the industry. It is one of the things which we have committed for study and recommendation by the Secretary of Health, Education, and Welfare. I think that is probably the only thing that is open to us to do.

I continue to express my fidelity to that concept and my hope that that is the way it will go. I pledge to work for it when the results of the study demonstrate it makes the kind of sense I think it does.

Again, I congratulate all those concerned and only hope that this may be consummated and that we all may soon stand behind the President's chair as he signs the bill. It probably will be one of the most exciting demonstrations of what we can do here for individuals who need our help.

Mr. PROUTY. Mr. President, I yield myself 10 minutes.

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

Mr. PROUTY. Mr. President, I think that when I raised the point of order against section 502 of Senate bill 2917 on last Friday, it was a valid point to make.

I am happy, indeed, that we have been able to work out a meaningful compromise which faces up to a truly serious situation among people who have worked in the coal mines of this country.

Mr. President, traditionally, the Bureau of Mines has not placed as great emphasis on health and safety research in coal as it has on the utilization to discover new uses for coal.

The Bureau's activities in health and safety have historically been centered about education, training, and persuasion in order to improve the health and safety record of the industry. As a result great emphasis had been placed on inspection activity rather than on developing new technology which might result in improved safety.

Because of the long neglect in research and development in the area of health and safety in coal mining, substantial amounts of money will be required in an attempt to catch up so that fatalities and accidents can be substantially reduced.

The very large sums which have been projected are necessary if the fatality and injury rate and accident rate of underground coal mining is to approach that of other industries. These rates must be reduced if the coal industry is to compete for its share of manpower in the future. There is little incentive for either professional, semiprofessional, or other employees to be attracted to an industry in which their chances of being injured or killed are so high.

The large increase in funds that is needed will be directed toward such activities as:

First, determining the dust levels presently found in U.S. coal mines, the occupations within the mines which have the highest dust levels, and the effects of various engineering parameters on dust concentrations.

Second, a study of methods of reducing dust concentrations, such as water infu-

sion, use of additives and foams, redesign of cutting bits, use of water sprays, auxiliary ventilation, use of vacuum-type manifolds.

Third, the development of entirely new methods of protecting miners from respirable dust, such as providing an artificial atmosphere to protect the miner from a hostile environment.

Fourth, the development of vastly improved methods of measuring the dust levels both over extended periods and instantaneously.

Fifth, development of fundamental knowledge on the formation and behavior of respirable dust and on the dust-generation characteristics of various coal beds.

Sixth, on the development of improved and analytical techniques on the detection of free silica in coal and for other toxic and hazardous constituents.

Seventh, development of improved instrumentation for measuring oxygen content and other noxious and hazardous gases.

Eighth, the development of improved technology to reduce roof fall hazards, which account, year in and year out, for between 50 and 60 percent of all underground fatalities.

Ninth, the development of nonsparking bits to reduce the danger of ignition.

Tenth, a completely new and administratively more manageable system of developing requirements for explosion-proofing of electrical equipment and for the determination of its permissibility.

Eleventh, the development of post-disaster, survival, life support, and rescue technology.

Twelfth, to devise improved methods of rendering coal dust nonexplosive rather than using the cumbersome system of adding rock dust to the coal dust.

Other areas of health and safety research which these initial investigations are expected to uncover will be investigated in future years on a scale necessary to demonstrate their feasibility.

In conclusion, I express my deep appreciation to the distinguished Senator from New Jersey, floor manager of the bill, and Senator RANDOLPH, Senator BYRD of West Virginia, Senator COOK, and other Senators, for their cooperation in bringing out a meaningful compromise which is going to contribute so much to the health and safety of the coal mine workers of this country.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of New Jersey. Mr. President, I am happy to yield to the Senator from West Virginia (Mr. RANDOLPH), who has been so active this year in this effort to help coal miners, but whose record of constant effort dates back decades.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. WILLIAMS of New Jersey. As much time as the Senator needs.

Mr. RANDOLPH. Mr. President, there is real substance in the comments made by several Senators since the offering of the amendment. And they are symbolic Senator COOK, Senator JAVITS, Senator PROUTY—and those additional Senators on the other side of the aisle who have

spoken since the amendment was offered—give clear evidence that there is a lack of partisanship in this effort. A very real understanding has been worked out here. The groundwork of Senator WILLIAMS of New Jersey and Senator PROUTY of Vermont, and the able assistance of my esteemed colleague from West Virginia, Senator ROBERT BYRD, and other Senators, and through helpful assistance of our staffs and the Labor Committee staff, brought into reality the amendment which I have offered for myself and the cosponsors previously named. I think, as Senator PROUTY has so cogently stated, that we have acted in a meaningful manner. We have accomplished much.

We must consider that, in a degree, the Senate itself can be congratulated on this matter, in that the point of order against section 502 has been withdrawn. If the point of order had been brought to a vote, I am sure Senator PROUTY would be the first Senator to recognize that there would have been a divisiveness that perhaps would have slowed the progress of this vital bill toward passage.

I am in no wise critical. As the Senator from Vermont knows, I said yesterday that he had every right to raise the point of order. Senator PROUTY is a diligent and understanding man. He has been most constructive in working with those of us within the committee who are endeavoring to shape this measure into what I hope will truly be meaningful legislation for the benefit of a large group of Americans who need our concern and our assistance.

Very frankly, we have preserved a Senate here with a flexibility of action and relative independence. These are important. The Senate must not be a strait-jacketed body, but one with certain options it can work within and under which it can function effectively.

Mr. President, I express commendation and appreciation to the Senators from New Jersey (Mr. WILLIAMS) and Vermont (Mr. PROUTY) for their statesmanship in helping to develop an appropriate and meaningful compromise which I hope will have prompt and overwhelming approval.

I repeat: The Senate as an institution will be the very real winner, in that withdrawal of the point of order against section 502 of the pending business (S. 2917) avoids an excess of divisiveness. Yes, the Senate's flexibility of action and relative independence are better preserved.

Mr. President, the coal mine health and safety legislation will be strengthened and broadened if we will accept and approve the plan under which special assessments on each ton of coal mined or imported would be deleted; health and safety research would be authorized for direct appropriations and expenditures; and an interim pilot program would be authorized to make appropriations and expenditures for the purpose of paying benefits to nonactive coal miners who have been totally disabled by coal miners' black lung disease. And these benefits likewise would go to widows or children with qualifications to be established.

Mr. President, the burdens of the costs of producing coal under the provisions of S. 2917 are to be so heavy that an assessment against each ton of coal produced to create a research trust fund, or for other purposes, would be unduly oppressive.

Senator COOPER, Senator COOK, Senator SCOTT, Senator SCHWEIKER, Senator BYRD of West Virginia, and the Senator who speaks now—from the leading coal producing States—these people, and we know their needs. And, of course, their dependents are involved. As the record indicates, many miners have been disabled totally by black lung disease.

I think I should stress again that the costs of producing coal under the provisions of S. 2917 are going to be very heavy. I said it in my opening speech. And I said it often during earlier consideration of the legislation.

If we had created a research trust fund based on assessments, I believe it would have been unduly oppressive. I am sure the Senator from Vermont shares this viewpoint.

I believe we would be on the wisest and most prudent course if we were to remove the assessment provisions and if we were to substitute authorizations for appropriations and expenditures. I voted against the assessment provisions of section 502 of the bill in committee.

It was a gratifying experience this morning for me to have had the opportunity and the privilege to counsel with Senators WILLIAMS and PROUTY and to urge them to join in the reaching of the excellent and thoroughly appropriate compromise that we have worked out.

I think it is not merely a compromise but an accommodation of viewpoints. In completing the job, we are going to benefit needy disabled former miners and their dependents who look to us, a Congress that must be realistic, and one that must be compassionate as well.

I urge the Senate to approve the amendment which I have offered with the cosponsorship of Senators WILLIAMS and PROUTY and several other Senators on both sides of the aisle.

Again, I congratulate—and it is not just a pleasantry—Senators and staff members, who worked so diligently over the weekend and yesterday and today to bring about this meeting of minds and, I say also, this meeting of hearts. It is bipartisan. In fact, I say that which we have done is nonpartisan. I think the substance of the amendment offered gives us a stronger, a broader-based, and much improved coal mine health and safety legislation.

I believe this amendment merits unanimous support and I believe it will have unanimous acceptance in this body.

Mr. COOPER. Mr. President, I think all of us would agree that today is a much happier day than yesterday. We debated for about 3 hours on a constitutional question—and it was an important constitutional question—but I know that I felt, as I left the Chamber yesterday, and in a conversation with the Senator from West Virginia I said so, that I was not too happy that we had devoted ourselves to what might be called the dry bones of a legal question—a very im-

portant constitutional question, and I believe we were right—but today we have come to an accommodation, through the efforts of the Senator from Vermont (Mr. PROUTY), the Senators from West Virginia (Mr. RANDOLPH and Mr. BYRD), my colleague from Kentucky (Mr. COOK), and the chairman of the committee and manager of the bill, the Senator from New Jersey (Mr. WILLIAMS). We have brought something forth to help those who still live, though they are suffering with black lung disease.

I think we have also shown that debate in the Senate is worthwhile. The Senator from Vermont raised a point of order, which he had the right to raise and which would have been raised, I am sure, if he had not, by someone else. We had a debate for 2 or 3 hours, and out of that debate and our discussions with each other, this substitute amendment was produced. I had said throughout the debate that if we could agree upon a measure which would go the route of authorizations and appropriations, I would support it, not alone for research but for at least temporary benefits.

Those of us who come from coal States and have been candidates for office have traveled through coal-producing counties. There is something typical about each of those counties, whether they are in Kentucky, Tennessee, West Virginia, or Pennsylvania. I know that, speaking at courthouses and in front of courthouses, we always see a group sitting around, some of whom have been injured and some of whom are ill with pneumoconiosis. At last, due to the energy and initiative of the Senator from New Jersey (Mr. WILLIAMS), the Senator from West Virginia (Mr. RANDOLPH), the Senator from West Virginia (Mr. BYRD) and others, and because we have been stirred by Senator PROUTY's amendment, I think we have brought forth something good today.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of New Jersey. Mr. President, I yield the Senator from West Virginia such time as he may require.

Mr. BYRD of West Virginia. Mr. President, I wish to express my appreciation, as a Senator from the leading coal-producing State, to all those Senators who have worked together in devising a bipartisan approach to the problem presented by the point of order. I congratulate the Senator from Vermont (Mr. PROUTY), the Senator from New Jersey (Mr. WILLIAMS), manager of the bill, the Senators from Kentucky (Mr. COOPER and Mr. COOK), the senior Senator from New York (Mr. JAVITS), and certainly my own colleague from West Virginia (Mr. RANDOLPH), for their efforts, which will soon culminate in the adoption of this very humanitarian and necessary amendment.

My colleague and I some time ago proposed that there be Federal compensation for miners disabled by pulmonary diseases contracted from mining employment and ineligible for compensation under State statutes. Both he and I have wanted to see such compensation provided without an additional cost burden being placed upon the coal industry. The

amendment before us today obviates the necessity, certainly for the time being and hopefully for all time, of placing that burden upon an already overburdened industry.

Mr. President, I consider it a necessity that we pass legislation to provide disability benefits to miners suffering from pulmonary diseases, because in so many instances the State statutes, not being retroactive, do not reach the old disabled miner who long ago has been forced into retirement as a result of his having acquired black lung, pneumoconiosis, silicosis, or some other pulmonary disease through employment in the mines.

I feel that today we have proposed a measure which will bridge an important gap, and which will bring new hope to the mining population. I believe this to be a very humanitarian amendment, and I feel that it is necessary that we provide a way for these old, disabled miners and their families to live without being dependent upon welfare. In so many instances, they long ago exhausted their unemployment compensation benefits, and have been forced to go to the welfare offices, or go to their children and stand with their hats in their hands and hope for assistance from them. Here today we not only provide for some measure of assistance to the old, disabled, retired miner, but we are also lending some assistance to his children, who otherwise would have to provide help for their parents. I hope the Senate will vote unanimously for this amendment when we reach the time for a rollcall vote, and I hope that in conference the House of Representatives will accede to the position taken by this body.

Again I express my very deep appreciation to the manager of the bill, who at all times has shown extreme willingness to listen, and to cooperate, and a very sympathetic appreciation for the problems faced by those of us who represent coal mining States. I again express appreciation, too, to the Senator from Vermont (Mr. PROUTY), and certainly to my senior colleague (Mr. RANDOLPH), who has devoted so much of his time, energy, effort, and expertise to the bill before us and to the amendment on which we are about to vote. My appreciation goes out to all Senators who have worked together, and to their staffs, who have contributed so much to the devising of this amendment. I congratulate them, and I hope that the Senate, as I have stated, will soon vote, and vote unanimously, to approve the pending amendment.

Mr. PROUTY. Mr. President, I yield 1 minute to the distinguished Senator from Kentucky.

Mr. COOK. Mr. President, I merely wanted to add to the remarks that I made previously that I think this shows the tremendous capacity of individuals, as well as of many groups of people, in the United States. It shows the capacity of people who have trudged all over Capitol Hill, who have attended committee hearings, who have come out of the mountains and out of the mines; and I personally should like to say that from my point of view, probably the most interesting series of articles that I have read on black lung disease was a series of articles pub-

lished in the Louisville Courier-Journal, written by Mr. Ward Sinclair.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mr. PROUTY. I yield the Senator an additional minute.

Mr. COOK. Mr. Sinclair traveled over the coal mining regions of my State and wrote a series of tremendous articles, bringing this problem to the attention of people in urban areas, who probably had never really given any thought to it, to the extent that it became a situation that was not only important to the miner himself and his family, but was important to people in all walks of life.

I think that probably many Senators would want to give credit to individuals who did the same thing in their respective States. But I would feel remiss if I did not put this on record because of his efforts and the efforts of many other people who felt the same way and who worked hard and long in the effort to develop the sense of national alarm and national concern that resulted in our actions today.

I thank the Senator for yielding.

Mr. PROUTY. Mr. President, if there are no other speakers, and if it is agreeable with the Senator from New Jersey, I am perfectly willing to yield back the remainder of my time.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield me 1 minute?
Mr. WILLIAMS of New Jersey. Mr. President, I yield 1 minute to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 minute.

Mr. BYRD of West Virginia. Mr. President, I would be remiss if I did not include among those who have worked so diligently and hard on this compensation provision the leadership of the United Mine Workers of America and also the leadership of the industry itself.

I have talked with the representatives of industry and I have also talked often with the leaders of the United Mine Workers of America about such compensation, and I say for the RECORD that they have played an important part in the steps we have taken and the progress we have made which, I think, will soon culminate in the adoption of this very worthwhile and humanitarian amendment benefiting and protecting miners and their families.

Mr. SCHWEIKER. Mr. President, I rise in support of the pending substitute amendment embodying a new title V of S. 2917, the Federal Coal Mine Health and Safety Act of 1969.

I am pleased to be a cosponsor of this amendment. It is based primarily on a pneumoconiosis compensation amendment introduced yesterday by the distinguished Senator from West Virginia (Mr. RANDOLPH), in which I also joined as a cosponsor.

Pneumoconiosis, or black lung, is one of the main targets of the bill S. 2917. Pneumoconiosis afflicts one-fifth of the retired mining population and one-tenth of the active coal miners. Thus it is not sufficient for Congress simply to legislate for the future against the high dust levels in coal mines that will cause black lung. Congress must answer also the needs of

those miners who currently suffer from the ravages of this disease, and who are not receiving an adequate amount of assistance from their States or other sources.

The substitute amendment will provide interim disability compensation to retired miners suffering from complicated pneumoconiosis. If death has resulted from complicated pneumoconiosis, then the miner's widow is eligible for these benefits.

The amendment provides for a Federal study of the black lung problem, which would be completed and reported on to Congress by October 1, 1970.

Finally, the amendment authorizes long-overdue funds for coal mine health and safety research—up to \$20 million for this fiscal year, \$25 million for fiscal year 1971 and \$30 million for each fiscal year after that. This compares with current Federal spending for coal mine health and safety research of less than \$2 million in fiscal year 1969.

Mr. President, I urge adoption of this vital amendment to broaden and strengthen S. 2917.

Mr. WILLIAMS of New Jersey. Mr. President, I yield back the remainder of my time.

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

The PRESIDING OFFICER. All time has been yielded back.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

All time having expired, the question is on agreeing to the amendment of the Senator from West Virginia. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Michigan (Mr. HART) and the Senator from Washington (Mr. MAGNUSON) are absent on official business.

I further announce that the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Montana (Mr. MANSFIELD), and the Senator from Georgia (Mr. RUSSELL) are necessarily absent.

I further announce that, if present and voting, the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Washington (Mr. MAGNUSON), the Senator from Montana (Mr. MANSFIELD), and the Senator from Georgia (Mr. RUSSELL) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. HATFIELD) and the Senator from Idaho (Mr. JORDAN) are necessarily absent.

The Senator from Oklahoma (Mr. BELLMON) is detained on official business.

If present and voting, the Senator from Oregon (Mr. HATFIELD) and the Senator from Oklahoma (Mr. BELLMON) would each vote "yea."

The result was announced—yeas 91, nays 0, as follows:

[No. 104 Leg.]

YEAS—91

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

NAYS—0

NOT VOTING—9

Bellmon	Hart	Magnuson
Eastland	Hatfield	Mansfield
Gravel	Jordan, Idaho	Russell

So Mr. RANDOLPH's amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COOK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. GRIFFIN. Mr. President, I wish to ask the distinguished acting majority leader if he can advise us concerning the legislative schedule of business for the remainder of today and tomorrow.

Mr. KENNEDY. It is anticipated there will be no further yea-and-nay votes this evening.

We understand that in the latter part of the afternoon the Senator from Kentucky (Mr. COOPER) will call up an amendment and action on that amendment will be deferred until tomorrow.

We believe there is a reasonably good chance that action on the pending legislation might be completed tomorrow.

If action on the pending bill is completed tomorrow we will follow the calendar which has been established by the distinguished majority leader, the Senator from Montana (Mr. MANSFIELD), who indicated on September 24 that upon conclusion of the coal mine safety bill the bill to amend the Federal Water Pollution Control Act, Calendar No. 346, S. 7, will be taken up. He indicated that there was a jurisdictional dispute concerning that proposal and he hoped it

would be settled by the time we were ready to take up the bill. It is the hope of the leadership that the dispute will be settled. That measure will be the next order of business.

Mr. GRIFFIN. I thank the acting majority leader.

LEAVE OF ABSENCE

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be excused from attending the session of the Senate tomorrow in order to attend a funeral.

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

SECRETARY VOLPE'S PROPOSED RULES TO PROVIDE ADDED SAFETY AND REDUCE CONGESTION AT HIGH DENSITY AIRPORTS

Mr. JAVITS. Mr. President, I commend Secretary Volpe for proposing rules that would provide added safety and reduce congestion at our high density airports.

I have often maintained that the major airports should be used primarily for the great volume of commercial aviation traffic.

In conversation with air controllers and FAA officials on my tour of the traffic control facilities at Kennedy International Airport in New York 3 weeks ago, and in subsequent communications with Administrator Schaffer, I indicated that I would introduce legislation, should the FAA fail to deal with the issue, to require all aircraft to equip themselves with devices that would allow the air traffic controllers to monitor all aircraft within a designated radius of the airport, and to limit access to the high density airports predominantly to commercial aviation.

I am most pleased that Secretary Volpe has proposed rules that would not only effectuate these goals but also would attempt to establish "terminal control areas" to further reduce the possibilities of mid-air collision. The problems of safety and congestion have long confronted our airports, and often create chaos for the traveler. I believe that regulations such as those suggested by Secretary Volpe can be an effective measure to reduce congestion and improve safety at our airports, and so that the rules may be as sound and equitable as possible, I would urge all interested parties to take an active role in the hearings that will precede their promulgation.

If these rules turn out to be ineffective, I will certainly introduce legislation to correct the situation. I am very hopeful that this present accomplishment may be the beginning of the necessary steps to do the job.

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

The Senate resumed the consideration of the bill (S. 2917) to improve the health and safety conditions of persons

working in the coal mining industry of the United States.

Mr. STEVENS. Mr. President, I want to thank the Senator from Kentucky and particularly the Senator from Vermont for raising the issue of the point of order on S. 2917.

The research I have made suggests that the State of Alaska produces a substantial amount of coal but that in the entire history of Alaska there has never been one case of black lung disease.

The net result of the amendment offered by the Senator from West Virginia (Mr. RANDOLPH) is that the coal miners of my State will be left in the economic position where they can compete and will not face the assessments previously intended by the version of S. 2917 as reported by the committee.

Mr. COOPER. Mr. President, may I have the attention of the Senator from West Virginia and the Senator from New Jersey (Mr. WILLIAMS).

A few moments ago, in consultation, I said that I would lay down my amendment No. 207 this afternoon so that it could become the pending business tomorrow, with a view to voting on it tomorrow.

Because I do not wish to delay the Senate, let me say that in checking over the amendment I want to be sure, first, that it fully accomplishes the purposes I intend. There may be some changes that will have to be made to accomplish those purposes; namely, to maintain the classification between gassy and nongassy mines.

I hope, when I get the floor tomorrow, to be able to lay down this amendment as the first order of business at tomorrow's session.

Mr. President, I just want to put the Senate on notice as to the purposes of the amendment.

Mr. BYRD of West Virginia. May I ask the Senator from Kentucky a question?

Mr. COOPER. Yes.

Mr. BYRD of West Virginia. Do I correctly understand the Senator to say that he will not lay down his amendment tonight to make it the pending business, but will lay it down tomorrow?

Mr. COOPER. I will. That is correct.

Mr. BYRD of West Virginia. I thank the Senator.

IRREGULARITIES IN AID GRANTS

Mr. WILLIAMS of Delaware. Mr. President, today I wish to discuss another instance wherein the Agency for International Development—AID—through grants is subsidizing a so-called nonprofit organization in Washington, the main purpose of which is to subsidize foreign travel or make available additional expense allowances for friends.

As of May 31, 1969, AID had awarded grants, totaling \$886,000 to the National Association of the Partners of the Alliance, Inc.—NAPA.

This organization is a nonprofit organization established in 1966 allegedly for the purpose of helping to advance the

goals of the Alliance for Progress. Its headquarters are located at 1518 K Street NW., Washington, D.C.

About 96 percent of NAPA's money comes from AID, the remainder from private sources. The main expenses of this program are the salaries and travel expenses of its officers and certain selected private citizens or friends. On at least one occasion an attempt was made by the president of the organization to charge his \$60 Washington hotel room to the AID program.

The Inspector General, Mr. J. K. Mansfield, has just completed an audit of this agency and reports that its records are incomplete as to how the money has been spent and that what records are available show an utter disregard for the taxpayers' interests.

In addition to grants NAPA receives from the State Department, it has an operating fund to receive contributions from private donors, the proceeds of which are used to supplement travel expenses beyond those permitted under Government regulations, but in effect this fund is being operated in a manner to allow certain individuals who make contributions to receive the equivalent of their donations back in extra travel allowances for foreign junkets. Under the guise of making a charitable contribution to a nonprofit organization this means that they get a tax deduction for their travel expenses.

Simply stated, the mathematical result is that through this gimmick, they can deduct from their taxable income the cost of taking trips abroad.

For example, two individuals, Mr. George O'Gorman, 2401 Calvert Street NW., Washington, D.C., and Mr. Hickman Price, 5025 Lowell Street NW., Washington, D.C., each contributed \$2,000 to NAPA.

Then NAPA purchased for each man a ticket for a trip to Brazil at a cost of \$771.15 each. In addition each man was allocated \$1,000 for expense money from the special account to which they had previously made their tax-deductible contributions.

Thus both Mr. O'Gorman and Mr. Price in return for their \$2,000 tax-deductible contribution received the equivalent of \$1,771 back in value of tickets and cash allowance.

At the time the Inspector General began auditing the accounts of this agency no vouchers had been received by the agency as to how these \$1,000 advances had been spent; however, there was a memorandum in the file dated July 17, 1969, wherein NAPA had advised these men—apparently after the Inspector General's visit—that unless they could furnish vouchers the agency would be required to report the discrepancies to the Internal Revenue Service, with the possible result that their \$2,000 donations would not be approved as charitable contributions.

At the conclusion of my remarks I shall ask to have printed a copy of the July 17, 1969, letter as addressed to Mr. George O'Gorman by Mr. E. R. Kingman, treasurer of NAPA, alerting him to the

need for vouchers in order to satisfy the Treasury Department.

The above examples are not the only questionable transactions discovered in the audit. The President of NAPA from January 1967 through March 1969 was Mr. Edward S. Marcus, of Dallas, Tex., who drew an annual salary of \$26,158. Later this was raised to \$30,321, and subsequently Mr. Marcus' method of compensation was changed from a salary basis to that of a consultant fee at \$100 per day.

The agency records show that while Mr. Marcus was drawing a salary as a full-time employee of NAPA his services to the agency were considerably less than full time. In fact, most of his activities were as an official of his Neiman-Marcus department store of Dallas.

During his employment Mr. Marcus received a total of \$13,560 to cover travel and entertainment expenses, the rental of conference and hotel rooms, club dues, and the like. Of this amount \$7,486 was received in travel expenses from the NAPA general AID-financed fund. An additional \$2,665 for travel expenses was paid out of the NAPA private or unrestricted fund—financed by private donations including a donation of \$17,500 from the Marcus Foundation and \$179.01 solicited from high schools.

In addition, \$3,409 from this private fund was paid to cover extra expenses of Mr. Marcus while associated with NAPA.

The Edward S. Marcus Foundation was the largest contributor to this unrestricted fund or separate account which was being operated by NAPA, and significantly, Mr. Marcus was the principal beneficiary in the expenditure of these funds. Contributions to the Marcus Foundation were deductible as charitable contributions.

Mr. Marcus was using these funds to cover the cost of his travel over and beyond the normal travel allowances that were permitted by NAPA, which was operating under Government regulations.

Government travel allowances would not cover the cost of the type of travel and accommodations to which Mr. Marcus was accustomed, and the unrestricted funds received from outside donations could make up the difference.

One such item which was charged to the AID program but for which payment was subsequently denied involved a \$60 per day hotel room in the Washington Hilton Hotel which had been used by Mr. Marcus.

The examination of this agency showed that Mr. Marcus had been questioned as to the validity of his acceptance of a full-time salary while at the same time spending a substantial portion of his time at his own store.

A copy of the hotel bill along with a copy of the letter questioning Mr. Marcus' claim as a full-time employee will be placed in the RECORD at the end of my remarks.

Other instances were reported wherein officials of this agency were drawing their salaries while at the same time spending the bulk of their time elsewhere; in fact, one official was carried on the payroll

while back in the State conducting a campaign.

One employee, Mr. Warren Huff, tried another tax-saving gimmick while serving as executive director of NAPA from March 1967 through March 1969. Mr. Huff worked out an arrangement whereby he would receive a part of his salary as regular income, thereby taxable, while another part of his salary would be classified as a supplementary payment of \$250 for each pay period to cover anticipated expenses, and thereby not taxable.

After Mr. Huff had drawn approximately \$3,500 in such supplemental payments NAPA's accountant concluded that if the payments were ever audited the Treasury Department would rule that this money would be considered a part of his salary and thereby represent taxable income. To correct the situation \$1,027, as Federal withholding taxes, was paid by the agency representing Mr. Huff's tax liability on the amount which had previously been interpreted as an expense allowance. The money for this payment of taxes on Mr. Huff's supplemental salary came out of the so-called unrestricted fund, or the private donations account, which the agency was operating.

Actually, under the law Mr. Huff should be taxed not only for the \$3,500 erroneously classified for an expense allowance but also for the \$1,027 used to pay his income taxes.

The Inspector General in his investigation of this agency found the book-keeping system in a deplorable state. Numerous unused portions of airline tickets had never been returned for a refund, and there were inadequate records as to who had used the numerous tickets, and so forth, that had been paid for by the agency. Nor was there a proper accounting by the recipients for the expenditures that were listed in their names.

Personally I question not only the propriety of the manner in which this money was spent but also the wisdom or the need of the administrators of the AID program to hire an independent outside group at a cost of over \$1 million annually to act in a supervisory capacity on the Alliance for Progress program. If the administrators of the Government agency who are in charge of our AID program are not qualified, then I respectfully suggest that their resignations be accepted and they be replaced by competent personnel whereby the services of this or any other similar outside advisory group would be unnecessary.

In any event, should it be decided that there is a need for these outside groups then by all means their expenditures should be audited and supervised more carefully.

I now ask unanimous consent that there be printed in the RECORD a copy of the hotel bill with its \$60 per day room charge referred to as having originally been charged to AID but upon which, payment later was rejected by it.

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

HOTEL BILL, EDWARD MARCUS, DALLAS, TEX.

Date	Explanation	Charges	Credits	Balance due
Aug. 7, 1967	Restaurant	\$2.10		
Do	Long distance	1.70		\$3.86
Do	Restaurant	2.15		6.01
Do	do	11.43		17.44
Do	Long distance	0.39		17.83
Do	Room	60.00		
Do	Room tax	3.00		
Do	Tip	0.50		81.33
Aug. 8, 1967	Restaurant	2.92		
Do	Laundry	4.90		89.15
Do	Restaurant	3.50		92.65
Do	Room	60.00		
Do	Room tax	3.00		
Do	Tip	0.50		156.15
Aug. 9, 1967	Restaurant	2.16		
Do	Long distance	1.05		159.36
Do	Laundry	5.18		
Do	Restaurant	2.78		167.32
Do	Room	60.00		
Do	Room tax	3.00		
Do	Tip	0.50		230.82
Aug. 10, 1967	Restaurant	2.31		
Do	Racquet	4.00		
Do	Long distance	0.61		237.74
Do	Restaurant	18.20		255.94
Do	Room	60.00		
Do	Room tax	3.00		
Do	Tip	0.50		319.44
Aug. 11, 1967	Restaurant	2.77		322.21
Do	Room	60.00		
Do	Room tax	3.00		
Do	Tip	0.50		385.71

Mr. WILLIAMS of Delaware. Mr. President, I next ask unanimous consent that there be printed in the RECORD a copy of the July 11, 1969, letter signed by Mr. J. K. Mansfield, the Inspector General of Foreign Assistance, Department of State, commenting upon his audit of this agency, along with several of the enclosures therewith including a consolidated statement of expenditures of the AID funds allocated to NAPA from January 1, 1967 through March 31, 1969; a list of the receipts and disbursements of the unrestricted funds financed from private donations; and a copy of the letter from Mr. Edward R. Kingman, treasurer of NAPA, as addressed to Mr. Edward S. Marcus questioning the propriety of the payments to him as a full-time employee.

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

DEPARTMENT OF STATE, THE INSPECTOR GENERAL OF FOREIGN ASSISTANCE,

July 11, 1969.

HON. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: At your request we have examined certain matters concerning the National Association of the Partners of the Alliance, Inc. (NAPA). This is a non-profit organization established in late 1966 to help achieve the goals of the Alliance for Progress.

NAPA helps set up and coordinate various activities involving private groups in the United States and Latin America. It publishes a newsletter, and it arranges periodic conferences of Partners of the Alliance. NAPA headquarters are here in Washington at 1518 K Street, N.W.

NAPA Funds—AID Sources: Somewhat more than 96 percent of NAPA's money has come from the Agency for International Development. As of May 31, 1969, NAPA had received \$886,000 from AID. Of this amount, \$613,500 came from AID Contract LA 460. Money under this contract is used to pay NAPA staff salaries, travel costs, office expenses, printing, and the like. AID Contract LA 540 gave NAPA an additional \$272,500.

Money under this contract is used for travel and expenses for volunteer technicians working on Partners' programs.

Money given to NAPA by AID is kept in a general fund in the Riggs National Bank in Washington. A summary of how NAPA has spent these AID funds is found in Appendix A.

NAPA Funds—Private Sources: Somewhat less than 4 percent of NAPA's money has come from private sources—contributions, membership fees, and similar items. To date, NAPA has received \$32,890 in such private contributions. Of this amount, \$17,500 came from the Edward S. Marcus Foundation—an organization established by Mr. Edward S. Marcus, the former President of NAPA.

Money derived from these private sources is kept in an unrestricted fund at the Fidelity National Bank in Arlington, Virginia. This unrestricted fund has been used mainly to pay for things not considered reimbursable by AID—travel expenses exceeding those which can be paid under the AID contract, representational expenses and related items.

A summary of payments into and out of the unrestricted fund is contained in Appendix B.

Compensation of Mr. Edward S. Marcus: Mr. Edward S. Marcus, of Dallas, Texas, was President of NAPA from January 1967 through March 1969. During this period, he was also an officer of the Neiman-Marcus Department Store of Dallas.

He recently told Mr. Haugerud, the Deputy Inspector General, that when he joined NAPA his store agreed that he could spend up to half his time on NAPA, rather than Neiman-Marcus, business.

While serving as President of NAPA, Mr. Marcus lived in Dallas, and NAPA travel records show him as having made 19 trips to Washington, where NAPA is headquartered.

When he joined NAPA he received an annual salary of \$26,158. He was paid at this rate from January 1967 through February 16, 1968, receiving a total of \$30,321.

In February 1968, Mr. Marcus' method of compensation changed from a salary basis to a consultant fee of \$100 per day when actually employed. Mr. Marcus received a total of \$1,867 in such consultant fees.

An AID internal audit of NAPA, dated June 17, 1968, and covering the period while Mr. Marcus was on a full-time salary, noted that "Salary charges for executive personnel are not adequately supported by activity/time reports to permit verification of direct

effort performed for the Grantee on the project." (See Appendix C)

On June 7, 1968, Mr. Edward R. Kingman, the Treasurer of NAPA, wrote to Mr. Marcus and stated that "it now appears that your salary will be questioned for last year as you were not a full-time employee as required by the AID grant." (See Appendix D)

AID's contract with NAPA stipulates that no salary paid by the organization should exceed that paid a Foreign Service Reserve Officer-Class 1. At the time Mr. Marcus went on his annual salary, an FSR-1 earned \$25,890. At the time he went off his annual salary, an FSR-1 earned \$27,055.

Although the records do not show how much Mr. Marcus worked for NAPA while a salaried employee of the organization, it appears that his services were considerably less than full time. It appears also that if he had been paid at the salary rate of an FSR-1 for only the time he actually worked, he may well have been entitled to significantly less money than he received.

We have recommended to AID that it now try to determine as accurately as possible how much time Mr. Marcus actually spent on NAPA business while drawing a full-time salary from the organization. If, as seems to be the case, he received more money than he should have, we think AID should move to recover this money.

Expenses of Mr. Marcus: In addition to the \$32,188 he received in salary and consultant fees from NAPA, Mr. Marcus received \$7,486 in travel expenses from the NAPA general, or AID-financed, fund.

Mr. Marcus also directly received \$2,665 for travel expenses out of the NAPA private, or unrestricted fund. An additional \$3,409 from this fund was paid out to cover expenses associated with NAPA activities involving Mr. Marcus—rental of conference and hotel rooms, club dues, and the like.

The travel vouchers show that \$1,585 of Mr. Marcus' expenses while on NAPA trips was paid by Neiman-Marcus for items related to store business.

Finally, the records show that Mr. Marcus submitted bills for an additional \$1,172 for travel expenses from the unrestricted fund which have not been paid.

Compensation of Mr. Warren Huff: Mr. Warren Huff served as Executive Director of NAPA from March 1967 through March 1969.

When Mr. Huff joined NAPA he worked out an arrangement whereby he would receive part of his salary as regular income, and part as a supplementary payment of \$250 each pay period to cover anticipated expenses which would not be reimbursable under the AID contract. After Mr. Huff had received \$3,500 in such supplementary payments, the NAPA accountant concluded that this money in fact represented taxable income.

Subsequently, \$1,027 of Federal withholding tax was paid on this sum of \$3,500. However, the money for this payment came out of the unrestricted fund of NAPA, rather than from Mr. Huff's \$3,500.

As we see it, this payment of \$1,027 actually represents taxable income for Mr. Huff, and we recommended to AID that arrangements be made to have it declared as such.

Travel of Mr. Huff: While working with NAPA in Washington, Mr. Huff maintained a permanent residence in Plymouth, Michigan. He also served at the time as a member of the Michigan Partners, and did NAPA fund-raising in Michigan.

He made something in the neighborhood of 60 round trips between Washington and Michigan at his own expense while with NAPA.

These private trips would typically have him leaving Washington after work on Friday and returning to Washington early Monday morning.

Insofar as official travel is concerned, his travel orders permitted him to originate or terminate official trips either in Washington or Detroit. The travel records which we could find showed Mr. Huff making about 60 official trips while with NAPA—here in the United States, and to Latin America. It appears that he was in Michigan on roughly 30 occasions while starting, ending, or during the course of these official trips. The records do not permit this figure to be any more than an approximation. Neither are they adequate to show how much time Mr. Huff spent in Michigan on the occasions when he was there in connection with official trips.

Leave of Mr. Huff: Mr. Kingman, the NAPA Treasurer, told us it has been the policy of NAPA to follow Federal civil service practice in granting annual leave.

Last October and November, Mr. Huff took at least 26 working days of annual leave. During this period he was campaigning for a seat on the Board of Regents of Michigan State University. He continued to draw his regular salary of \$28,000 from NAPA.

Mr. Huff advanced the following reasons for believing that he was entitled to the leave he took last fall. He said his previous Federal service plus his additional service with NAPA came to more than 15 years and put him in the category of civil servants who earn 26 working days of annual leave per year. He said also that he had put in a great amount of uncompensated overtime. He said finally that he had taken only 4 days of annual leave while with NAPA prior to October 1968.

We checked the records of the United States Civil Service Commission and learned that Mr. Huff's actual period of previous Federal service for computing longevity for leave purposes was 12 years, 9 months and 26 days. (See Appendix E). Even if his NAPA service is added to this, his combined Federal and NAPA service would still be less than 15 years. Civil service practice would therefore have given him only 20, rather than 26, working days of annual leave per year.

It is also our understanding that Federal practice does not provide compensatory leave for employees at the salary level of Mr. Huff.

NAPA did not maintain leave records for its senior staff members prior to late 1968, and the records kept thereafter are incomplete. However, Mr. James Nagle, the former accountant of NAPA, told us that Mr. Huff actually took 14, rather than 4, days of annual leave prior to his going to Michigan last fall. Mr. Kingman says he would accept Mr. Nagle's figure.

The foregoing considerations make us conclude that, as of the end of last November, Mr. Huff had taken at least 7 more days of annual leave than he had earned up to that time.

It appears that he took additional annual leave between November and the time of his resignation from NAPA this past March.

We have recommended to AID that it now make the most accurate reconstruction it can of how much leave Mr. Huff actually took, and that it disallow any payments made for leave exceeding that to which he would have been entitled on the basis of following Federal practice.

Other Matters: Our review identified certain administrative matters requiring correction. Record-keeping at NAPA was generally inadequate. Certain required Internal Revenue Service forms had never been filed, there was a case of a substantial hotel bill which was incorrectly charged to the AID fund, there were numerous unused portions of old airline tickets which had never been returned for a refund, and the like.

We have recommended to AID that it try to bring about an across-the-board tightening of the administration of NAPA.

Please let me know if there is any other information we can get for you.

Sincerely,

J. K. MANSFIELD.

National Association of Partners of the Alliance—Consolidated statement of expenditures of AID funds, Jan. 1, 1967 to Mar. 31, 1969

Executive salaries.....	\$115,887.98
Staff salaries.....	134,934.25
Payroll taxes.....	9,001.22
Employee benefits.....	585.86
Insurance.....	1,503.91
Professional fees.....	23,839.84
Steno services.....	5,408.79
Films and reports.....	1,743.49
Supplies.....	6,991.48
Telephone and telegraph.....	21,641.26
Postage.....	8,522.93
Shipping.....	320.36
Utilities.....	28.15
Occupancy.....	21,420.00
Equipment rental.....	882.94
Printing.....	13,865.79
Publications and publicity.....	32,325.72
Local travel.....	273.02
Meetings.....	2,082.96
Executive travel.....	26,929.90
Other staff travel.....	100,781.84
Subscriptions.....	584.45
Memberships.....	6.00
Miscellaneous.....	3,425.12
Equipment.....	14,829.34
Volunteer travel.....	190,717.00
Total.....	738,533.60

NOTES

1. The above figures were taken from NAPA's financial statements without adjustment.

2. The total expenditures are less than the total amount advanced to NAPA by AID because at March 31, 1969 there was a substantial cash balance.

Unrestricted funds from private donations, April 14, 1967 to May 31, 1969

RECEIPTS

Donations:	
Marcus Foundation.....	\$17,500.00
Harlan Foundation.....	2,250.00
Mary Wells.....	1,000.00
George O'Gorman.....	2,000.00
Hickman Price.....	2,000.00
General Foods.....	1,000.00
IBM World Trade Corp.....	250.00
Mrs. C. M. Downing.....	627.00
F. V. Broune.....	200.00
Mario Mendibil.....	200.00
Freeborn Jewett.....	200.00
Marshall Jamison.....	564.53
Miscellaneous high schools.....	179.01
Total.....	27,970.54
Conference registration and membership dues.....	4,929.25
Total receipts, Apr. 14, 1967 to May 31, 1969.....	32,899.79

DISBURSEMENTS

Conference expenses:	
Third Inter-American Conference, Lima, Peru.....	7,771.70
Edward Marcus Lima speech.....	500.00
Edward Marcus Lima hotel bills.....	2,616.35
Pan America Hotel.....	332.00
Mrs. Mahaffee's Lima travel expenses.....	627.40
Miscellaneous conference expenses.....	36.67
Warren Huff conference expenses.....	402.36
Fulbright Fellows Conference expense.....	156.58

¹ \$1,000 subsequently returned to each as a travel advance for a trip to Brazil.

Unrestricted funds from private donations, April 14, 1967 to May 31, 1969—Continued

DISBURSEMENTS

Conference expenses:	
Edward R. Kingman conference expenses.....	\$44.75
Marriott Motor Motel.....	1,965.31
Total.....	14,453.12
Travel expenses:	
Edward Marcus travel expenses.....	2,665.59
Brian Beun travel expense.....	1,327.97
Warren Huff travel expense.....	204.87
Miscellaneous air and other travel expenses.....	1,684.43
Total.....	5,882.86
Luncheons and receptions:	
Edward Marcus reception.....	63.72
Luncheons on Capitol Hill.....	290.25
Int. Club of Washington:	
Edward Marcus membership dues.....	180.00
Drinks and food.....	58.77
Total.....	592.74
Clark Newlon.....	45.34
Janice Dansberger.....	110.15
Brian Beun professional fees.....	5,530.00
Dr. Roberto Rendon.....	200.00
Payments to Latin America partners.....	299.01
Payment to the Main Partners.....	564.53
Payment of Warren Huff's Federal withholding tax.....	1,027.90
Warren Huff for miscellaneous expenses.....	15.45
Miscellaneous expenses—credit balance.....	75.29
Coffee pot.....	27.90
Folding cot.....	20.66
American Cancer Society.....	25.00
Christmas cards.....	46.35
Plaques given to Huff and Marcus.....	114.40
Commission on sale of Andrade's paintings.....	480.00
Total disbursements, Apr. 14, 1967—May 31, 1969.....	29,360.12
Cash balance, May 31, 1969.....	3,539.67

JUNE 7, 1968.

MR. EDWARD S. MARCUS,
Neiman-Marcus,
Dallas, Tex.

DEAR ED: Thanks for your kind letter of May 30, 1968. I appreciate fact that you understand my problem and, of course, agree that the situation is unsatisfactory.

My problem is quite simple. I have more bills than money in the private account and, in addition, have auditors who will give me problems on our expenditures. I regret to add to the problems, but it now appears that your salary will be questioned for last year as you were not a full time employee as required by the A.I.D. grant. You, of course, realize, that as Treasurer, I am legally responsible to the State Department for the expenditures which must be in accordance with Government regulations and the specific requirements of the grant. We may not agree with the regulations but we have to abide by them the best we can. The type and extent of the invoices before me might possibly embarrass the Association as well as be claims against me personally as Treasurer.

I suggest we should all get together, and determine what and how much should be paid. It would be helpful to me to have some guidance from our Board of Directors on this subject at their next meeting. Meanwhile, I agree you cannot have your credit hurt and enclose the Bolivar Bill for possible immedi-

ate payment by you until it is decided what should be done.

Sincerely,

EDWARD R. KINGMAN,
Treasurer.

Mr. WILLIAMS of Delaware. Mr. President, I next ask unanimous consent that a letter dated July 15, 1969, signed by Mr. J. K. Mansfield, the Inspector General, addressed to me be printed in the RECORD. This letter relates to the fact that Mr. Price and Mr. O'Gorman had not submitted vouchers for the trip but that the treasurer, Mr. Kingman, was in the process of attempting to get them.

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

DEPARTMENT OF STATE, THE INSPECTOR GENERAL OF FOREIGN ASSISTANCE,

July 15, 1969.

HON. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This concerns the question you raised yesterday about the \$1,000 for AID funds which Mr. Hickman Price and Mr. George O'Gorman each received from the National Association of the Partners of the Alliance, Inc. (NAPA) as advances for a trip they made to Brazil last February. In addition, Mr. Price and Mr. O'Gorman each received a round-trip plane ticket between the United States and Brazil, which was not charged against their advance but paid for by NAPA from AID funds also.

Mr. Edward Kingman, the NAPA Treasurer, phoned my associate, William E. Craumer, a short while ago and told him the following: He said that, although Mr. Price and Mr. O'Gorman had submitted no vouchers for the trip, he, Mr. Kingman, was in the process of preparing vouchers covering their travel expenses. He said these vouchers, which were prepared on the basis of expenses incurred by others on the same trip, would come to about \$350 each.

He went on to say, however, that he was not sure that he wanted to submit the \$350 vouchers to Mr. Price and Mr. O'Gorman for their approval and signature. He thought that, as an alternative, he might choose to charge the NAPA private fund for the complete \$1,000 advances of both gentlemen, and to transfer these monies to the NAPA general—or AID-financed—fund.

We will keep on top of this and let you know what happens next.

Sincerely,

J. K. MANSFIELD.

Mr. WILLIAMS of Delaware. Mr. President, I next ask unanimous consent to have incorporated in the RECORD the June 10, 1969, letter as signed by Mr. Howard E. Haugerud, Deputy Inspector General, which summarizes the conditions which the Inspector General found when he first initiated his audit. I quote one phrase from that letter:

While I think the concept is sound, the administrative side has been chaotic . . .

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

DEPARTMENT OF STATE, THE DEPUTY INSPECTOR GENERAL OF FOREIGN ASSISTANCE,

June 10, 1969.

HON. JOHN WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: As Mr. Mansfield told you yesterday, we are fairly well into our examination of the records being kept by the National Association of the Partners of the Alliance. We will be prepared to give you a rather comprehensive report in the next day or two.

As Mr. Mansfield probably told you, we have been concerned with the administration of this operation for some time. While I think the concept is sound, the administrative side has been chaotic and has tended to reduce interest in many states and completely eliminate it in others. In November of 1968, I called on Mr. Marcus in Dallas and urged that he replace the Executive Director, Mr. Huff, at the earliest possible date, and to take other steps that would shore up the national headquarters. As the enclosed letter reveals, Mr. Marcus intended to do that; but as I understand it, other forces intervened. Mr. Huff remained on the payroll until March of this year.

Kindest regards,

Sincerely yours,

HOWARD E. HAUGERUD.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that there be printed in the RECORD a copy of the July 17, 1969, letter as addressed to Mr. George O'Gorman by Mr. E. R. King-

man, treasurer of NAPA, regarding the need for vouchers in order to support his claim that his donation be treated as a charitable contribution. A similar letter was sent to Mr. Hickman Price.

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

JULY 17, 1969.

MR. GEORGE O'GORMAN,
Washington, D.C.

DEAR MR. O'GORMAN: In February 1969 you very kindly donated \$2,000 to the Partners Program. At that time we advanced you \$1,000 travel money for your trip to Brazil on our behalf. Such an advance of travel of course requires clearance on our books with substantiation by a signed travel claim and supporting bills.

We are now closing our books for the fiscal year and must remove this advance from our records. To do this we must reduce the amount of your gift by \$1,000.00. If we receive the required documentation for the travel we can adjust the donation again. If not, we will be required to report to the Internal Revenue Service that you donated \$1,000 to NAPA for the year 1969 rather than \$2,000.00.

We are deeply grateful for your support and hope you understand our requirements in this regard.

Sincerely,

E. R. KINGMAN.

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

The Senate resumed the consideration of the bill (S. 2917) to improve the health and safety conditions of persons working in the coal mining industry of the United States.

Mr. WILLIAMS of New Jersey. Mr. President, the Department of Interior has provided some salient statistical information and estimates which will be useful to the Senate in its deliberations on S. 2917, coal mine health and safety legislation.

I ask unanimous consent that this information be printed in the RECORD.

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

PART C.—SALIENT STATISTICAL INFORMATION AND ESTIMATED FROM RECORDS OF THE U.S. BUREAU OF MINES

INJURY, EMPLOYMENT, PRODUCTION, AND PRODUCTIVITY DATA ON BITUMINOUS-COAL MINES IN THE UNITED STATES, 1930-66

Year	Frequency rates											
	Number of injuries		Per million man-hours		Per million tons		Men at work	Man-days worked (thousands)	Man-hours worked (thousands) ¹	Production short tons (thousands)	Tons per man-hour	Number of mines
	Fatal	Nonfatal	Fatal	Nonfatal	Fatal	Nonfatal						
1930	1,619	71,217	1.90	83.75	3.46	152.33	493,202	92,326	850,359	467,526	0.55	5,890
1931	1,080	53,975	1.60	79.98	2.83	141.26	450,274	73,349	674,871	382,105	.57	5,652
1932	958	39,352	1.77	72.58	3.09	127.06	406,380	59,260	542,181	309,710	.57	5,473
1933	833	43,946	1.31	68.87	2.50	131.72	418,752	69,882	638,124	333,631	.52	5,629
1934	958	46,922	1.41	69.29	2.67	130.74	458,044	81,648	677,115	359,368	.53	6,290
1935	958	47,529	1.46	71.47	2.60	127.64	462,354	82,292	665,047	372,369	.56	6,332
1936	1,098	50,514	1.43	65.62	2.52	115.73	482,500	95,262	769,819	436,468	.57	6,372
1937	1,198	52,847	1.54	68.05	2.68	118.21	490,771	96,130	776,581	447,047	.58	6,537
1938	880	36,794	1.52	63.47	2.52	105.26	445,246	71,747	579,747	349,548	.60	6,531
1939	867	38,544	1.36	60.52	2.19	97.18	445,044	78,966	636,828	396,631	.62	7,274
1940	1,204	43,994	1.68	61.28	2.61	95.37	440,847	88,771	717,969	461,319	.64	7,192
1941	1,072	46,637	1.35	58.93	2.08	90.42	457,744	98,000	791,429	515,769	.65	7,401
1942	1,245	53,193	1.41	60.21	2.14	91.44	448,797	109,491	883,518	581,705	.66	6,940
1943	1,225	51,067	1.39	57.79	2.06	86.05	407,135	106,912	883,709	593,471	.67	6,490
1944	1,124	51,253	1.23	56.02	1.81	82.49	376,203	104,695	914,925	621,358	.68	6,435
1945	925	46,194	1.13	56.52	1.60	80.12	364,997	93,854	876,316	576,525	.71	6,358
1946	795	42,817	1.09	58.81	1.49	80.25	385,142	82,850	727,995	533,520	.73	6,942
1947	985	46,025	1.23	57.32	1.57	73.28	411,845	97,105	803,016	628,034	.78	9,105
1948	862	42,078	1.15	56.28	1.45	70.97	429,378	94,575	747,686	592,923	.79	9,419
1949	494	27,548	.93	51.67	1.13	63.22	409,431	67,552	533,166	435,719	.82	8,739
1950	550	28,390	.92	47.73	1.06	54.82	408,623	75,510	594,836	517,879	.87	8,817
1951	684	28,081	1.16	47.56	1.28	52.67	372,138	74,898	590,406	533,132	.80	9,679

1 Footnotes at end of table.

PART C.—SALIENT STATISTICAL INFORMATION AND ESTIMATED FROM RECORDS OF THE U.S. BUREAU OF MINES—Continued
 INJURY, EMPLOYMENT, PRODUCTION, AND PRODUCTIVITY DATA ON BITUMINOUS-COAL MINES IN THE UNITED STATES, 1930-66—Continued

Year	Frequency rates										Men at work	Man-days worked (thousands)	Man-hours worked (thousands) ¹	Production short tons (thousands)	Tons per man-hour	Number of mines
	Number of injuries		Per million man-hours		Per million tons											
	Fatal	Nonfatal	Fatal	No fatal	Fatal	Nonfatal										
1952	449	23,719	0.90	47.64	0.96	50.53	338,719	63,028	497,914	469,373	0.94	8,994				
1953	397	20,112	.89	45.26	.87	44.12	295,425	56,294	444,319	455,885	1.03	8,610				
1954	334	14,746	.99	43.66	.85	37.62	241,919	42,765	337,727	391,952	1.16	7,934				
1955	360	15,966	.96	42.76	.78	34.52	225,539	47,306	373,384	462,519	1.24	8,676				
1956	392	16,486	1.02	42.99	.79	33.22	227,778	48,392	383,442	496,231	1.29	9,246				
1957	427	15,915	1.17	43.74	.87	32.53	223,900	46,020	363,996	489,175	1.34	9,117				
1958	326	12,036	1.14	41.97	.79	29.29	198,350	36,260	286,758	410,936	1.43	9,459				
1959	246	10,440	.92	39.15	.60	25.33	180,303	33,738	266,660	412,078	1.55	9,085				
1960	290	10,501	1.13	40.85	.70	25.24	170,628	32,417	257,075	416,098	1.62	9,347				
1961	275	9,902	1.18	42.52	.68	24.56	151,776	29,453	232,871	403,222	1.73	8,691				
1962	263	9,783	1.15	42.86	.62	23.14	147,276	28,863	228,267	422,838	1.85	8,805				
1963	252	9,838	1.09	42.38	.55	21.37	143,628	29,289	232,136	460,235	1.98	8,976				
1964	218	9,728	.94	41.92	.45	19.93	137,617	29,200	232,037	488,086	2.10	8,341				
1965	251	10,071	1.08	43.30	.49	19.63	137,602	29,242	232,613	513,083	2.21	8,208				
1966	227	9,617	.99	41.80	.43	18.06	135,952	28,928	230,087	532,559	2.31	7,216				

¹ Man-hours of exposure were reported by coal producers for the first time in 1930; from 1930 through 1944, these hours represented worktime or face-time only for underground employees. Since portal-to-portal hours were reported from 1945 on, the face-time hours reported from 1930

through 1944 were converted to portal-to-portal hours—See Bulletin 509, "Injury Experience in Coal Mining, 1948," page 5 for method used. ² In addition to the mines, there were 458 preparation plants in operation during 1966.

COAL-MINE-FATALITY RATES FOR THE UNITED STATES, 1870-1966¹

[Includes underground and surface injuries]

Year	Bituminous-coal mines			Anthracite mines			Total	
	Per thousand employed	Per thousand 300-day workers	Per million tons mined	Per thousand employed	Per thousand 300-day workers	Per million tons mined	Per thousand employed	Per million tons mined
1870			5.93			13.47	5.93	13.47
1871			5.60			10.86	5.60	10.86
1872			4.98			9.20	4.98	9.20
1873			5.46			10.06	5.46	10.06
1874	2.11	8.88	4.33			9.31	3.87	9.26
1875	1.60	4.93	3.37			10.50	3.06	9.51
Average			4.58			9.94	4.30	9.72
1876	1.00	4.29	3.22			9.96	2.83	9.20
1877	2.17	5.90	2.90			7.56	2.77	7.28
1878	1.86	3.17	2.92			8.62	2.62	6.38
1879	2.02	3.39	3.81			8.67	3.30	6.82
1880	1.43	2.95	2.75			7.05	2.21	5.16
Average	1.66	3.42	3.12			8.31	2.72	6.68
1881	1.67	2.75	3.59	4.87	8.55	2.93		6.04
1882	1.95	3.63	3.54	4.87	8.29	2.75		5.72
1883	3.09	4.99	3.53	4.56	8.40	3.34		6.58
1884	2.26	4.11	3.28	5.12	8.94	2.80		6.17
1885	1.68	3.48	3.58	5.26	9.36	2.58		5.91
Average	2.12	3.88	3.50	4.94	8.72	2.85		6.09
1886	1.85	3.89	2.70	4.13	7.12	2.25		5.23
1887	1.55	3.08	2.95	4.25	7.46	2.20		4.86
1888	2.23	4.38	2.98	4.10	7.81	2.55		5.61
1889	1.77	3.44	3.11	4.81	8.45	2.35		5.22
1890	2.15	2.85	3.56	3.00	4.50	8.13	2.52	3.50
Average	1.94	3.68	2.96	4.36	7.82	2.39		5.19
1891	2.86	3.85	4.94	3.39	5.01	8.45	3.08	4.30
1892	3.05	4.17	5.06	3.24	4.91	7.97	3.12	4.42
1893	2.26	3.32	4.07	3.42	5.21	8.43	2.70	4.03
1894	3.26	3.96	4.65	3.38	5.34	8.57	2.67	4.50
1895	3.09	4.78	5.46	2.95	4.51	7.26	3.04	4.68
Average	2.69	4.02	4.84	3.27	4.99	8.12	2.91	4.38
1896	2.51	3.92	4.45	3.36	5.79	9.22	2.85	4.62
1897	2.38	3.64	3.99	2.82	5.64	8.04	2.55	4.27
1898	2.64	3.75	4.06	2.82	5.57	7.70	2.71	4.28
1899	3.05	3.91	4.25	3.30	5.72	7.63	3.14	4.40
1900	3.74	4.79	5.32	2.85	5.15	7.16	3.44	4.87
Average	2.90	4.06	4.46	3.03	5.58	7.94	2.95	4.50
1901	3.16	4.21	4.74	3.53	5.40	7.60	3.27	4.54
1902	3.93	5.13	5.58	2.03	5.25	7.25	3.38	5.15
1903	3.47	4.63	5.07	3.44	5.01	6.94	3.46	4.72
1904	3.35	4.98	5.26	3.82	5.73	8.13	3.48	5.17
1905	3.53	5.02	5.14	3.89	5.43	8.29	3.63	5.14
Average	3.49	4.81	5.17	3.36	5.38	7.69	3.45	4.95
1906	3.38	4.76	4.72	3.43	5.28	7.81	3.39	4.87
1907	4.99	6.40	6.46	4.23	5.77	8.27	4.81	6.25
1908	3.50	5.44	5.42	3.89	5.84	8.14	3.60	5.54

Footnotes at end of table.

COAL-MINE-FATALITY RATES FOR THE UNITED STATES, 1870-1966¹—Continued

[Includes underground and surface injuries]

Year	Bituminous-coal mines			Anthracite mines			Total		
	Per thousand employed	Per thousand 300-day workers	Per million tons mined	Per thousand employed	Per thousand 300-day workers	Per million tons mined	Per thousand employed	Per thousand 300-day workers	Per million tons mined
1946	2.06	2.88	1.49	2.22	2.47	2.86	2.09	2.80	1.63
1947	2.39	3.02	1.57	2.20	2.57	3.02	2.36	2.96	1.69
1948	2.01	2.73	1.45	1.76	2.00	2.40	1.97	2.60	1.54
1949	1.21	2.19	1.13	1.20	1.83	2.11	1.21	1.13	1.22
1950	1.35	2.19	1.06	1.25	1.77	2.09	1.33	2.11	1.14
Average	1.80	2.65	1.36	1.73	2.16	2.54	1.79	2.56	1.47
1951	1.84	2.74	1.28	1.45	2.09	2.41	1.78	2.64	1.37
1952	1.33	2.14	.96	1.58	2.29	2.44	1.37	2.16	1.07
1953	1.34	2.12	.87	1.15	2.04	2.10	1.31	2.11	.95
1954	1.38	2.34	.85	1.48	2.72	2.14	1.40	2.40	.94
1955	1.60	2.28	.78	1.74	2.86	2.07	1.61	2.35	.85
Average	1.51	2.35	.96	1.46	2.32	2.26	1.50	2.34	1.05

Year	Bituminous-coal mines			Anthracite mines			Total		
	Per thousand employed	Per thousand 300-day workers	Per million tons mined	Per thousand employed	Per thousand 300-day workers	Per million tons mined	Per thousand employed	Per thousand 300-day workers	Per million tons mined
1956	1.72	2.43	.79	1.72	2.44	1.74	1.72	2.43	0.85
1957	1.91	2.78	.87	1.65	2.53	2.00	1.88	2.75	.93
1958	1.64	2.70	.79	1.21	1.97	1.51	1.59	2.61	.83
1959	1.36	2.19	.60	2.02	3.49	2.29	1.44	2.33	.68
1960	1.70	2.68	.70	1.84	3.12	1.85	1.71	2.73	.75
Average	1.68	2.56	.76	1.67	2.63	1.87	1.68	2.57	.81
1961	1.81	2.80	.68	1.20	1.84	1.09	1.75	2.71	.70
1962	1.79	2.73	.62	1.86	2.73	1.52	1.79	2.73	.66
1963	1.75	2.58	.55	2.37	3.30	1.74	1.81	2.65	.59
1964	1.58	2.24	.45	1.83	2.56	1.37	1.61	2.27	.48
1965	1.82	2.58	.49	.72	1.06	.54	1.74	2.47	.49
Average	1.75	2.59	.55	1.61	2.34	1.28	1.74	2.57	.58
1966	1.67	2.35	.43	.65	.96	.46	1.60	2.27	.43

¹ Before 1910 certain States did not maintain records of injuries. The above rates are based exclusively on tonnage and men employed in States for which injury records are available.

BITUMINOUS-COAL MINES: FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66¹

Year	Falls of roof and face ²	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ³	Grand total
1906	826	192	219	115	52	27	1,431	73	1,504	77	1,581
1907	911	260	911	134	49	99	2,364	59	2,423	111	2,534
1908	829	229	320	109	53	97	1,637	53	1,690	77	1,767
1909	975	240	264	122	52	312	1,965	37	2,002	73	2,075
1910	1,061	295	477	113	76	46	2,068	60	2,128	92	2,220
Average	921	243	438	119	56	116	1,893	56	1,949	86	2,035
1911	1,007	294	331	72	92	44	1,840	31	1,871	86	1,957
1912	43	296	255	70	75	44	1,683	39	1,722	96	1,818
1913	1,007	344	464	63	79	82	2,039	32	2,071	96	2,167
1914	903	309	305	56	86	55	1,714	41	1,755	104	1,859
1915	818	269	270	76	85	35	1,553	30	1,583	100	1,683
Average	936	303	325	67	83	52	1,766	35	1,801	96	1,897
1916	850	330	183	60	81	49	1,553	34	1,587	84	1,671
1917	965	433	319	55	76	60	1,908	44	1,952	162	2,114
1918	1,052	446	103	85	77	76	1,839	41	1,880	149	2,029
1919	878	310	149	57	64	79	1,537	39	1,576	112	1,688
1920	937	342	124	82	70	72	1,627	34	1,661	120	1,781
Average	936	372	176	68	74	67	1,693	38	1,731	126	1,857
1921	278	275	62	74	76	71	1,340	25	1,365	83	1,448
1922	780	286	298	55	71	56	1,546	36	1,582	102	1,684
1923	948	347	330	66	70	64	1,825	31	1,856	97	1,953
1924	846	299	486	46	72	56	1,805	17	1,822	84	1,906
1925	910	310	302	49	80	76	1,727	30	1,757	77	1,834
Average	853	303	296	58	74	65	1,649	27	1,676	89	1,765
1926	994	384	373	46	94	62	1,953	27	1,980	85	2,065
1927	924	309	187	48	94	70	1,632	22	1,654	88	1,742
1928	825	313	347	41	82	54	1,662	13	1,675	54	1,729
1929	922	349	168	45	75	56	1,615	17	1,632	73	1,705
1930	856	285	234	31	63	68	1,537	9	1,546	73	1,619
Average	904	328	262	42	82	62	1,680	17	1,697	75	1,772
1931	624	194	68	15	62	44	1,007	19	1,026	54	1,080
1932	466	146	162	21	42	45	882	13	895	63	958
1933	458	162	27	24	46	45	762	10	772	61	833
1934	539	168	40	21	53	64	885	9	894	64	958
1935	524	198	26	31	43	70	892	13	905	63	968
Average	522	174	65	22	49	54	886	12	898	61	959
1936	624	202	41	31	44	81	1,023	11	1,034	64	1,098
1937	606	244	116	31	52	64	1,113	15	1,128	70	1,198
1938	474	142	84	23	38	53	814	9	823	57	880
1939	500	155	43	15	49	56	818	5	823	44	867
1940	520	192	292	28	30	62	1,124	12	1,136	68	1,204
Average	545	187	115	26	42	63	978	11	989	60	1,049
1941	574	191	89	24	42	65	985	9	994	78	1,072
1942	592	241	148	16	51	89	1,137	6	1,143	102	1,245
1943	592	227	166	27	33	80	1,125	5	1,130	95	1,225
1944	563	211	32	19	26	136	987	28	1,015	109	1,124
1945	453	196	72	23	20	60	824	7	831	94	925
Average	555	213	102	22	34	86	1,012	11	1,023	95	1,118
1946	442	152	27	12	17	44	694	17	711	84	795
1947	456	190	154	23	20	36	879	15	894	91	985
1948	474	148	39	22	19	41	743	18	761	101	862

Footnotes at end of table.

BITUMINOUS-COAL MINES: FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66¹—Continued

Year	Falls of roof and face ²	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ³	Grand total
1949	270	94	3	14	10	25	416	9	425	69	494
1950	313	98	3	10	11	24	459	10	469	81	550
Average	391	137	45	16	15	34	638	14	652	85	730
1951	309	101	153	7	18	24	612	6	618	66	684
1952	240	95	7	5	10	22	379	10	389	60	449
1953	233	74	9	4	12	13	345	4	349	48	397
1954	177	62	17	5	11	15	287	4	291	43	334
1955	199	61	2	10	14	15	301	2	303	57	360
Average	231	79	38	6	13	18	385	5	390	55	445
1956	215	71	5	8	14	28	341	1	342	50	392
1957	218	53	63	7	11	21	373	2	375	52	427
1958	165	43	41	7	14	18	288	1	289	43	326
1959	137	36	10	4	6	15	208	2	210	36	246
1960	151	32	3	3	18	37	244	2	246	44	290
Average	177	47	24	6	13	24	291	2	293	43	336
1961	139	38	26	4	12	23	242	-----	242	33	275
1962	112	36	52	4	6	16	226	-----	226	37	263
1963	123	37	31	2	5	20	218	-----	218	34	252
1964	113	42	3	1	5	23	187	1	188	30	218
1965	126	34	15	1	4	28	208	7	215	36	251
Average	123	38	25	2	6	22	216	2	218	34	252
1966	109	40	10	3	2	24	188	1	189	38	227

¹ Figures for 1906-09 cover only States that maintained complete records of fatal injuries. These represent 98 to 99 percent of the total production of coal in the United States. Figures for 1910 to date represent the entire bituminous coal industry.

² Beginning with 1963, roof falls from haulage equipment knocking out support are included in the haulage category and roof falls from machinery knocking out support and pressure bumps or bursts are included in the "all other underground" category.

³ Includes strip mines and for 1955-66, includes auger mines.

Note: Includes 1 surface fatality resulting from fall of roof underground in Kentucky, 1958. Includes 2 surface fatalities resulting from the collapse of highwall, 1960.

TABLE V.—PENNSYLVANIA ANTHRACITE MINES: FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66

Year	Falls of roof and face ¹	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ²	Grand total
1906	214	67	46	82	1	27	437	19	456	101	557
1907	294	88	45	87	3	57	574	27	601	107	708
1908	299	90	55	94	1	33	572	24	596	82	678
1909	254	71	31	69	6	49	480	10	490	77	567
1910	253	93	20	82	3	38	489	20	509	92	601
Average	262	82	39	83	3	41	510	20	530	92	622
1911	252	92	34	88	2	126	594	21	615	84	699
1912	243	79	35	77	5	37	476	22	498	103	601
1913	257	85	50	75	1	55	523	30	553	65	618
1914	228	76	44	90	3	45	486	47	533	62	595
1915	261	80	34	79	4	58	516	10	526	60	586
Average	248	83	39	82	3	64	519	26	545	75	620
1916	215	64	43	86	9	57	474	15	489	66	555
1917	265	64	41	55	3	39	467	16	483	99	582
1918	242	66	26	50	11	47	442	11	453	98	551
1919	229	73	42	149	4	49	546	13	559	76	635
1920	197	66	36	49	6	40	394	22	416	75	491
Average	229	67	38	78	7	46	465	15	480	83	563
1921	243	70	64	68	4	50	499	11	510	37	547
1922	128	58	13	38	3	19	259	5	264	36	300
1923	219	73	42	49	5	45	433	15	448	61	509
1924	216	58	50	53	8	45	430	12	442	54	496
1925	170	56	43	53	4	20	346	4	350	50	400
Average	195	63	42	52	5	36	393	10	403	47	450
1926	220	52	49	50	2	39	412	8	420	33	453
1927	225	52	60	62	6	43	448	7	455	34	489
1928	243	52	29	33	6	42	405	12	417	30	447
1929	260	65	27	43	6	31	432	12	444	38	482
1930	243	40	30	47	8	34	402	10	412	32	444
Average	238	52	39	47	6	38	420	10	430	33	463
1931	234	43	20	25	3	23	348	9	357	26	383
1932	161	33	7	15	5	12	233	6	239	10	249
1933	119	32	13	10	7	17	198	10	208	23	231
1934	150	29	12	15	2	25	234	8	242	26	268
1935	140	30	23	19	2	15	229	22	251	23	274
Average	161	33	15	17	4	18	248	11	259	22	281
1936	120	26	16	20	8	26	216	14	230	14	244
1937	120	31	-----	14	4	16	185	11	196	19	215
1938	128	23	20	11	2	17	201	12	213	12	225
1939	121	27	3	17	2	15	185	13	198	13	211
1940	105	36	5	8	7	8	169	8	177	7	184
Average	118	29	9	14	5	16	191	12	203	13	216

Footnotes at end of table.

TABLE V.—PENNSYLVANIA ANTHRACITE MINES: FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66—Continued

Year	Falls of roof and face ¹	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ²	Grand total
1941	100	27	8	12	5	14	166	12	178	16	194
1942	132	37	9	13	6	12	209	5	214	12	226
1943	112	36	15	9	2	18	192	5	197	29	226
1944	82	16	4	16	3	18	139	12	151	23	174
1945	72	19	4	11	1	13	120	9	129	14	143
Average	100	27	8	12	3	15	165	9	174	19	193
1946	104	16	2	8	3	11	144	8	152	21	173
1947	84	14	35	7	4	3	147	6	153	20	173
1948	86	9	2	7	1	6	111	8	119	18	137
1949	54	10	3	3	1	1	71	12	83	8	91
1950	58	4	5	5	1	1	74	4	78	15	93
Average	77	11	9	6	2	4	109	8	117	16	133
1951	51	15	7	5	1	5	84	5	89	12	101
1952	51	11	4	4	1	6	76	9	85	14	99
1953	46	2	5	1	2	3	59	1	60	4	64
1954	39	6	1	1	1	2	49	2	51	11	62
1955	35	6	2	2	1	3	48	1	49	11	60
Average	44	8	4	2	1	4	63	4	67	10	77
1956	32	5	4	1	2	1	44	4	48	8	56
1957	31	5	3	4	1	4	48	1	49	2	51
1958	21	1	1	1	1	1	24	2	26	6	32
1959	30	5	1	2	1	1	37	4	41	6	47
1960	21	3	1	1	1	1	25	3	28	7	35
Average	27	4	2	2	1	1	36	2	38	6	44
1961	9	1	1	1	1	1	12	2	14	5	19
1962	8	1	1	1	1	1	17	1	18	8	26
1963	13	2	5	3	1	1	24	3	27	5	32
1964	9	3	3	3	1	1	20	2	22	2	24
1965	5	1	1	1	1	1	8	1	9	8	18
Average	9	1	2	1	1	1	16	2	18	4	22
1966	5	1	1	1	1	1	5	1	6	1	7

¹ Beginning with 1963, roof falls from haulage equipment knocking out support are included in the haulage category and roof falls from machinery knocking out support and pressure bumps or bursts are included in the all other underground category.

² Includes strip mines, culm banks, dredges, and preparation plants.

ALL COAL MINES: FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66¹

Year	Falls of roof and face ²	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ³	Grand total
1906	1,040	259	265	197	53	54	1,868	92	1,960	178	2,138
1907	1,205	348	956	221	52	156	2,938	86	3,024	218	3,242
1908	1,128	319	375	203	54	130	2,209	77	2,286	159	2,445
1909	1,229	311	295	191	58	361	2,445	47	2,492	150	2,642
1910	1,314	388	497	195	79	84	2,557	80	2,637	184	2,821
Average	1,183	325	478	201	59	157	2,403	76	2,480	178	2,658
1911	1,259	386	365	160	94	170	2,434	52	2,486	170	2,656
1912	1,186	375	290	147	80	81	2,159	61	2,220	199	2,419
1913	1,264	429	514	138	80	137	2,562	62	2,624	161	2,785
1914	1,131	385	349	146	89	100	2,200	88	2,288	166	2,454
1915	1,079	349	304	155	89	93	2,069	40	2,109	160	2,269
Average	1,184	385	364	149	86	116	2,285	61	2,345	171	2,517
1916	1,065	394	226	146	90	106	2,027	49	2,076	150	2,226
1917	1,230	497	360	110	79	99	2,375	60	2,435	261	2,696
1918	1,294	512	129	135	88	123	2,281	52	2,333	247	2,580
1919	1,107	383	191	206	68	128	2,083	52	2,135	188	2,323
1920	1,134	408	160	131	76	112	2,021	56	2,077	195	2,272
Average	1,166	439	213	146	80	114	2,157	54	2,211	208	2,419
1921	1,025	345	126	142	80	121	1,839	36	1,875	120	1,995
1922	908	344	311	93	74	75	1,805	41	1,846	138	1,984
1923	1,167	420	372	115	75	109	2,258	46	2,304	158	2,462
1924	1,062	357	536	99	80	101	2,235	29	2,264	138	2,402
1925	1,080	366	345	102	84	96	2,073	34	2,107	127	2,234
Average	1,048	366	338	110	79	100	2,042	37	2,079	136	2,215
1926	1,214	436	422	96	96	101	2,365	35	2,400	118	2,518
1927	1,149	361	247	110	100	113	2,080	29	2,109	122	2,231
1928	1,068	365	376	74	88	96	2,067	25	2,092	84	2,176
1929	1,182	414	195	88	81	87	2,047	29	2,076	111	2,187
1930	1,099	325	264	78	71	102	1,939	19	1,958	105	2,063
Average	1,142	380	301	89	87	100	2,100	27	2,127	108	2,235
1931	858	237	88	40	65	67	1,355	28	1,383	80	1,463
1932	627	179	169	36	47	57	1,115	19	1,134	73	1,207
1933	577	194	40	34	53	62	960	20	980	84	1,064
1934	689	197	52	36	56	89	1,119	17	1,136	90	1,226
1935	664	228	49	50	45	85	1,121	35	1,156	86	1,242
Average	683	207	80	39	53	72	1,134	24	1,158	83	1,240

Footnotes at end of table.

ALL COAL MINES: FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66¹—Continued

Year	Falls of roof and face ²	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ³	Grand total
1936	744	228	57	51	52	107	1,239	25	1,264	78	1,342
1937	726	275	116	45	56	80	1,298	26	1,324	89	1,413
1938	602	165	104	34	40	70	1,015	21	1,036	69	1,105
1939	621	182	46	32	51	71	1,003	18	1,021	57	1,078
1940	625	278	297	36	37	70	1,293	20	1,313	75	1,388
Average	664	216	124	40	47	80	1,170	22	1,192	74	1,265
1941	674	218	97	36	47	79	1,151	21	1,172	94	1,266
1942	724	278	157	29	57	101	1,346	11	1,357	114	1,471
1943	704	263	181	36	35	98	1,317	10	1,327	124	1,451
1944	645	227	36	35	29	154	1,126	40	1,166	132	1,298
1945	525	215	76	34	21	73	944	16	960	108	1,068
Average	654	240	109	34	38	101	1,177	20	1,196	114	1,311
1946	546	168	29	20	20	55	838	25	863	105	968
1947	540	204	189	30	24	39	1,026	21	1,047	111	1,158
1948	560	157	41	29	20	47	854	26	880	119	999
1949	324	104	6	17	10	26	487	21	508	77	585
1950	371	102	8	15	12	25	533	14	547	96	643
Average	468	147	55	22	17	38	748	21	769	102	871
1951	360	116	160	12	19	29	696	11	707	78	785
1952	291	106	11	9	10	28	455	19	474	74	548
1953	279	76	14	5	14	16	404	5	409	52	461
1954	216	68	18	5	12	17	336	6	342	54	396
1955	234	67	4	12	14	18	349	3	352	68	420
Average	276	87	41	9	14	22	448	9	457	65	522
1956	247	76	9	9	16	28	385	5	390	58	448
1957	249	58	66	11	12	25	421	3	424	54	478
1958	186	43	42	8	14	19	312	3	315	43	358
1959	167	41	10	6	6	15	245	6	251	42	293
1960	172	35	3	4	18	37	269	5	274	51	325
Average	204	51	26	8	13	25	326	4	330	50	380
1961	148	39	26	5	12	24	254	2	256	38	294
1962	120	37	52	4	6	24	243	1	244	45	289
1963	136	39	36	5	5	21	242	3	245	39	284
1964	122	45	6	4	5	25	207	3	210	32	242
1965	131	35	15	1	4	30	216	7	223	36	259
Average	131	39	27	4	6	25	232	3	236	38	274
1966	114	40	10	3	2	24	193	1	194	39	233

¹ Figures for 1906-09 cover only States that maintained complete records of fatal injuries. These represent 98 to 99 percent of the total production of coal in the United States. Figures for 1910 to date represent the entire coal industry.

the hauling category and roof falls from machinery knocking out support and pressure bumps or bursts are included in the all other underground category.

³ Includes strip mines, culm banks, dredges, preparation plants and beginning with 1955 includes auger mines.

² Beginning with 1963, roof falls from hauling equipment knocking out support are included in

BITUMINOUS-COAL MINES: PERCENTAGE DISTRIBUTION OF FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66¹

Year	Falls of roof and face ²	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ³	Grand total
1906	52.2	12.1	13.9	7.3	3.3	1.7	90.5	4.6	95.1	4.9	100.0
1907	36.0	10.3	36.0	5.2	1.9	3.9	93.3	2.3	95.6	4.4	100.0
1908	46.9	13.0	18.1	6.1	3.0	5.5	92.6	3.0	95.6	4.4	100.0
1909	47.0	11.6	12.7	5.9	2.5	15.0	94.7	1.8	96.5	3.5	100.0
1910	47.8	13.3	21.5	5.1	3.4	2.1	93.2	2.7	95.9	4.1	100.0
Average	45.3	11.9	21.5	5.8	2.8	5.7	93.0	2.8	95.8	4.2	100.0
1911	51.5	15.0	16.9	3.7	4.7	2.2	94.0	1.6	95.6	4.4	100.0
1912	51.9	16.3	14.0	3.9	4.1	2.4	92.6	2.1	94.7	5.3	100.0
1913	46.5	15.9	21.4	2.9	3.6	3.8	94.1	1.5	95.6	4.4	100.0
1914	48.6	16.6	16.4	3.0	4.6	3.0	92.2	2.2	94.4	5.6	100.0
1915	48.6	16.0	16.0	4.5	5.1	2.1	92.3	1.8	94.1	5.9	100.0
Average	49.3	16.0	17.1	3.5	4.4	2.8	93.1	1.8	94.9	5.1	100.0
1916	50.9	19.7	11.0	3.6	4.8	2.9	92.9	2.1	95.0	5.0	100.0
1917	45.7	20.5	15.1	2.6	3.6	2.8	90.3	2.0	92.3	7.7	100.0
1918	51.8	22.0	5.1	4.2	3.8	3.7	90.6	2.1	92.7	7.3	100.0
1919	52.0	18.4	8.8	3.4	3.8	4.7	91.1	2.3	93.4	6.6	100.0
1920	52.6	19.2	7.0	4.6	3.9	4.1	91.4	1.9	93.3	6.7	100.0
Average	50.4	20.0	9.5	3.7	4.0	3.6	91.2	2.0	93.2	6.8	100.0
1921	54.0	19.0	4.3	5.1	5.2	4.9	92.5	1.8	94.3	5.7	100.0
1922	46.3	17.0	17.7	3.3	4.2	3.3	91.8	2.1	93.9	6.1	100.0
1923	48.5	17.8	16.9	3.3	3.6	3.3	93.4	1.6	95.0	5.0	100.0
1924	44.4	15.7	25.5	2.4	3.8	2.9	94.7	.9	95.6	4.4	100.0
1925	49.6	16.9	16.5	2.7	4.4	4.1	94.2	1.6	95.8	4.2	100.0
Average	48.3	17.1	16.8	3.3	4.2	3.7	93.4	1.6	95.0	5.0	100.0
1926	48.1	18.6	18.1	2.2	4.6	3.0	94.6	1.3	95.9	4.1	100.0
1927	53.1	17.7	10.7	2.8	5.4	4.0	93.7	1.2	94.9	5.1	100.0
1928	47.7	18.1	20.1	2.4	4.7	3.1	96.1	.8	96.9	3.1	100.0
1929	54.1	20.5	9.9	2.6	4.4	3.2	94.7	1.0	95.7	4.3	100.0
1930	52.9	17.6	14.4	1.9	3.9	4.2	94.9	.6	95.5	4.5	100.0
Average	51.0	18.5	14.8	2.4	4.6	3.5	94.8	1.0	95.8	4.2	100.0

Footnotes at end of table.

BITUMINOUS-COAL MINES: PERCENTAGE DISTRIBUTION OF FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66¹—Continued

Year	Falls of roof and face ²	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ³	Grand total
1931	57.8	18.0	6.3	1.4	5.7	4.0	93.2	1.8	95.0	5.0	100.0
1932	48.7	15.2	16.9	2.2	4.4	4.7	92.1	1.3	93.4	6.6	100.0
1933	55.0	19.4	3.3	2.9	5.5	5.4	91.5	1.2	92.7	7.3	100.0
1934	56.3	17.5	4.2	2.2	5.5	6.7	92.4	.9	93.3	6.7	100.0
1935	54.1	20.5	2.7	3.2	4.4	7.2	92.1	1.4	93.5	6.5	100.0
Average	54.4	18.2	6.8	2.3	5.1	5.6	92.4	1.2	93.6	6.4	100.0
1936	56.8	18.4	3.8	2.8	4.0	7.4	93.2	1.0	94.2	5.8	100.0
1937	50.6	20.4	9.7	2.6	4.3	5.3	92.9	1.3	94.2	5.8	100.0
1938	53.9	16.1	9.6	2.6	4.3	6.0	92.5	1.0	93.5	6.5	100.0
1939	57.7	17.9	4.9	1.7	5.7	6.4	94.3	.6	94.9	5.1	100.0
1940	43.2	15.9	24.3	2.3	2.5	5.2	93.4	1.0	94.4	5.6	100.0
Average	51.9	17.8	11.0	2.5	4.0	6.0	93.2	1.1	94.3	5.7	100.0
1941	53.5	17.8	8.3	2.2	4.0	6.1	91.9	.8	92.7	7.3	100.0
1942	47.5	19.4	11.9	1.3	4.1	7.1	91.3	.5	91.8	8.2	100.0
1943	48.3	18.5	13.6	2.2	2.7	6.5	91.8	.4	92.2	7.8	100.0
1944	50.1	18.8	2.8	1.7	2.3	12.1	87.8	2.5	90.3	9.7	100.0
1945	48.9	21.2	7.8	2.5	2.2	6.5	89.1	.7	89.8	10.2	100.0
Average	49.6	19.1	9.1	2.0	3.0	7.7	90.5	1.0	91.5	8.5	100.0
1946	55.6	19.1	3.4	1.5	2.1	5.6	87.3	2.1	89.4	10.6	100.0
1947	46.3	19.3	15.6	2.3	2.0	3.7	89.2	1.6	90.8	9.2	100.0
1948	54.9	17.2	4.5	2.6	2.2	4.8	86.2	2.1	88.3	11.7	100.0
1949	54.7	19.0	.6	2.8	2.0	5.1	84.2	1.8	86.0	14.0	100.0
1950	56.9	17.8	.6	1.8	2.0	4.4	83.5	1.8	85.3	14.7	100.0
Average	53.1	18.6	6.1	2.2	2.0	4.6	86.6	1.9	88.5	11.5	100.0
1951	45.2	14.8	22.4	1.0	2.6	3.5	89.5	.9	90.4	9.6	100.0
1952	53.4	21.2	1.6	1.1	2.2	4.9	84.4	2.2	86.6	13.4	100.0
1953	58.7	18.6	2.3	1.0	3.0	3.3	86.9	1.0	87.9	12.1	100.0
1954	53.0	18.5	5.1	1.5	3.3	4.5	85.9	1.2	87.1	12.9	100.0
1955	55.2	16.9	.6	2.8	3.9	4.2	83.6	.6	84.2	15.8	100.0
Average	51.9	17.7	8.7	1.4	2.9	4.1	86.5	1.2	87.7	12.3	100.0
1956	54.8	18.1	1.3	2.0	3.6	7.1	86.9	.3	87.2	12.8	100.0
1957	51.0	12.4	14.8	1.6	2.6	4.9	87.3	.5	87.8	12.2	100.0
1958	50.6	13.2	12.6	2.1	4.3	5.5	88.3	.3	88.6	11.4	100.0
1959	55.7	14.6	4.1	1.6	2.5	6.1	84.6	.8	85.4	14.6	100.0
1960	52.1	11.0	1.0	1.0	6.2	12.8	84.1	.7	84.8	15.2	100.0
Average	52.7	14.0	7.1	1.8	3.9	7.1	86.6	.6	87.2	12.8	100.0
1961	50.7	13.8	9.5	1.4	4.4	8.4	88.0	.8	88.0	12.0	100.0
1962	42.6	13.7	19.8	1.5	2.3	6.0	85.9	.8	85.9	14.1	100.0
1963	48.8	14.7	12.3	.8	2.0	7.9	86.5	.8	86.5	13.5	100.0
1964	51.8	19.3	1.4	.5	2.3	10.5	85.8	.5	86.2	13.8	100.0
1965	50.2	13.5	6.0	.4	1.6	11.2	82.9	2.8	85.7	14.3	100.0
Average	48.8	15.1	9.9	.8	2.4	8.7	85.7	.8	86.5	13.5	100.0
1966	48.0	17.6	4.4	1.3	.9	10.6	82.8	.5	83.3	16.7	100.0

¹ Figures for 1906-09 cover only States that maintained complete records of fatal accidents. These represent 98 to 99 percent of the total production of coal in the United States. Figures for 1910 to date represent the entire bituminous coal industry.

² Beginning with 1963, roof falls from haulage equipment knocking out support are included in the haulage category and roof falls from machinery knocking out support and pressure bumps or bursts are included in the all other underground category.

³ Includes strip mines and for 1955-66 includes auger mines.

PENNSYLVANIA ANTHRACITE MINES: PERCENTAGE DISTRIBUTION OF FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66

Year	Falls of roof and face ¹	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ²	Grand total
1906	38.4	12.0	8.3	14.7	0.2	4.9	78.5	3.4	81.9	18.1	100.0
1907	41.5	12.4	6.4	12.3	.4	8.1	81.1	3.8	84.9	15.1	100.0
1908	44.1	13.3	8.1	13.9	.1	4.9	84.4	3.5	87.9	12.1	100.0
1909	44.8	12.5	5.5	12.2	1.1	8.6	84.7	1.7	86.4	13.6	100.0
1910	42.1	15.5	3.3	13.7	.5	6.3	81.4	3.3	84.7	15.3	100.0
Average	42.1	13.2	6.3	13.3	.5	6.6	82.0	3.2	85.2	14.8	100.0
1911	36.1	13.2	4.9	12.6	.2	18.0	85.0	3.0	88.0	12.0	100.0
1912	40.4	13.2	5.8	12.8	.8	6.2	79.2	3.7	82.9	17.1	100.0
1913	41.6	13.8	8.1	12.1	.1	8.9	84.6	4.9	89.5	10.5	100.0
1914	38.3	12.8	7.4	15.1	.5	7.6	81.7	7.9	89.6	10.4	100.0
1915	44.5	13.7	5.8	13.5	.7	9.9	88.1	1.7	89.8	10.2	100.0
Average	40.0	13.4	6.3	13.2	.5	10.3	83.7	4.2	87.9	12.1	100.0
1916	38.7	11.5	7.8	15.5	1.6	10.3	85.4	2.7	88.1	11.9	100.0
1917	45.5	11.0	7.0	9.5	.5	6.7	80.2	2.8	83.0	17.0	100.0
1918	43.9	12.0	4.7	9.1	2.0	8.5	80.2	2.0	82.2	17.8	100.0
1919	36.1	11.5	6.6	23.5	.6	7.7	86.0	2.0	88.0	12.0	100.0
1920	40.1	13.5	7.3	10.0	1.2	8.1	80.2	4.5	84.7	15.3	100.0
Average	40.7	11.9	6.7	14.0	1.1	8.2	82.6	2.7	85.3	14.7	100.0
1921	44.4	12.8	11.7	12.4	.7	9.2	91.2	2.0	93.2	6.8	100.0
1922	42.7	19.3	4.3	12.7	1.0	6.3	86.3	1.7	88.0	12.0	100.0
1923	43.0	14.3	8.3	9.6	1.0	8.9	85.1	2.9	88.0	12.0	100.0
1924	43.5	11.7	10.1	10.7	1.6	9.1	86.7	2.4	89.1	10.9	100.0
1925	42.5	14.0	10.8	13.2	1.0	5.0	86.5	1.0	87.5	12.5	100.0
Average	43.3	14.0	9.3	11.6	1.1	8.0	87.3	2.3	89.6	10.4	100.0

Footnotes at end of table.

PENNSYLVANIA ANTHRACITE MINES: PERCENTAGE DISTRIBUTION OF FATALITIES, BY PRINCIPAL CAUSES OF INJURY, 1906-66—Continued

Year	Falls of roof and face ¹	Haulage	Gas or dust explosions	Explosives	Electricity	All other underground	Total underground	Shaft and slope	Underground and shaft and slope	Surface ²	Grand total
1926	48.6	11.5	10.8	11.0	0.4	8.6	90.9	1.8	92.7	7.3	100.0
1927	46.0	10.6	12.3	12.7	1.2	8.8	91.6	1.4	93.0	7.0	100.0
1928	54.4	11.6	6.5	7.4	1.3	9.4	90.6	2.7	93.3	6.7	100.0
1929	53.9	13.5	4.6	8.9	1.2	6.5	89.6	2.5	92.1	7.9	100.0
1930	54.7	9.0	6.8	10.6	1.8	7.6	90.5	2.3	92.8	7.2	100.0
Average	51.4	11.2	8.4	10.2	1.3	8.2	90.7	2.2	92.9	7.1	100.0
1931	61.1	11.2	5.2	6.6	.8	6.0	90.9	2.3	93.2	6.8	100.0
1932	64.7	13.3	2.8	6.0	2.0	4.8	93.6	2.4	96.0	4.0	100.0
1933	51.5	13.9	5.6	4.3	3.0	7.4	85.7	4.3	90.0	10.0	100.0
1934	56.0	10.8	4.5	5.6	1.1	9.3	87.3	3.0	90.3	9.7	100.0
1935	51.1	11.0	8.4	6.9	.7	5.5	83.6	8.0	91.6	8.4	100.0
Average	57.3	11.8	5.3	6.1	1.4	6.4	88.3	3.9	92.2	7.8	100.0
1936	49.2	10.7	6.6	8.2	3.2	10.6	88.5	5.8	94.3	5.7	100.0
1937	55.8	14.4	6.5	6.5	1.9	7.4	86.0	5.2	91.2	8.8	100.0
1938	56.9	10.2	8.9	4.9	.9	7.5	89.3	5.4	94.7	5.3	100.0
1939	57.3	12.8	1.4	8.1	1.0	7.1	87.7	6.1	93.8	6.2	100.0
1940	57.1	19.6	2.7	4.3	3.8	4.3	91.8	4.4	96.2	3.8	100.0
Average	54.6	13.4	4.2	6.5	2.3	7.4	88.4	5.6	94.0	6.0	100.0
1941	51.6	13.9	4.1	6.2	2.6	7.2	85.6	6.2	91.8	8.2	100.0
1942	58.4	16.4	4.0	5.8	2.6	5.3	92.5	2.2	94.7	5.3	100.0
1943	49.6	15.9	6.6	4.0	.9	8.0	85.0	2.2	87.2	12.8	100.0
1944	47.1	9.2	2.3	9.2	1.7	10.4	79.9	6.9	86.8	13.2	100.0
1945	50.3	13.3	2.8	7.7	.7	9.1	83.9	6.3	90.2	9.8	100.0
Average	51.8	14.0	4.1	6.2	1.6	7.8	85.5	4.7	90.2	9.8	100.0
1946	60.1	9.2	1.2	4.6	1.7	6.4	83.2	4.7	87.9	12.1	100.0
1947	48.6	8.1	20.2	4.1	2.3	1.7	85.0	3.4	88.4	11.6	100.0
1948	62.8	6.6	1.5	5.1	.7	4.3	81.0	5.9	86.9	13.1	100.0
1949	59.3	11.0	3.3	3.3	-----	1.1	78.0	13.2	91.2	8.8	100.0
1950	62.3	4.3	5.4	5.4	1.1	1.1	79.6	4.3	83.9	16.1	100.0
Average	57.9	8.3	6.8	4.5	1.5	3.0	82.0	6.0	88.0	12.0	100.0
1951	50.4	14.8	6.9	5.0	1.0	5.0	83.1	5.0	88.1	11.9	100.0
1952	51.5	11.1	4.1	4.1	-----	6.0	76.8	9.1	85.9	14.1	100.0
1953	71.9	3.1	7.8	1.6	3.1	4.7	92.7	1.6	93.8	6.2	100.0
1954	62.9	9.6	1.6	-----	1.6	3.3	79.0	3.3	82.3	17.7	100.0
1955	58.4	10.0	3.3	3.3	-----	5.0	80.0	1.7	81.7	18.3	100.0
Average	57.1	10.4	5.2	2.6	1.3	5.2	81.8	5.2	87.0	13.0	100.0
1956	57.2	8.9	7.1	1.8	3.6	-----	78.6	7.1	85.7	14.3	100.0
1957	60.8	9.8	5.9	7.8	2.0	7.8	94.1	2.0	96.1	3.9	100.0
1958	65.6	-----	3.1	3.1	-----	3.1	74.9	6.3	81.2	18.8	100.0
1959	63.8	10.6	-----	4.3	-----	-----	78.7	8.5	87.2	12.8	100.0
1960	60.0	8.6	-----	2.8	-----	-----	71.4	8.6	80.0	20.0	100.0
Average	61.4	9.1	4.5	4.5	-----	2.3	81.8	4.6	86.4	13.6	100.0
1961	47.3	5.3	-----	5.3	-----	5.3	63.2	10.5	73.7	26.3	100.0
1962	30.8	3.8	-----	-----	-----	30.8	65.4	3.8	69.2	30.8	100.0
1963	40.6	6.3	15.6	9.4	-----	3.1	75.0	9.4	84.4	15.6	100.0
1964	37.5	12.5	12.5	12.5	-----	8.3	83.3	8.3	91.7	8.3	100.0
1965	62.5	12.5	-----	-----	-----	25.0	100.0	-----	100.0	-----	100.0
Average	40.9	4.5	9.1	4.6	-----	13.6	72.7	9.1	81.8	18.2	100.0
1966	83.3	-----	-----	-----	-----	-----	83.3	-----	83.3	16.7	100.0

¹ Beginning with 1963, roof falls from haulage equipment knocking out support are included in the haulage category and roof falls from machinery knocking out support and pressure bump or bursts are included in the all other underground category.

² Includes strip mines, culm banks, dredges, and preparation plants.

NUMBER OF INJURIES, PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1952

State	Number of injuries					Average severity			Time-loss rates		Frequency rates							
	Fatal	Nonfatal		Total non-fatal	All injuries	Distribution of all injuries, percent	Permanent partial	Temporary total	All injuries	Per thousand man-hours		Per thousand tons		Per million man-hours		Per million tons		
		Total	Partial							Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	
Alabama	12	1	19	248	268	280	1.4	699.4	54.2	374.0	5.42	2.46	7.17	3.26	0.90	20.16	1.19	26.68
Alaska	-----	-----	1	55	56	56	.3	75.0	15.0	16.1	-----	2.16	-----	2.46	-----	133.83	-----	152.44
Arizona	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Arkansas	1	-----	4	111	115	116	.6	168.8	37.7	93.6	4.90	3.97	9.09	7.36	.82	93.93	1.52	174.23
California	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Colorado	4	-----	8	217	225	229	1.1	592.3	45.9	169.0	6.38	3.91	7.46	4.57	1.06	59.82	1.24	69.96
Georgia	-----	-----	-----	4	4	4	(e)	-----	37.3	37.3	-----	2.41	-----	4.64	-----	64.83	-----	124.61
Illinois	26	-----	27	1,365	1,392	1,418	6.9	780.6	30.9	154.6	8.40	3.41	5.21	2.11	1.40	74.93	.87	46.51
Indiana	9	1	3	468	472	481	2.4	4,000.0	37.1	185.8	10.84	7.10	8.11	5.31	1.81	94.73	1.35	70.89
Iowa	-----	-----	-----	50	50	50	(e)	-----	27.0	27.0	-----	1.67	-----	3.19	-----	62.03	-----	118.38
Kansas	-----	-----	-----	3	3	3	(e)	-----	41.3	41.3	-----	-----	-----	2.57	-----	22.50	-----	62.09
Kentucky	65	3	91	2,611	2,705	2,770	13.6	800.0	41.0	212.2	7.04	3.57	7.13	3.62	1.17	48.85	1.19	49.47
Maryland	1	-----	1	37	38	39	.2	300.0	30.1	190.1	8.44	1.99	16.34	3.85	1.41	53.48	2.72	103.47
Michigan	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Missouri	-----	-----	-----	15	15	15	.1	-----	41.7	41.7	-----	1.09	-----	2.89	-----	26.27	-----	69.29
Montana	-----	1	2	45	48	48	.2	225.0	33.2	165.5	-----	-----	-----	11.17	-----	78.33	-----	67.49
New Mexico	1	-----	2	32	34	35	.2	2,000.0	66.7	346.7	6.25	6.39	7.81	7.99	1.04	35.43	1.30	44.27
North Carolina	1	-----	-----	-----	-----	1	(e)	-----	6,000.0	312.50	-----	-----	3,472.22	-----	52.08	-----	578.70	

Underground mines: Underground (including shaft and slope):

NUMBER OF INJURIES, PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1952—Continued

State	Number of injuries						Average severity			Time-loss rates				Frequency rates				
	Fatal	Nonfatal			All injuries	Distribution of all injuries, percent	Permanent partial	Temporary total	All injuries	Per thousand man-hours		Per thousand tons		Per million man-hours		Per million tons		
		Total	Partial	Temporary total						Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	
Underground mines: Underground (including shaft and slope):																		
North Dakota			1	10	11	11	0.1	3,000.0	39.5	308.6	24.24		18.21		78.52		59.00	
Ohio	9	4	10	588	602	611	3.0	292.5	43.8	174.6	4.40	4.29	3.83	3.74	0.73	49.07	0.64	42.71
Oklahoma			2	127	129	129	.6	187.5	33.0	35.4		3.09		5.15		87.29		145.34
Oregon																		
Pennsylvania (bituminous)	62	6	83	3,063	3,152	3,214	15.7	685.5	42.9	185.5	4.36	2.63	5.42	3.27	.73	36.97	.90	45.93
South Dakota																		
Tennessee	7	1	9	288	298	305	1.5	295.9	45.0	208.6	6.21	3.20	8.49	4.37	1.04	44.09	1.41	60.20
Utah	4		5	297	302	306	1.5	1,440.0	36.0	136.9	5.02	3.74	3.86	2.88	.84	63.15	.64	48.61
Virginia	22	2	31	1,429	1,462	1,484	7.3	691.1	33.6	143.8	6.01	3.70	6.88	4.24	1.00	66.56	1.15	76.20
Washington				190	190	190	.9		19.3	19.3		3.40		4.94		175.75		255.22
West Virginia	161	10	228	8,173	8,411	8,572	42.0	594.7	37.3	171.1	7.33	3.80	7.33	3.80	1.22	63.85	1.22	63.86
Wyoming	4		10	37	47	51	.3	1,120.7	58.9	733.0	7.13	3.97	5.82	3.24	1.19	13.96	.97	11.39
Total bituminous	389	29	537	19,463	20,029	20,418		690.3	38.3	177.5	6.30	3.48	6.50	3.60	10.5	54.08	1.08	55.81
Pennsylvania (anthracite)	85	3	54	5,292	5,349	5,434		701.1	24.8	128.3	8.37	3.07	19.02	6.98	1.39	87.78	3.17	199.48
Total underground (including shaft and slope)	474	32	591	24,755	25,378	25,852		691.3	35.4	167.2	6.59	3.43	7.37	3.83	1.10	58.84	1.23	65.80
Surface:																		
Alabama	2		8	25	33	35	1.5	922.5	35.4	579.0	3.98	2.74			.66	10.94		
Alaska				19	19	19	.8		27.4	27.4		3.29				120.16		
Arizona																		
Arkansas				3	3	3	.1		23.3	23.3						14.05		
California																		
Colorado	1		1	31	32	33	1.4	150.0	33.2	2,176	6.34	1.25			1.06	33.80		
Georgia																		
Illinois	2		7	191	198	200	8.5	1,253.6	26.4	129.1	1.94	2.24			.32	32.03		
Indiana	1		3	53	56	57	2.4	250.0	31.0	147.3	4.77	1.90			.79	44.50		
Iowa				3	3	3	.1		16.0	16.0						26.13		
Kansas																		
Kentucky	10		15	275	290	300	12.7	225.0	29.7	238.5	5.23	1.01			.87	25.26		
Maryland				1	1	1	(*)		28.0	28.0						6.99		
Michigan				1	1	1	(*)		23.0	23.0						7.80		
Missouri				5	5	5	.2		16.8	16.8						20.95		
Montana				7	8	9	.4	150.0	37.1	712.2			35.98	2.46		47.98		
New Mexico	1		1	7	8	9	.4		150.0	37.1	6,000.0	1,390.18			6.00	231.70		
North Carolina	1						(*)											
North Dakota				5	5	5	.2		16.4	16.4						56.41		
Ohio	2		1	71	72	74	3.1	300.0	45.0	209.4	3.37	.98			.56	20.23		
Oklahoma	1			4	4	5	.2		49.0	1,239.2	23.43	.77			3.90	15.62		
Oregon																		
Pennsylvania (bituminous)	2	1	17	304	322	324	13.8	591.2	37.0	121.3	.76	1.72			.13	20.27		
South Dakota																		
Tennessee			1	38	39	39	1.7	300.0	27.3	34.3		.94				27.29		
Utah	1		54	55	56	56	2.4	300.0	20.3	132.0	3.57	.83			.59	32.71		
Virginia	1		9	108	117	118	5.0	516.8	28.9	116.7	1.69	2.19			.28	32.91		
Washington				33	33	33	1.4		23.9	23.9						96.15		
West Virginia	9	1	43	973	1,017	1,026	43.6	683.7	29.4	115.0	2.09	2.48			.35	39.34		
Wyoming			2	5	7	7	.3	375.0	29.8	128.4		1.07				8.35		
Total bituminous	34	2	109	2,209	2,320	2,354		608.5	30.5	148.6	2.63	1.88			.44	29.91		
Pennsylvania (anthracite)	7	1	14	663	678	685		577.7	24.1	105.2	1.72	1.23			.29	27.78		
Total surface	41	3	123	2,872	2,998	3,039		605.0	29.0	138.8	2.41	1.72			.40	29.40		
Total underground mines:																		
Bituminous coal	423	31	646	21,672	22,349	22,772		676.5	37.5	174.5	5.67	3.21			.94	49.89		
Anthracite	92	4	68	5,955	6,027	6,119		675.7	24.8	125.7	6.47	2.55			1.08	70.62		
Total deep mines	515	35	714	27,627	28,376	28,891		676.4	34.8	164.2	5.79	3.10			.97	53.21		

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1953

State	Number of injuries						Average severity			Time-loss rates				Frequency rates				
	Fatal	Nonfatal			All injuries	Distribution of all injuries, percent	Permanent partial	Temporary total	All injuries	Per thousand man-hours		Per thousand tons		Per million man-hours		Per million tons		
		Total	Partial	Temporary total						Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	
Underground mines: Underground (including shaft and slope):																		
Alabama	12		26	191	217	229	1.3	380.2	55.2	403.6	5.57	1.58	6.49	1.84	0.93	16.80	1.08	19.57
Alaska	2			115	115	117	.7		21.6	123.8	23.05	4.76	28.58	5.91	3.84	220.90	4.76	273.91
Arizona																		
Arkansas			1	68	70	70	.4	4,575.0	37.3	187.3		17.04		32.99		90.97		176.10
California																		
Colorado	3		1	200	201	204	1.2	1,800.0	43.0	139.2	5.14	2.97	5.57	3.22	.86	57.41	.93	62.25
Georgia				1	1	1			39.0	39.0		1.45		2.77		37.17		70.92
Illinois	23		20	1,088	1,108	1,131	6.6	1,436.3	34.7	180.8	8.71	4.20	4.64	2.23	1.45	69.93	.77	37.24
Indiana	7		5	388	393	400	2.3	315.0	40.3	148.1	10.16	4.17	6.77	2.77	1.69	95.05	1.13	63.32
Iowa	6		1	47	48	54	.3	3,600.0	24.4	754.6	51.27	6.76	86.02	11.34	8.54	68.35	14.34	114.69
Kansas				4	4	4			41.8	41.8		2.28		5.38		54.66		128.75
Kentucky	55	4	60	2,340	2,404	2,459	14.2	650.6	36.6	194.6	6.63	2.99	6.12	2.76	1.11	48.31	1.02	44.61
Maryland	2		1	27	28	30	.2	75.0	36.1	435.0	20.01	1.75	36.94	3.23	3.34	46.70	6.16	86.20
Missouri				7	7	7			39.1	39.1		.70		1.78		17.89		45.46
Montana	1			25	25	26	.2		28.9	258.6	15.15	1.83	12.66	1.53	2.52	63.12	2.11	52.75

Footnotes at end of table.

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1953—Con.

State	Number of injuries					Distribution of all injuries, percent ¹	Average severity			Time-loss rates				Frequency rates				
	Nonfatal			All injuries	Perma- nent partial		Tempo- rary total	All in- juries	Per thousand man-hours		Per thousand tons		Per million man-hours		Per million tons			
	Fatal	Total	Partial						Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal		
Underground mines:																		
Underground (including shaft and slope):																		
New Mexico	2			26	26	28	0.2	39.4	465.2	18.29	1.56	23.44	2.00	3.05	39.63	3.91	50.78	
North Dakota			1	9	10	10	.1	300.0	32.2	59.0	7.71	11.87		130.64		201.11		
Ohio	10		14	505	519	529	3.1	535.7	41.7	167.4	5.72	2.72	2.22	.95	49.49	.78	40.38	
Oklahoma	1		1	137	138	139	.8	150.0	35.6	79.4	4.55	3.82	6.89	.76	104.69	1.15	158.40	
Oregon																		
Pennsylvania (bitumi- nous)	63	1	70	2,778	2,849	2,912	16.9	760.2	40.2	188.5	4.52	2.04	5.17	.75	34.08	.86	38.97	
South Dakota																		
Tennessee	7	1	11	299	311	318	1.8	668.2	33.0	205.1	6.84	3.78	8.51	1.14	50.63	1.42	63.00	
Utah	9		5	329	334	343	2.0	588.8	36.9	201.4	10.47	2.92	8.25	1.74	64.74	1.38	51.04	
Virginia	29	3	20	1,023	1,046	1,075	6.2	347.3	36.0	219.8	9.80	3.51	10.28	1.63	58.92	1.71	61.80	
Washington	2			129	429	131	.8		33.0	124.1	14.71	5.22	20.08	7.13	2.45	158.15	3.35	215.83
West Virginia	113	7	197	6,685	6,889	7,002	40.6	713.0	36.0	157.3	6.21	3.87	5.51	1.03	63.07	.92	56.03	
Wyoming	2		4	35	39	41	.2	1,893.8	83.5	548.7	4.16	3.64	3.39	.69	13.52	.56	11.00	
Total bituminous	349	17	438	16,456	16,911	17,260		722.0	37.2	181.0	6.39	3.14	5.99	2.95	1.06	51.59	1.00	48.41
Pennsylvania (anthracite)	60	2	34	3,331	3,367	3,427		589.4	25.8	139.4	8.69	2.84	17.49	5.73	1.45	81.24	2.92	163.60
Total underground (in- cluding shaft and slope)	409	19	472	19,787	20,278	20,687		712.5	35.3	174.1	6.65	3.11	6.64	3.10	1.11	54.92	1.11	54.82
Surface:																		
Alabama			5	24	29	29	1.5	1,600.0	41.1	309.9		3.15			10.18			
Alaska				20	20	20	1.1		24.4	24.4		3.06			125.52			
Arizona																		
Arkansas				6	6	6	.3		38.2	38.2		1.70			44.61			
California																		
Colorado				25	25	25	1.3		17.9	17.9		.53			29.57			
Georgia																		
Illinois	5	1	6	160	167	172	9.0	287.5	26.8	244.3	5.81	2.33		.97	32.34			
Indiana	1			40	40	41	2.2		21.0	166.9	4.69	.66		.78	31.28			
Iowa				2	2	2	.1		9.0	9.0		.18			20.48			
Kansas																		
Kentucky	4		12	275	287	291	15.3	446.9	26.1	125.6	2.32	1.21		.39	27.69			
Maryland				2	2	2	.1		37.0	37.0		.66			17.88			
Missouri																		
Montana				5	5	5	.3		17.6	17.6		.50			28.61			
New Mexico				2	2	2	.1		32.0	32.0		.53			16.52			
North Dakota				2	2	2	.1		28.0	28.0		.95			33.92			
Ohio	3		2	72	74	77	4.0	187.5	30.0	266.7	5.87	.83		.98	24.14			
Oklahoma				4	4	4	.2		18.5	18.5		.29			15.82			
Oregon																		
Pennsylvania (bituminous)	6		17	216	233	239	12.6	639.7	33.2	226.2	2.33	1.17		.39	15.07			
South Dakota																		
Tennessee			1	25	26	26	1.4	600.0	35.0	56.7		1.12			19.69			
Utah	1		1	34	35	36	1.9	150.0	26.9	196.3	3.56	.63		.59	20.75			
Virginia	2		9	82	91	93	4.9	1,325.0	29.2	283.0	3.68	4.40		.61	27.93			
Washington				17	17	17	.9		17.1	17.1					58.60			
West Virginia	5		22	782	804	809	42.5	252.3	30.8	73.7	1.32	1.30		.22	35.34			
Wyoming				5	5	5	.3		24.2	24.2		.17			7.16			
Total bituminous	27	1	75	1,800	1,876	1,903		594.2	29.3	139.5	2.31	1.47		.38	26.70			
Pennsylvania (anthracite)	4		9	491	500	504		458.3	24.8	80.0	1.22	.83		.20	25.41			
Total surface	31	1	84	2,291	2,376	2,407		579.6	28.4	127.0	2.07	1.33		.34	26.42			
Total underground mines:																		
Bituminous coal																		
Anthracite	64	2	43	3,822	3,867	3,931		561.9	25.6	131.8	6.28	2.20	18.66	6.52	1.05	63.27	3.11	187.89
Total deep mines	440	20	556	22,078	22,654	23,094		692.4	34.6	169.2	5.75	2.76	7.14	3.45	.96	49.33	1.19	61.25

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1954

State	Number of injuries					Distribution of all injuries, percent ¹	Average severity			Time-loss rates				Frequency rates				
	Nonfatal			All injuries	Perma- nent partial		Tempo- rary total	All in- juries	Per thousand man-hours		Per thousand tons		Per million man-hours		Per million tons			
	Fatal	Total	Partial						Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal		
Underground mines:																		
Underground (including shaft and slope):																		
Alabama	10	1	25	139	165	175	1.4	726.5	54.9	524.5	5.66	3.00	6.64	3.52	0.94	15.58	1.11	18.27
Alaska				35	35	35	.3		18.7	18.7		1.89		2.30		101.00		122.91
Arizona																		
Arkansas				1	49	50	.4	150.0	34.5	36.8		3.46		6.51		93.92		176.98
California																		
Colorado	3	1	5	116	122	125	1.0	675.0	44.8	260.6	6.58	5.33	6.58	5.58	1.10	44.63	1.15	46.66
Georgia				2	2	2			23.0	23.0		1.24		2.04		53.76		88.89
Illinois	18		17	869	886	904	7.3	947.1	36.1	172.0	8.45	3.71	4.06	1.78	1.41	69.29	.68	33.33
Indiana	7		1	252	253	260	2.1	300.0	31.5	193.3	14.23	2.79	8.62	1.69	2.37	85.70	1.44	51.92
Iowa				26	26	26	.2		32.3	32.3		1.05		1.58		52.13		78.35
Kansas				3	3	3			20.2	20.2		1.36		3.89		42.07		120.32
Kentucky	51	4	51	1,956	2,011	2,062	16.6	646.8	34.9	209.1	7.78	3.18	6.44	2.64	1.30	51.12	1.07	42.35
Maryland				18	18	18	.1		44.9	44.9		1.82		3.52		40.60		78.25
Missouri				6	6	6			57.5	57.5		.88		2.14		15.39		37.30
Montana	1		1	29	30	31	.2	300.0	19.1	221.1	17.42	2.48	13.87	1.98	2.90	87.12	2.31	69.35
New Mexico				6	6	6			39.2	39.2		.98		1.24		24.96		31.63

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1954—Continued

State	Number of injuries					Distri- bution of all in- juries, per- cent ¹	Average severity			Time-loss rates				Frequency rates			
	Fatal	Nonfatal		Total non- fatal	All in- juries		Perma- nent partial	Tempo- rary total	All in- juries	Per thousand man-hours		Per thousand tons		Per million man-hours		Per million tons	
		Total	Partial							Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal
Underground mines:																	
Underground (including shaft and slope):																	
North Dakota		1	1	1	3	3	150.0	13.0	2,054.3	208.92	264.06	101.69	128.54				
Ohio	4	1	14	361	376	380	3.1	1,108.9	38.0	155.9	3.03	4.45	2.23	3.27	0.51	47.52	
Oklahoma				123	123	123	1.0		28.9	28.9	2.96	4.51	102.39	0.37	156.05		
Oregon				1,521	1,570	1,612	13.0	805.9	43.5	228.3	4.54	2.09	4.66	2.15	.76	28.28	
Pennsylvania (bituminous)	42	2	47	1,521	1,570	1,612	13.0	805.9	43.5	228.3	4.54	2.09	4.66	2.15	.76	28.28	
South Dakota				269	274	274	2.2	675.0	48.4	182.2	4.80	3.19	5.80	3.85	.80	43.06	
Tennessee	5		11	258	269	274	2.2	675.0	48.4	182.2	4.80	3.19	5.80	3.85	.80	43.06	
Utah	6		4	145	149	155	1.2	693.8	44.2	291.6	11.27	2.88	7.22	1.84	1.88	46.64	
Virginia	22		20	752	772	794	6.4	410.3	40.0	214.4	9.58	2.78	8.84	2.56	1.60	56.03	
Washington	1		1	79	80	81	.7	75.0	36.6	110.7	9.59	4.74	10.50	5.19	1.60	127.87	
West Virginia	121	1	140	4,986	5,127	5,248	42.3	616.3	34.9	189.1	8.95	3.28	6.90	2.53	1.49	63.19	
Wyoming			5	24	29	29	.2	1,050.0	30.3	206.1	6.01	4.27	29.14	1.15	48.71	20.74	
Total bituminous	291	11	344	11,756	12,111	12,402		682.9	37.0	200.1	7.22	3.04	6.01	2.53	1.20	50.05	
Pennsylvania (anthracite)	51		48	2,404	2,452	2,503		906.8	26.7	165.3	10.60	3.73	15.94	5.62	1.77	84.92	
Total underground including shaft and slope	342	11	392	14,160	14,563	14,905		710.3	35.3	194.3	7.58	3.12	6.63	2.73	1.26	53.77	
Surface:																	
Alabama	1			19	19	20	1.4	35.8	334.1	2.44	.28			.41	7.73		
Alaska				17	17	17	1.1	14.3	14.3		1.64				114.64		
Arizona																	
Arkansas				4	4	4	.3	22.5	22.5		.84				37.28		
California																	
Colorado			1	22	23	23	1.6	3,000.0	26.0	155.3		5.50			35.42		
Georgia																	
Illinois	1		2	107	109	110	7.4	300.0	21.0	80.5	1.47	.70		.25	26.74		
Indiana				35	35	35	2.4		24.1		.83				34.38		
Iowa				5	5	5	.3		31.4		2.24				71.25		
Kansas																	
Kentucky	5		5	193	198	203	13.7	225.0	28.9	180.8	3.45	.77		.57	22.75		
Maryland				5	5	5	.3		90.8		4.28				47.18		
Missouri				2	2	2	.1		10.0		.26				26.27		
Montana				4	4	4	.3		26.5		.76				28.67		
New Mexico							.1		8.0		.25				31.65		
North Dakota																	
Ohio	1		2	44	46	47	3.2	1,650.0	34.5	230.2	2.44	1.96		.41	18.72		
Oklahoma				7	7	7	.5		16.7		.54				32.08		
Oregon																	
Pennsylvania (bituminous)	6	1	5	171	177	183	12.4	1,342.6	44.5	307.8	3.19	1.80		.53	15.70		
South Dakota																	
Tennessee	1		2	27	29	30	2.0	450.0	35.2	261.7	4.29	1.32		.71	20.72		
Utah	1		1	28	29	30	2.0	1,800.0	26.8	285.0	5.03	2.14		.84	24.34		
Virginia	2		2	64	66	68	4.6	300.0	37.6	220.6	4.37	1.09		.73	24.05		
Washington				6	6	6	.4		31.7		.76				23.89		
West Virginia	9		28	641	669	678	45.8	367.0	27.0	120.3	2.99	1.53		.50	37.07		
Wyoming				1	1	1	.1		9.0		.03				3.10		
Total bituminous	27	1	48	1,404	1,453	1,480		589.9	29.8	160.9	2.92	1.37		.49	26.16		
Pennsylvania (anthracite)	5		16	344	360	365		691.4	24.6	135.7	1.96	1.28		.33	23.55		
Total surface	32	1	64	1,748	1,813	1,845		615.3	28.8	155.9	2.71	1.35		.45	25.59		
Total underground mines:																	
Bituminous coal	318	12	392	13,160	13,564	13,882		671.5	36.3	196.0	6.41	2.73	6.57	2.80	1.07	45.59	
Anthracite	56		64	2,748	2,812	2,868		852.9	26.5	161.6	7.61	2.88	17.50	6.63	1.27	63.38	
Total deep mines	374	12	456	15,908	16,376	16,750		697.0	34.6	190.1	6.57	2.75	7.25	3.03	1.09	47.93	

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1955

State	Number of injuries					Distri- bution of all in- juries, per- cent	Average severity			Time-loss rates				Frequency rates			
	Fatal	Nonfatal		Total non- fatal	All in- juries		Perma- nent partial	Tempo- rary total	All in- juries	Per million man-hours		Per million tons		Per million man-hours		Per million tons	
		Total	Partial							Fatal	Nonfatal	Fatal	Nonfatal	Fatal	Non-fatal	Fatal	Non-fatal
Underground mines:																	
Underground (including shaft and slope):																	
Alabama	11	1	16	151	168	179	1.3	301.9	45.2	467.4	5,725.63	1,531.95	5,954.64	1,593.23	0.95	14.57	
Alaska				39	39	39	.3		10.4	10.4		1,445.57			138.86	124.37	
Arizona																	
Arkansas	1			27	27	28	.2		53.1	265.5	12,561.05	3,000.00	20,056.56	4,790.17	2.09	56.52	
California																	
Colorado	5		2	110	112	117	.9	112.5	38.0	294.0	9,408.54	1,380.55	10,015.73	1,469.64	1.57	35.13	
Georgia				1	1	1			92.0	92.0		3,052.02			33.17		
Illinois	16	2	12	772	786	802	5.9	287.5	34.0	171.7	8,134.67	3,533.41	3,449.53	1,498.35	1.36	66.60	
Indiana	2		7	198	205	207	1.5	996.4	23.9	114.5	4,271.47	4,116.82	2,420.38	2,261.08	.71	72.97	
Iowa				26	26	26	.2		34.8	34.8		1,868.89		3,005.58		53.75	
Kansas																	
Kentucky	50	5	47	2,035	2,087	2,137	15.7	621.3	36.2	202.5	7,084.43	3,136.30	5,500.57	2,435.12	1.18	49.28	
Maryland				18	19	19	.1	150.0	21.9	28.6		1,098.97		1,806.26		38.38	
Missouri				10	10	10	.1		32.8	32.8		1,375.27		2,932.94		41.93	

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1957—Con.

State	Number of injuries					All in- juries	Dis- tri- bu- tion of all in- ju- ries, per- cent	Average severity			Time-loss rates				Frequency rates			
	Nonfatal							Perma- nent partial	Tem- po- rary total	All in- juries	Per million man-hours		Per million tons		Per million man-hours		Per million tons	
	Fa- tal	To- tal	Par- tial	Tem- porary total	Total non- fatal						Fatal	Nonfatal	Fatal	Nonfatal	Fatal	Non- fatal	Fatal	Non- fatal
Underground mines:																		
Underground (including shaft and slope):																		
Illinois	18	1	11	595	607	625	4.6	517	33	223	10,138	2,943	4,016	1,166	1.69	56.98	0.67	22.57
Indiana	2		1	232	233	235	1.7	200	29	81	4,855	2,669	2,429	1,414	.76	89.02	.40	47.16
Iowa	4			11	11	15	.1		29	1,622	58,403	788	89,431	1,07	7.73	26.77	14.90	40.99
Kansas																		
Kentucky	55	6	56	1,979	2,041	2,096	15.6	638	33	223	8,734	3,630	6,245	2,596	1.46	54.02	1.04	38.63
Maryland				30	30	30	.2		37	37		2,034	3,394			55.52		92.66
Missouri				1	1	1			13	13		56		124		4.30		9.51
Montana	1			11	11	12	.1		53	548	30,974	3,010			5.16	56.78		
New Mexico				10	10	10	.1		63	63		2,493				39.76		
North Dakota																		
Ohio	4		10	272	282	286	2.1	581	42	144	3,255	2,331	1,982	1,419	.54	38.24	.33	23.29
Oklahoma	1			130	130	131	1.0		18	64	7,562	2,923	13,488	5,213	1.26	163.84	2.25	292.24
Oregon																		
Pennsylvania (bituminous)	47	2	50	1,541	1,593	1,640	12.2	425	42	231	5,227	1,802	4,415	1,523	.87	29.53	.74	24.94
South Dakota																		
Tennessee	7		5	179	184	191	1.4	715	37	274	9,877	2,417	9,682	2,370	1.65	43.27	1.61	42.42
Texas																		
Utah	17		5	183	188	205	1.5	1,022	40	558	25,373	3,072	14,816	1,794	4.23	46.76	2.47	27.31
Virginia	34		19	867	886	920	6.8	533	32	263	10,466	1,965	8,323	1,562	1.74	45.46	1.39	36.15
Washington				46	47	47	.3	52	49	49		5,942				121.43		
West Virginia	168	1	122	6,327	6,450	6,618	49.1	496	30	191	10,189	2,566	6,989	1,760	1.70	65.20	1.16	44.72
Wyoming	1			16	17	18	.1	700	42	409	13,831	3,158	9,206	2,102	2.31	39.19	1.53	26.08
Total bituminous	375	11	308	12,773	13,092	13,467		541	32	215	8,765	2,527	6,287	1,813	1.46	51.00	1.05	36.58
Pennsylvania (anthracite)	49	3	22	2,159	2,184	2,233		592	26	171	12,293	3,665	22,976	6,849	2.05	91.32	3.83	170.68
Total underground (including shaft and slope)	424	14	330	14,932	15,276	15,700		544	32	209	9,066	2,624	6,863	1,986	1.51	54.44	1.14	41.21
Surface:																		
Alabama				16	16	16	1.0		32	32			221					6.79
Alaska				15	15	15	.9		6	6			527					80.67
Arizona																		
Arkansas																		
California																		
Colorado				18	18	18	1.1		16	16			436					26.37
Georgia																		
Illinois		1	2	57	60	60	3.6	125	22	125		2,421						19.42
Indiana			1	24	25	25	1.5	3,600	46	188		5,636						29.94
Iowa																		
Kansas																		
Kentucky	4		16	201	226	230	13.8	521	31	169	2,812	1,740			.47	26.48		30.34
Maryland				4	4	4	.2		11	11		334						
Missouri																		
Montana				1	1	1	.1		34	34		419						12.32
New Mexico				3	3	3	.2		44	44		1,866						42.40
North Dakota																		
Ohio			1	41	42	42	2.5	240	41	46		854						18.72
Oklahoma				1	1	1	.1		5	5		37						7.41
Oregon																		
Pennsylvania (bituminous)	3		7	168	175	178	10.7	1,053	32	173	1,546	1,102			.26	15.03		
South Dakota																		
Tennessee				24	24	24	1.4		34	34		816						24.10
Texas																		
Utah	1		3	28	31	32	1.9	617	52	290	4,841	2,661			.81	25.01		
Virginia	3		7	129	136	139	8.3	357	26	171	4,004	1,296			.67	30.25		
Washington				8	8	8	.5		15	15		789						52.63
West Virginia	16		26	824	850	866	51.9	678	29	159	4,317	1,863			.72	38.22		
Wyoming				1	4	5	.3	200	67	94		2,730						29.10
Total bituminous	27	1	64	1,575	1,640	1,667		656	30	154	2,723	1,595			.45	27.57		
Pennsylvania (anthracite)	2		11	450	461	436		207	24	54	876	940			.14	33.65		
Total surface	29	1	75	2,025	2,101	2,130		590	28	132	2,378	1,472			.40	28.71		
Total underground mines:																		
Bituminous coal																		
402	12	372	14,348	14,732	15,134		561	32	208	7,628	2,352	6,740	2,078	1.27	46.59	1.12	41.16	
Anthracite																		
51	3	33	2,609	2,645	2,696		464	26	151	8,135	2,672	17,008	5,587	1.36	70.32	2.83	147.01	
Total deep mines	453	15	405	16,957	17,377	17,830		553	31	200	7,682	2,386	7,231	2,246	1.28	49.12	1.20	46.23

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1958

State	Number of injuries					Dis- tri- bu- tion of all in- ju- ries, per- cent	Average severity			Time-loss rates				Frequency rates					
	Nonfatal				All in- juries		Perma- nent partial	Tem- po- rary total	All in- ju- ries	Per million man-hours		Per million tons		Per million man-hours		Per million tons			
	Fa- tal	To- tal	Par- tial	Tem- po- rary total						Fatal	Nonfatal	Fatal	Nonfatal	Fatal	Nonfatal	Fatal	Non- fatal	Fatal	Non- fatal
Underground mines:																			
Underground (including shaft and slope):																			
Alabama	7	1	21	100	122	129	1.3	335	59	472	5,470	2,460	4,879	2,194	0.91	15.89	0.81	14.17	
Alaska				29	29	29	.3		21	21		3,698		3,088		172.41		143.96	
Arizona				1	1	1			10	10		543				54.35			
Arkansas				8	8	8	.1		46	46		2,024				44.12			
California																			
Colorado	2	1	4	135	140	142	1.4	925	37	188	4,984	6,131	4,702	5,784	.83	58.15	.78	54.85	
Georgia																			
Illinois	7		12	507	519	526	5.2	917	44	143	4,550	3,604	1,776	1,407	.76	56.23	.30	21.95	
Indiana	2		5	192	197	199	2.0	912	40	122	4,820	4,924	2,558	2,613	.80	79.13	.43	41.99	
Iowa	1		1	20	21	22	.2	300	38	321	16,266	2,871	23,714	4,186	2.71	56.93	3.95	83.00	
Kansas				1	1	1			202	202		8,137		20,922		40.28		103.57	
Kentucky	43	6	37	1,650	1,693	1,736	17.2	440	39	216	8,136	3,703	5,542	2,523	1.36	53.39	.92	36.36	
Maryland				30	31	31	.3		50	29		1,557		2,490		53.44		85.48	
Missouri				2	2	2			57	57		488		938		8.56		16.45	
Montana	4			8	8	12	.1		63	2,042	143,103	2,999			23.85	47.70			
New Mexico				11	11	11	.1		72	72		2,996				41.40			
North Dakota				2	2	2			65	65		18,609		26,279		286.29		404.29	
Ohio	5		3	181	184	189	1.9	153	39	199	5,328	1,341	3,234	814	.89	32.68	.54	19.84	
Oklahoma	2		4	93	97	99	1.0	2,013	31	232	16,606	15,120	31,476	28,659	2.77	134.24	5.25	254.43	
Oregon																			
Pennsylvania (bituminous)	28	2	24	1,020	1,046	1,074	10.7	798	48	231	4,367	2,085	3,515	1,078	.73	27.19	.59	21.89	
South Dakota																			
Tennessee	15	2	3	171	176	191	1.9	280	39	574	21,397	4,655	21,489	4,675	3.57	41.84	3.58	42.02	
Texas																			
Utah	5		3	158	161	166	1.6	1,113	39	238	9,341	2,957	5,483	1,736	1.56	50.13	.91	29.43	
Virginia	30	1	16	818	835	865	8.6	969	38	269	9,949	2,909	8,025	2,347	1.66	46.15	1.34	37.23	
Washington				16	16	16	.2		88	88		5,141				58.46			
West Virginia	138	6	95	4,381	4,482	4,620	45.8	695	44	243	11,989	4,267	7,575	2,696	2.00	61.90	1.26	41.00	
Wyoming				7	8	8	.1		225	37	60	2,170		1,299		36.10		21.61	
Total bituminous	289	19	230	9,541	9,790	10,079		680	43	239	8,872	3,470	6,044	2,364	1.48	50.09	1.01	34.12	
Pennsylvania (anthracite)	26		14	1,544	1,558	1,584		942	31	137	8,796	3,465	14,954	5,890	1.47	87.85	2.49	149.35	
Total underground (including shaft and slope)	315	19	244	11,085	11,348	11,663		695	41	225	8,866	3,470	6,357	2,488	1.48	53.23	1.06	38.17	
Surface:																			
Alabama	1		2	13	15	16	1.3	1,000	37	530	3,355	1,387			0.56	8.39			
Alaska				4	4	4	.3		14	14		856				61.16			
Arizona																			
Arkansas																			
California																			
Colorado				3	19	22	1.7	433	20	76		2,772				36.36			
Georgia																			
Illinois				1	36	37	2.9	300	37	44		589				13.45			
Indiana				1	23	24	1.9	1,800	32	106		3,266				30.85			
Iowa																			
Kansas																			
Kentucky	5		10	188	198	203	16.1	308	29	190	4,155	1,180			.69	27.42			
Maryland				2	2	2	.2		16	16		223				14.39			
Missouri																			
Montana				1	1	1	.1		12	12		165				13.75			
New Mexico				7	7	7	.6		17	17		1,637				97.10			
North Dakota																			
Ohio	1		1	23	24	25	2.0	200	25	271	3,302	424			.55	13.21			
Oklahoma	1			1	1	2	.2		54	3,027	57,232	515			9.54	9.54			
Oregon				1	1	1	.1		40	40		42,373				1,059.32			
Pennsylvania (bituminous)	2		4	114	118	120	9.5	61	38	138	1,354	516			.23	13.31			
South Dakota																			
Tennessee				20	20	20	1.6		39	39		885				22.84			
Texas																			
Utah				23	23	23	1.8		37	37		844				22.52			
Virginia	1		4	135	139	140	11.1	171	39	86	1,421	1,423			.24	32.92			
Washington	1			6	6	7	.6		58	906	58,783	3,380			9.80	58.78			
West Virginia	6		19	579	598	604	48.0	427	32	104	2,200	1,642			.37	36.54			
Wyoming				1	1	1	.1	3,000		3,000		20,658				6.89			
Total bituminous	18		46	1,195	1,241	1,259		450	33	134	2,291	1,280			.38	26.32			
Pennsylvania (anthracite)	3		5	357	363	366		372	20	90	1,544	1,278			.26	31.13			
Total surface	21	1	51	1,552	1,604	1,625		443	30	124	2,142	1,280			.36	27.27			
Total underground mines:																			
Bituminous coal	307	19	276	10,736	11,031	11,338		642	42	228	7,593	3,045	6,420	2,574	1.27	45.47	1.07	38.45	
Anthracite	29	1	19	1,901	1,921	1,950		792	29	128	5,919	2,597	12,310	5,402	.99	65.35	2.05	135.90	
Total deep mines	336	20	295	12,637	12,952	13,288		652	40	213	7,412	2,996	6,697	2,707	1.24	47.62	1.12	43.02	

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1959

State	Number of injuries					Distribution of all injuries, percent	Average severity			Severity rates				Frequency rates				
	Nonfatal			Total non-fatal	All injuries		Perma- nent partial	Tempo- rary total	All injuries	Per million man-hours		Per million tons		Per million man-hours		Per million tons		
	Fatal	Permanent	Tempo- rary total							Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	
Underground mines: Under-ground (including shaft and slope):																		
Alabama	7		14	98	112	119	1.4	630	49	468	5,253	1,708	4,564	1,484	0.88	14.01	0.76	12.17
Alaska				12	12	12	.1		19	19		2,334		1,947		121.79		101.59
Arizona				2	2	2	(1)		17	17		1,768		(2)		103.99		(2)
Arkansas				3	3	3	(1)		56	56		638		(2)		11.33		(2)
California																		
Colorado	2		2	94	96	98	1.1	500	40	171	5,246	2,081	4,346	1,724	.87	41.97	.72	34.77
Georgia																		
Illinois	6		6	490	496	502	5.8	1,813	38	130	4,031	3,303	1,530	1,254	.67	55.53	.25	21.08
Indiana	3		5	175	180	183	2.1	1,188	38	168	6,990	4,916	3,892	2,737	1.17	69.90	.65	38.92
Iowa	2			19	19	21	.2		49	616	37,148	2,879	51,960	4,027	6.19	58.82	8.66	82.27
Kansas																		
Kentucky	37	2	43	1,259	1,304	1,341	15.4	567	32	223	7,954	2,750	5,293	1,830	1.33	46.72	.88	31.09
Maryland	1			11	11	12	.1		51	547	11,963	1,119	19,524	1,825	1.99	21.93	3.25	35.79
Missouri				3	3	3	(1)		33	33		406		898		12.31		27.22
Montana			1	3	4	4	.1	150	18	51		1,481		(2)		29.18		(2)
New Mexico				13	13	13	.1		30	30		1,496		(2)		49.48		(2)
North Dakota																		
Ohio	2		6	213	219	221	2.5	1,465	27	120	2,199	2,664	1,258	1,524	.37	40.13	.21	22.96
Oklahoma				132	132	132	1.5		20	20		3,584		7,705		176.78		380.09
Oregon																		
Pennsylvania (bituminous)	27		35	860	895	922	10.6	960	48	257	4,850	2,247	3,611	1,673	.81	26.80	.60	19.95
South Dakota																		
Tennessee	18	1	5	104	110	128	1.5	205	37	928	27,413	2,751	26,994	2,709	4.57	27.92	4.50	27.49
Texas																		
Utah	3		3	120	123	126	1.5	383	58	207	6,760	3,057	3,944	1,784	1.13	46.19	.66	26.95
Virginia	22	1	21	852	874	896	10.3	754	36	206	7,450	2,958	5,183	2,058	1.24	49.33	.86	34.32
Washington				23	23	23	.3		16	16		1,115		(2)		71.22		(2)
West Virginia	80	5	87	3,750	3,842	3,922	45.2	539	42	182	7,662	3,714	4,311	2,090	1.28	61.33	.72	34.51
Wyoming			1	1	2	2	(1)	3,000	39	1,520		16,781		9,090		11.04		5.98
Total bituminous	210	9	229	8,237	8,475	8,685		705	39	207	7,052	3,021	4,437	1,900	1.18	47.43	.74	29.84
Pennsylvania (anthracite)	41		10	1,187	1,197	1,238		802	29	233	17,623	3,067	26,430	4,600	2.94	85.75	4.40	128.60
Total underground (including shaft and slope)	251	9	239	9,424	9,672	9,923		709	38	210	7,818	3,024	5,135	1,986	1.30	50.21	.86	32.98
Surface:																		
Alabama	1		1	6	7	8	.7	240	37	507	3,142	240			.52	3.67		
Alaska																		
Arizona																		
Arkansas																		
California																		
Colorado			3	12	15	15	1.4	323	15	76		1,966				25.26		
Georgia																		
Illinois	1		2	44	46	47	4.3	385	32	174	2,307	843			.38	17.69		
Indiana			1	24	25	25	2.3	100	37	39		1,260				32.24		
Iowa				1	1	1	.1		10	10		218				21.77		
Kansas																		
Kentucky	6		6	118	124	130	11.9	690	36	341	5,868	1,365			.98	20.21		
Maryland																		
Missouri																		
Montana				1	1	1	.1		4	4		68				16.94		
New Mexico				3	3	3	.3		2	2		103				61.80		
North Dakota				1	1	1	.1		16	16		16,667			1,041.67			
Ohio			1	27	28	28	2.6	300	31	41		661				16.11		
Oklahoma				4	4	4	.4		5	5		220				41.96		
Oregon				1	1	1	.1		11	11		16,129				1,466.28		
Pennsylvania (bituminous)	3		2	120	122	125	11.5	1,288	46	209	2,135	960			.36	14.47		
South Dakota																		
Tennessee				11	11	11	1.0		25	25		376				14.86		
Texas																		
Utah	1			12	12	13	1.2		30	489	6,845	406			1.14	13.69		
Virginia			3	130	133	133	12.2	278	31	37		1,252				34.15		
Washington				5	5	5	.5		22	22		943				42.10		
West Virginia	5	2	22	508	532	537	49.4	560	31	130	1,836	2,446			.31	32.56		
Wyoming																		
Total surface	22	2	47	1,347	1,396	1,418		550	30	149	2,404	1,434			.40	25.42		
Total underground mines:																		
Bituminous coal	227	11	270	9,265	9,546	9,773		680	39	202	6,094	2,719	4,796	2,140	1.02	42.71	.80	33.61
Anthracite	46		16	1,506	1,522	1,568		724	28	210	11,482	2,226	20,521	3,978	1.91	63.32	3.42	113.16
Total deep mines	273	11	286	10,771	11,068	11,341		683	37	203	6,617	2,671	5,507	2,223	1.10	44.71	.92	37.21

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1960

State	Number of injuries					All injuries	Distribution of all injuries, percent	Average severity			Severity rates				Frequency rates			
	Fatal	Nonfatal			Total non-fatal			Perma- nent partial	Tempo- rary total	All injuries	Per million man-hours		Per million tons		Per million man-hours		Per million tons	
		Permanent	Tempo- rary total	Partial							Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal
Underground mines:																		
Underground (including shaft and slope):																		
Alabama	9	2	21	98	121	130	1.5	875	60	694	6,240	4,191	5,186	3,484	1.04	13.98	0.86	11.62
Alaska			1	13	14	14	.2	11	9	9	3,496		1,821		401.19			209.01
Arizona																		
Arkansas				5	5	5	.1		74	74	2,018							27.12
California																		
Colorado	2		1	121	122	124	1.4	120	31	128	5,170	1,688	4,111	1,342	.86	52.56	.69	41.80
Georgia																		
Illinois	4		5	354	359	363	4.2	1,935	45	137	2,946	3,139	1,030	1,098	.49	44.07	.17	15.41
Indiana	3		2	194	196	199	2.3	1,550	31	137	6,919	3,535	3,812	1,947	1.15	75.35	.64	41.51
Iowa				13	13	13	.2		25	25		1,084		1,611		43.22		64.23
Kansas																		
Kentucky	52	3	17	1,447	1,467	1,519	17.7	699	35	258	11,040	2,853	7,017	1,813	1.84	51.91	1.17	32.99
Maryland	3			21	21	24	.3		39	784	45,706	2,098	66,635	3,054	7.63	53.39	11.11	77.74
Missouri				4	4	4			57	57		1,153		2,482		20.14		43.36
Montana				6	6	6	.1		26	26		1,430				55.71		
New Mexico				12	12	12	.1		23	23		1,122				49.49		
North Dakota																		
Ohio	2	2	8	187	197	199	2.3	388	32	167	2,377	4,188	1,292	2,277	.40	39.02	.22	21.21
Oklahoma	1			112	112	113	1.3		27	80	10,536	5,256	23,511	11,728	1.76	196.67	3.92	438.87
Oregon																		
Pennsylvania (bituminous)	25		34	825	859	884	10.3	889	45	246	4,866	2,192	3,377	1,521	.81	27.87	.56	19.34
South Dakota																		
Tennessee	9	1	1	164	166	175	2.0	75	33	374	14,090	3,009	13,674	2,920	2.35	43.31	2.28	42.03
Texas																		
Utah	3		1	100	101	104	1.2	600	43	220	6,618	1,805	3,621	987	1.10	37.14	.60	20.32
Virginia	22	1	11	737	749	771	9.0	643	36	222	7,897	2,353	5,384	1,604	1.32	44.81	.90	30.55
Washington	1		1	19	20	21	.2	50	38	322	30,868	3,946			5.14	102.89		
West Virginia	109	4	71	3,717	3,792	3,901	45.4	634	38	221	11,030	3,534	5,923	1,898	1.84	63.95	.99	34.34
Wyoming	1			8	8	9	.1		45	707	35,348	2,121	19,144	1,149	5.89	47.13	3.19	25.53
Total bituminous	246	13	174	8,157	8,344	8,590		743	38	232	8,639	3,020	5,174	1,809	1.44	48.84	.86	29.25
Pennsylvania (anthracite)	28		11	936	947	975		354	28	204	15,475	2,813	21,686	3,942	2.58	87.23	3.61	122.24
Total underground (including shaft and slope)	274	13	185	9,093	9,291	9,565		720	37	229	9,047	3,008	5,610	1,865	1.51	51.13	.94	31.71
Surface:																		
Alabama				8	8	8	.7		29	29		123						4.22
Alaska				3	3	3	.3		3	3		167						55.59
Arizona																		
Arkansas																		
California																		
Colorado			1	18	19	19	1.6	400	29	48		1,653						34.35
Georgia																		
Illinois	1			49	49	50	4.3		29	149	2,522	605			.42	20.60		
Indiana				19	19	19	1.6		20	20		584						29.20
Iowa																		
Kansas																		
Kentucky	7		5	166	171	178	15.3	855	33	290	6,840	1,581			1.14	27.85		
Maryland				1	1	1	.1		5	5		54						10.70
Missouri																		
Montana																		
New Mexico				4	4	4	.3		12	12		804						67.02
North Dakota																		
Ohio				18	18	18	1.5		51	51		559						11.01
Oklahoma				5	5	5	.4		37	37		2,158						58.96
Oregon																		
Pennsylvania (bituminous)				136	136	136	11.7		33	33		568						17.12
South Dakota																		
Tennessee	1		1	14	15	16	1.4	120	22	402	8,788	633			1.46	21.97		
Texas																		
Utah	2		1	21	22	24	2.1	50	21	521	12,908	532			2.15	23.66		
Virginia	2		6	117	123	125	10.7	948	27	167	3,145	2,323			.52	32.24		
Washington				2	2	2	.2		99	99		2,536						25.62
West Virginia	8	1	17	529	547	555	47.6	550	30	142	3,103	2,005			.52	35.36		
Wyoming				2	2	2	.2		32	32		417						13.03
Total bituminous	21	1	31	1,112	1,144	1,165		641	30	159	2,943	1,388			.49	26.72		
Pennsylvania (anthracite)	3		6	265	271	274		638	27	106	2,039	1,238			.34	30.70		
Total surface	24	1	37	1,377	1,415	1,439		641	30	149	2,789	1,362			.46	27.40		
Total underground mines:																		
Bituminous coal	267	14	205	9,269	9,488	9,755		728	37	223	7,498	2,693	5,615	2,017	1.25	44.41	.94	33.26
Anthracite	31		17	1,201	1,218	1,249		454	28	182	9,449	2,107	15,772	3,516	1.57	61.88	2.63	103.28
Total deep mines	298	14	222	10,470	10,706	11,004		707	36	219	7,662	2,644	6,019	2,077	1.28	45.88	1.00	36.04

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1961

State	Number of injuries						Average severity			Severity rates				Frequency rates				
	Nonfatal			Total non-fatal	All injuries	Distri- bution of all inju- ries, percent	Perma- nent partial	Tempo- rary total	All injuries	Per million man-hours		Per million tons		Per million man-hours		Per million tons		
	Fatal	Permanent	Tempo- rary total							Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal			
UNDERGROUND MINES																		
Underground (including shaft and slope):																		
Alabama	7	6	18	93	117	124	1.5	233	61	709	5,426	5,925	4,136	4,516	0.90	15.12	0.69	11.52
Alaska	1			9	9	10	.1		45	640	134,602	8,996	54,898	3,669	22.43	201.90	9.15	82.35
Arizona																		
Arkansas				1	1	1			13	13		57					4.37	
California																		
Colorado	5		2	110	112	117	1.4	80	27	283	15,125	1,572	9,483	986	2.52	56.47	1.58	35.40
Georgia																		
Illinois	5		5	318	323	328	4.0	743	55	156	4,244	3,005	1,339	948	.71	45.70	.22	14.42
Indiana	26		4	210	214	240	3.0	792	41	699	65,513	4,940	33,872	2,554	10.92	89.87	5.65	46.47
Iowa				12	12	12	.1		100	100		5,706		8,026		56.83		79.92
Kansas																		
Kentucky	58	4	26	1,286	1,316	1,374	16.9	519	37	315	13,042	3,201	8,534	2,095	2.17	49.32	1.42	32.27
Maryland	1			12	12	13	.2		34	493	15,066	1,017	19,342	1,306	2.51	30.13	3.22	38.68
Missouri				2	2	2			52	52		677		1,555		13.14		30.19
Montana	1		2	6	8	9	.1	300	72	781	66,800	11,478			11.13	89.07		
New Mexico	1			14	14	15	.2		88	482	21,262	4,364				49.59		
North Dakota																		
Ohio	6	2	9	174	185	191	2.4	234	39	298	8,258	4,811	4,242	2,471	1.38	42.44	.71	21.80
Oklahoma				44	44	44	.5		16	16		2,003		4,507		128.84		289.92
Oregon				1	1	1			11	11		5,820				529.10		
Pennsylvania (bituminous)	20	1	23	792	816	836	10.3	675	48	215	4,638	2,316	2,871	1,434	.77	31.54	.48	19.53
South Dakota																		
Tennessee	6		1	143	144	150	1.8	3,000	32	291	10,498	2,229	10,222	2,171	1.75	41.99	1.70	40.89
Texas																		
Utah	4		1	97	98	102	1.3	75	48	282	9,231	1,817	4,638	913	1.54	37.69	.77	18.94
Virginia	28	1	14	852	867	895	11.0	536	39	239	10,072	2,777	6,465	1,782	1.68	51.99	1.08	33.36
Washington				20	20	20	.2		40	40		4,188				105.90		
West Virginia	72	3	71	3,481	3,555	3,627	44.7	662	41	176	8,164	3,905	4,125	1,973	1.36	67.18	.69	33.95
Wyoming	1			5	5	6	.1		36	1,030	36,838	1,105	19,627	589	6.14	30.70	3.27	16.36
Total or average, bituminous	242	17	176	7,682	7,875	8,117		571	41	243	9,438	3,378	5,324	1,905	1.57	51.19	.89	28.87
Pennsylvania (anthracite)	14	2	8	821	831	845		784	26	146	9,064	4,287	12,259	5,798	1.51	89.67	2.04	121.27
Total or average, underground (including shaft and slope)	256	19	184	8,503	8,706	8,962		581	40	234	9,417	3,430	5,494	2,001	1.57	53.38	.92	31.14
Surface:																		
Alabama	2		2	5	7	9	.8	575	43	1,485	7,295	829			1.22	4.26		
Alaska				3	3	3	.3		4	4		1,542				385.41		
Arizona																		
Arkansas																		
California																		
Colorado				13	13	13	1.2		32	32		796				24.71		
Georgia																		
Illinois				37	37	37	3.3		25	25		461				18.12		
Indiana				23	23	23	2.0		44	44		1,540				34.80		
Iowa																		
Kansas																		
Kentucky	3		2	177	179	182	16.2	105	32	131	3,247	1,045			.54	32.29		
Maryland			1	3	4	4	.4	940	37	263		12,561				47.81		
Missouri																		
Montana				1	1	1	.1		10	10		223				22.33		
New Mexico				1	2	3	.3	900	34	323		13,370				41.44		
North Dakota																		
Ohio			1	19	20	20	1.8	4,500	61	283		3,258				11.52		
Oklahoma				1	1	1	.1		1	1		14				13.50		
Oregon																		
Pennsylvania (bituminous)			3	115	118	118	10.5	1,697	36	78		1,323				16.92		
South Dakota																		
Tennessee				18	18	18	1.6		56	56		1,906				33.79		
Texas																		
Utah			1	20	21	21	1.9	3,000	50	190		4,529				23.84		
Virginia	1		4	115	119	120	10.7	148	33	87	1,540	1,135			.26	30.55		
Washington				3	3	3	.3		9	9		428				45.88		
West Virginia	12		22	511	533	545	48.5	490	34	184	5,236	2,041			.87	38.76		
Wyoming				2	2	2	.2		34	34		454				13.37		
Total or average, bituminous	18		37	1,068	1,105	1,123		734	35	153	2,783	1,650			.46	28.47		
Pennsylvania (anthracite)	2		3	277	280	282		1,067	26	80	1,418	1,242			.24	33.08		
Total or average, surface	20		40	1,345	1,385	1,405		759	33	138	2,539	1,577			.42	29.30		
Total or average, underground mines:																		
Bituminous coal	260	17	213	8,750	8,980	9,240		600	40	232	8,098	3,030	5,720	2,140	1.35	46.61	.95	32.92
Anthracite	16	2	11	1,098	1,111	1,127		861	26	130	5,414	2,834	9,366	4,902	.90	62.66	1.56	108.39
Total or average, deep mines	276	19	224	9,848	10,091	10,367		612	39	221	7,872	3,013	5,852	2,240	1.31	47.97	.98	35.66

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATES AND DEGREE OF INJURY, 1962

State	Number of injuries				All injuries	Distribution of all injuries, percent	Average severity			Severity rates				Frequency rates				
	Nonfatal			Total non-fatal			Permanent partial	Temporary total	All injuries	Per million man-hours		Per million tons		Per million man-hours		Per million tons		
	Fatal	Permanent	Temporary							Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	
UNDERGROUND MINES																		
Underground (including shaft and slope):																		
Alabama	6	3	14	76	93	99	1.2	508	59	662	5,123	4,209	3,602	2,960	0.85	13.23	0.60	9.31
Alaska				3	3	3			4	4		367		118		84.78		27.32
Arizona																		
Arkansas			4	4	4				57	57		1,854		(*)		32.53		
California																		
Colorado	3		1	100	101	104	1.3	195	42	216	9,900	2,440	6,374	1,571	1.65	55.55	1.06	35.76
Georgia																		
Illinois	17	2	5	319	326	343	4.3	152	41	373	14,115	3,594	4,265	1,086	2.35	45.11	.71	13.63
Indiana	6	1	4	192	197	203	2.5	360	41	253	15,713	6,697	8,221	3,504	2.62	85.99	1.37	44.99
Iowa				7	7	7	.1		36	36		1,226		1,507		34.20		42.04
Kansas																		
Kentucky	37	2	22	1,512	1,536	1,573	19.6	584	33	189	8,692	2,952	5,101	1,732	1.45	60.14	.85	35.30
Maryland			2	19	21	21	.3	250	28	49		2,834		2,833		57.61		57.59
Missouri				2	2	2			24	24		410		834		17.08		34.75
Montana				3	3	3			16	16		607				38.77		
New Mexico	2			6	6	8	.1		68	1,551	55,702	1,880	42,540	1,436	9.28	27.85	7.09	21.27
North Dakota																		
Ohio	6	3	7	158	168	174	2.2	785	38	376	7,924	6,491	3,867	3,167	1.32	36.98	.64	18.05
Oklahoma	1		1	46	47	48	.6	100	26	152	18,482	3,983	37,189	8,014	3.08	144.77	6.20	291.31
Oregon																		
Pennsylvania (bituminous)	53		19	616	635	683	8.6	552	45	518	12,800	1,534	7,436	891	2.13	25.56	1.24	14.95
South Dakota																		
Tennessee	5		2	118	120	125	1.6	320	35	279	10,006	1,607	8,821	1,417	1.67	40.02	1.47	35.29
Texas																		
Utah	1		1	72	73	74	.9	400	29	114	3,040	1,242	1,397	571	.51	36.98	.23	16.99
Virginia	22	1	9	757	767	789	9.8	1,094	36	222	7,959	2,578	4,969	1,610	1.33	46.25	.83	28.87
Washington			1	68	69	69	.9	110	20	21		5,554				258.57		
West Virginia	67	9	75	3,533	3,617	3,684	45.9	606	37	172	7,712	4,430	3,705	2,129	1.29	69.39	.62	33.34
Wyoming				13	13	13	.2		76	76		7,329		4,279		96.53		56.36
Total or average, bituminous	226	21	163	7,624	7,808	8,034		585	37	232	9,109	3,393	4,821	1,796	1.52	52.45	.80	27.76
Pennsylvania (anthracite)	18		6	753	759	777		900	27	172	12,763	3,036	16,025	3,811	2.13	89.70	2.67	112.62
Total or average, underground (including shaft and slope)	244	21	169	8,377	8,567	8,811		597	36	226	9,305	3,373	5,083	1,843	1.55	54.45	.85	29.75
Surface:																		
Alabama	1		1	6	7	8	.8	100	69	814	3,999	342			.67	4.67		
Alaska				1	1	1	.1		14	14		1,466				104.69		
Arizona																		
Arkansas																		
California																		
Colorado			2	12	14	14	1.3	2,355	32	364		11,417				31.39		
Georgia																		
Illinois				36	36	36	3.4		34	34		602				17.97		
Indiana			1	25	26	26	2.5	100	31	34		1,295				38.13		
Iowa																		
Kansas																		
Kentucky	6		3	155	158	164	15.5	1,667	32	280	6,751	1,868			1.13	29.63		
Maryland				2	2	2	.2		45	45		1,038				23.34		
Missouri																		
Montana				2	2	2	.2		31	31		1,798				58.00		
New Mexico																		
North Dakota																		
Ohio	3		3	15	18	21	2.0	838	48	1,011	10,450	1,879			1.74	10.45		
Oklahoma				2	2	2	.2		30	30		797				26.57		
Oregon																		
Pennsylvania (bituminous)	2		6	102	108	110	10.4	733	33	180	1,789	1,161			.30	16.10		
South Dakota																		
Tennessee				13	13	13	1.2		34	34		935				27.14		
Texas																		
Utah	1			11	11	12	1.1		12	511	8,169	184			1.36	14.98		
Virginia			3	111	114	114	10.7	400	27	37		1,085				29.71		
Washington				10	10	10	.9		33	33		4,245				127.09		
West Virginia	6	1	15	503	519	525	49.5	573	29	124	2,601	2,112			.43	37.50		
Wyoming				1	1	1	.1		26	26		275				10.59		
Total or average, bituminous	19	1	34	1,007	1,042	1,061		783	30	167	3,015	1,673			.50	27.56		
Pennsylvania (anthracite)	5		3	244	247	252		150	34	153	3,857	1,116			.64	31.76		
Total or average, surface	24	1	37	1,251	1,289	1,313		731	31	164	3,159	1,578			.53	28.27		
All underground mines:																		
Bituminous coal	245	22	197	8,631	8,850	9,095		619	36	224	7,874	3,044	5,227	2,021	1.31	47.41	.87	31.47
Anthracite coal	23		9	997	1,006	1,029		650	29	168	8,498	2,116	13,444	3,348	1.42	61.95	2.24	98.00
Total or average, deep mines	268	22	206	9,628	9,856	10,124		621	36	218	7,924	2,970	5,516	2,067	1.32	48.57	.92	33.81

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATE AND DEGREE OF INJURY, 1963

State	Number of injuries					Distribution of all injuries, per cent	Average severity			Severity rates				Frequency rates				
	Nonfatal				All injuries		Perma- nent partial	Tempo- rary total	All in- juries	Per million man-hours		Per million tons		Per million man-hours		Per million tons		
	Fatal	Permanent Total	Tempo- rary Partial	Tempo- rary total						Total non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal
Underground mines:																		
Underground (including shaft and slope):																		
Alabama	6		18	109	127	133	1.7	919	47	434	5,439	3,280	3,789	2,285	0.91	19.19	0.63	13.37
Alaska																		
Arizona				4	4	4	.1		25	25		1,109					43.93	
Arkansas																		
California																		
Colorado	1		2	92	94	95	1.2	88	30	94	3,547	1,746	2,108	1,037	.59	55.57	.35	33.02
Georgia																		
Illinois	12		4	394	398	410	5.1	1,185	40	226	9,839	2,814	2,937	840	1.64	54.39	.49	16.23
Indiana	2	1	1	151	153	155	1.9	300	39	156	6,162	6,255	2,894	2,938	1.03	78.57	.48	36.90
Iowa				10	10	10	.1		42	42		2,161		2,673		51.45		63.64
Kansas																		
Kentucky	33	4	15	1,575	1,594	1,627	20.4	502	31	171	7,516	3,027	4,183	1,685	1.25	60.51	.70	33.67
Maryland				19	19	19	.2		32	32		1,638		1,550		51.11		48.37
Missouri																		
Montana				1	1	1			34	34				661		19.45		
New Mexico				1	1	1			180	180				972		5.40		3.17
North Dakota																		
Ohio	3		4	134	138	141	1.8	350	36	172	3,759	1,313	1,720	601	.63	28.82	.29	13.19
Oklahoma				24	24	24	.3		19	19		3,965		8,362		208.22		439.14
Oregon																		
Pennsylvania (bituminous)	17	1	25	609	635	652	8.2	951	39	238	4,091	2,137	2,209	1,154	.68	25.47	.37	13.75
South Dakota																		
Tennessee	1		4	67	71	72	.9	74	31	117	2,262	904	1,829	731	.38	26.77	.30	21.64
Texas																		
Utah	9		1	86	87	96	1.2	206	30	591	31,067	1,585	12,359	631	5.18	50.05	2.06	19.91
Virginia	22		10	711	721	743	9.3	620	30	215	8,410	1,775	4,859	1,025	1.40	45.94	.81	26.54
Washington				50	50	50	.6		16	16		3,512				218.95		
West Virginia	112		76	3,542	3,618	3,730	46.8	815	35	230	12,071	3,340	5,566	1,540	2.0	64.99	.93	29.97
Wyoming				5	5	5	.1		39	39		2,322		1,637		59.24		41.76
Total or average, bi- tuminous	218	6	160	7,584	7,750	7,968		769	34	217	8,673	2,775	4,332	1,386	1.45	51.39	.72	25.67
Pennsylvania (anthracite)	27	3	7	816	826	853		1,967	26	252	19,227	6,273	23,888	7,794	3.20	98.03	3.98	121.80
Total or average, under- ground (including shaft and slope)	245	9	167	8,400	8,576	8,821		819	33	220	9,231	2,960	4,762	1,527	1.54	53.86	.79	27.78
Surface:																		
Alabama			3	8	11	11	1.0	500	66	184		1,461					7.93	
Alaska																		
Arizona																		
Arkansas																		
California																		
Colorado				8	8	8	.7		31	31							19.25	
Georgia																		
Illinois	1		1	47	48	49	4.5	300	28	155	3,029	806			.50	24.23		
Indiana			1	18	19	19	1.7	500	24	49		1,533				31.18		
Iowa																		
Kansas																		
Kentucky	3	1	1	174	176	179	16.3	600	30	167	3,169	2,087			.53	30.98		
Maryland				1	1	1	.1		7	7		72				10.24		
Missouri																		
Montana																		
New Mexico				1	1	1	.1		7	7		126				17.96		
North Dakota																		
Ohio			1	23	24	24	2.2	1,800	45	118		1,604				13.60		
Oklahoma																		
Oregon				1	1	1	.1		13	13		114,035				8,771.93		
Pennsylvania (bituminous)			3	105	108	108	9.9	353	26	35		571				16.15		
South Dakota																		
Tennessee				7	7	7	.6		22	22		374				17.34		
Texas																		
Utah	1		2	12	14	15	1.4	393	22	470	9,036	1,583			1.51	21.08		
Virginia	2		4	90	94	96	8.8	335	25	162	3,567	1,060			.59	27.94		
Washington				4	4	4	.4		14	14		860				62.56		
West Virginia	5		22	541	563	568	51.8	1,051	30	122	2,044	2,680			.34	38.36		
Wyoming				5	5	5	.5		8	8		850				111.84		
Total or average, bituminous	12	1	38	1,045	1,084	1,096		816	29	127	1,893	1,776			.32	28.51		
Pennsylvania (anthracite)	2		5	286	291	293		382	28	75	1,538	1,266			.26	37.31		
Total or average, surface	14	1	43	1,331	1,375	1,389		765	29	116	1,833	1,689			.31	30.00		
All underground mines:																		
Bituminous coal	230	7	198	8,629	8,834	9,064		778	34	206	7,308	2,574	4,571	1,610	1.22	46.78	.76	29.22
Anthracite coal	29	3	12	1,102	1,117	1,146		1,307	26	207	10,724	3,866	16,001	5,769	1.79	68.84	2.67	102.76
Total or average, deep mines	259	10	210	9,731	9,951	10,210		808	33	206	7,578	2,676	4,968	1,754	1.26	48.53	.83	31.81

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, AVERAGE SEVERITY, AND INJURY RATES AT COAL MINES IN THE UNITED STATES, BY STATE AND DEGREE OF INJURY, 1964

State	Number of injuries					Distribution of all injuries, percent	Average severity			Severity rates				Frequency rates				
	Nonfatal			Total non-fatal	All injuries		Perma- nent partial	Tempo- rary total	All injuries	Per million man-hours		Per million tons		Per million man-hours		Per million tons		
	Fatal	Permanent	Tempo- rary total							Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	
Underground mines:																		
Underground (including shaft and slope):																		
Alabama	6	7	94	101	107	1.4	961	78	468	5,293	2,062	3,461	1,349	0.88	14.85	0.58	9.71	
Alaska																		
Arizona																		
Arkansas			2	2	2			5	5		107				21.34			
California																		
Colorado	3	1	86	87	90	1.1		40	305	9,788	5,119	5,326	2,785	1.63	47.31	.89	25.74	
Georgia																		
Illinois	7		8	429	437	444	5.6	1,097	34	148	5,648	3,161	1,676	.94	58.77	.28	17.44	
Indiana				84	84	84	1.1		37	37	2,108		906		56.63		24.34	
Iowa	1		1	12	13	14	.2	2,400	30	626	38,324	17,623	36,193	16,643	6.39	83.04	6.03	78.42
Kansas																		
Kentucky	42	12	15	1,471	1,498	1,540	19.5	1,087	39	258	20,045	5,810	4,996	2,890	1.67	59.71	.83	29.70
Maryland	1			12	12	13	.2		30	489	17,066	1,027	15,217	916	2.84	34.13	2.54	30.43
Missouri																		
Montana	1		4	4	5	.1		11	1,209	5,942	720			15.99	63.96			
New Mexico			1	11	12	.2	50	14	17		1,044		518		60.20		29.28	
North Dakota																		
Ohio	5		8	165	173	178	2.3	386	44	226	6,306	2,158	2,829	968	1.05	36.37	.47	16.32
Oklahoma				1	1	1			31	31	1,853		2,542		59.77		82.01	
Oregon																		
Pennsylvania (bituminous)	15	1	26	604	631	646	8.2	1,111	48	238	3,343	2,367	1,716	1,215	.56	23.44	.25	12.03
South Dakota																		
Tennessee	3		4	82	86	.89	1.1	175	35	243	7,067	1,410	5,121	1,021	1.18	33.77	.89	24.47
Texas																		
Utah	3		3	65	68	71	.9	1,950	37	369	9,595	4,387	3,813	1,743	1.60	36.25	.64	14.41
Virginia	21	1	14	840	855	876	11.1	440	39	195	8,231	2,944	4,466	1,597	1.37	55.85	.74	30.30
Washington				4	4	4	.1		17	17	505				29.68			
West Virginia	80	2	69	3,573	3,644	3,724	47.1	694	39	183	8,346	3,475	3,729	1,553	1.39	63.36	.62	28.31
Wyoming				5	5	5	.1		15	15	856		609		55.59		39.55	
Total or average, bituminous	188	17	156	7,544	7,717	7,905		813	40	210	7,385	3,470	3,500	1,645	1.23	50.52	.58	23.95
Pennsylvania (anthracite)	22	1	9	907	917	939		756	22	176	15,919	3,960	21,783	5,419	2.65	110.59	3.63	151.33
Total or average under- ground (including shaft and slope)	210	18	165	8,451	8,634	8,844		810	38	206	7,824	3,496	3,838	1,715	1.30	53.61	.64	26.30
Surface:																		
Alabama				4	4	4	0.4		63	63		175				2.80		
Alaska																		
Arizona																		
Arkansas																		
California																		
Colorado	1			15	15	16	1.6		35	407	11,281	974			1.88	28.20		
Georgia																		
Illinois	1			35	35	36	3.6		25	191	3,013	444			.50	17.57		
Indiana				5	5	5	.5		112	112		1,116				9.96		
Iowa																		
Kansas																		
Kentucky	2	1	1	136	138	140	13.9	240	34	163	2,303	2,075			.38	26.49		
Maryland																		
Missouri				1	1	1	.1		31	31		2,513				81.08		
Montana																		
New Mexico																		
North Dakota																		
Ohio				1	13	14	1.4	60	49	50		417				8.36		
Oklahoma																		
Oregon																		
Pennsylvania (bituminous)	1		1	85	86	87	8.6	185	50	120	895	656			.15	12.82		
South Dakota																		
Tennessee				8	8	8	.8		42	42		862				20.53		
Texas																		
Utah	3			10	10	13	1.3		26	1,405	25,562	368			4.26	14.20		
Virginia	2		3	134	137	139	13.8	233	33	123	3,905	1,647			.65	44.58		
Washington																		
West Virginia	4		15	527	542	546	54.1	490	28	85	1,715	1,584			.29	38.72		
Wyoming				1	1	1	.1		6	6		141				23.43		
Total or average, bituminous	14	1	21	974	996	1,010		406	32	129	2,301	1,260			.38	27.29		
Pennsylvania (anthracite)	2		6	252	258	260		1,193	31	104	1,644	1,044			.27	35.34		
Total or average, surface	16	1	27	1,226	1,254	1,270		581	32	124	2,436	1,545			.41	31.82		
All underground mines:																		
Bituminous coal	202	18	177	8,518	8,713	8,915		765	39	201	6,404	3,044	3,761	1,788	1.07	46.04	.63	27.04
Anthracite coal	24	1	15	1,159	1,175	1,199		930	24	160	9,236	3,063	14,017	4,649	1.54	75.36	2.34	114.38
Total or average, deep mines	226	19	192	9,677	9,888	10,114		778	37	196	6,764	3,112	4,130	1,900	1.13	49.33	.69	30.12

NUMBER OF INJURIES BY PERCENTAGE DISTRIBUTION AVERAGE SEVERITY AND INJURY RATES AT COAL MINES IN THE UNITED STATES BY STATE AND DEGREE OF INJURY, 1965

State	Number of injuries					Distribution of all injuries, per cent	Average severity			Severity rates				Frequency rates				
	Nonfatal				All injuries		Perma- nent partial	Tempo- rary total	All inju- ries	Per million man-hours		Per million tons		Per million man-hours		Per million tons		
	Fatal	Permanent Total	Tempo- rary total	Total non- fatal						Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	
Underground mines:																		
Underground (including shaft and slope):																		
Alabama	6		7	84	91	97	1.2	126	70	441	5,385	1,007	3,630	679	0.90	13.61	0.61	9.18
Alaska																		
Arizona				7	7	7	.1		19	19		1,568				81.94		
Arkansas																		
California																		
Colorado	11		1	94	95	106	1.3	120	29	649	33,833	1,448	18,730	801	5.64	48.70	3.12	26.96
Georgia																		
Illinois	7		10	462	472	479	5.9	1,208	38	150	5,495	3,900	1,631	1,158	.92	61.75	.27	18.33
Indiana			1	44	45	45	.6	4,500	42	141		6,508		2,775		46.24		19.72
Iowa			1	8	9	9	.1	60	24	28		1,950		1,276		69.65		45.58
Kansas																		
Kentucky	35	2	26	1,239	1,267	1,302	15.9	701	33	216	8,448	2,878	4,141	1,411	1.41	50.97	.69	24.98
Maryland		1		8	9	9	.1		52	713		19,851		14,463		27.86		20.30
Missouri																		
Montana				7	7	7	.1		25	25		2,169				87.26		
New Mexico				11	11	11	.1		41	41		2,520		1,083		60.93		26.19
North Dakota																		
Ohio	4		3	201	204	208	2.5	1,578	39	175	5,101	2,654	2,158	1,123	.85	43.36	.36	18.34
Oklahoma																		
Oregon																		
Pennsylvania (bituminous)	30	1	28	680	709	739	9.0	406	55	318	6,517	1,985	3,225	982	1.09	25.67	.54	12.70
South Dakota																		
Tennessee	11		1	93	94	105	1.3	135	29	655	26,250	1,115	19,331	821	4.38	37.39	3.22	27.53
Texas																		
Utah	2	1	3	75	79	81	1.0	173	28	255	6,554	4,705	2,395	1,720	1.09	43.15	.40	15.77
Virginia	24	1	18	833	852	876	10.7	782	38	224	9,711	3,501	4,898	1,766	1.62	57.45	.82	28.98
Washington				10	10	10	.1		40	40		3,536				88.83		
West Virginia	85	8	100	3,870	3,978	4,063	49.8	763	38	192	8,742	4,621	3,798	2,007	1.46	68.19	.63	29.62
Wyoming				12	12	12	.1		48	48		6,711		4,589		140.80		96.27
Total or average, bitumi- nous	215	14	199	7,738	7,951	8,166		719	39	222	8,430	3,437	3,878	1,581	1.41	51.96	.65	23.90
Pennsylvania (anthracite)	8		8	692	700	708			29	98	7,449	3,373	9,046	4,096	1.24	108.63	1.51	131.92
Total or average, under- ground (including shaft and slope)	223	14	207	8,430	8,651	8,874		699	38	212	8,391	3,434	3,959	1,620	1.40	54.25	.66	25.60
Surface:																		
Alabama				14	14	14	1.4		31	31		323				10.47		
Alaska																		
Arizona																		
Arkansas																		
California																		
Colorado				8	8	8	.8		13	13		232				17.48		
Georgia																		
Illinois	1			34	34	35	3.4		36	206	2,933	597		.49	16.62			
Indiana				13	13	13	1.3		54	54		1,457				27.09		
Iowa				1	1	1	.1		53	53		2,179				41.12		
Kansas																		
Kentucky	4		1	144	145	149	14.5	300	26	188	4,450	757		.74	26.88			
Maryland				3	3	3	.3		10	10		473				45.75		
Missouri																		
Montana				2	2	2	.2		12	12		1,163				96.89		
New Mexico				3	3	3	.3		4	4		164				44.77		
North Dakota																		
Ohio	1			29	29	30	2.9		29	228	3,514	491		.59	16.98			
Oklahoma																		
Oregon																		
Pennsylvania (bituminous)	1	1	6	86	93	94	9.2	323	51	195	895	1,832		.15	13.87			
South Dakota																		
Tennessee			1	5	6	6	.6	740	13	134		1,727				12.87		
Texas																		
Utah				13	13	13	1.3		42	42		782				18.76		
Virginia	1		3	79	82	83	8.1	800	28	128	2,647	2,045		.44	36.17			
Washington				2	2	2	.2		16	16		1,021				63.84		
West Virginia	9		14	545	559	568	55.4	1,261	32	157	3,885	2,523		.65	40.22			
Wyoming				2	2	2	.2		2	2		93				61.67		
Total or average, bituminous	17	1	25	983	1,009	1,026		922	32	159	2,855	1,704		.48	28.24			
Pennsylvania (anthracite)			3	218	221	226			32	34		1,200				35.04		
Total or average, surface	17	1	28	1,201	1,230	1,247		845	32	137	2,426	1,628		.40	29.26			
All underground mines:																		
Bituminous coal	232	15	224	8,721	8,960	9,192		741	38	215	7,375	3,109	4,184	1,764	1.23	47.47	.70	26.93
Anthracite coal	8		11	910	921	929		210	30	83	3,765	2,298	5,367	3,276	.63	72.23	.89	102.98
Total or average, deep mines	240	15	235	9,631	9,881	10,121		716	37	203	7,146	3,057	4,215	1,803	1.19	49.04	.70	28.92

NUMBER OF INJURIES, BY PERCENTAGE DISTRIBUTION, INJURY RATES, AND AVERAGE SEVERITY AT COAL MINES IN THE UNITED STATES, BY STATE AND DEGREE OF INJURY, 1966—Con.

State	Number of injuries					Distribution of all injuries, percent	Frequency rates				Severity rates				Average severity			
	Fatal	Nonfatal		Total non-fatal	All injuries		Per million man-hours		Per million tons		Per million man-hours		Per million tons		Perma- nent partial	Tempo- rary total	All in- juries	
		Permanent	Tempo- rary total				Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal	Fatal	Non- fatal				
Preparation plants—Continued																		
Pennsylvania (bituminous).....	1	2	48	50	51	12.8	0.35	17.37				2,084	2,202			2,370	33	242
South Dakota.....																		
Tennessee.....																		
Texas.....																		
Utah.....		1		1	2	2	5	10.32					640		100	24	62	
Virginia.....	1			20	20	21	5.2	1.14	22.73			6,819	967			43	326	
Washington.....																		
West Virginia.....	2	3	196	199	201	50.5	.34	34.24				2,065	1,001		175	27	89	
Wyoming.....			1	1	1	3		73.56					2,722			37	37	
Total or average, bituminous.....	5	8	385	393	398		.32	24.83				1,895	1,066		718	29	118	
Pennsylvania (anthracite).....		1	143	144	144			48.72					1,353		200	27	28	
Total or average, preparation plants.....	5	9	528	537	542		.27	28.59				1,597	1,111		660	28	94	

Mr. NELSON. Mr. President, this bill is the product of one of the most intensive and comprehensive examinations of a subject in recent congressional history.

It is a solid bill—one that will lead, as the New York Times has predicted, to "the strongest coal mine health and safety bill ever enacted by Congress."

The bill deals directly and effectively with health and safety hazards that have threatened the lives and lungs of coal miners for generations. While nearly all other segments of American industry have, through innovation or negotiation, brought the working conditions for their employees into the 20th century, too many coal miners, with the year 2000 barely 30 years away, are still working under conditions virtually as unsafe and as unhealthful as did their counterparts a century ago.

The bill will remove equipment capable of producing explosive sparks from all mines, including unsafe hand-held electric drills, fans, cutting machines, shuttle cars, and loading machines. This will eliminate a major cause of disastrous ignitions of the past. Of primary importance with regard to the use of unsafe equipment is the elimination of the so-called nongassy category of mines, in which 77 ignitions and explosions, 55 caused by gas, have killed 43 miners and injured 86 since 1952.

The bill will establish specific interim standards for the amount of respirable coal dust allowed in coal mines, to be followed by a permanent standard to be established by the Secretary of the Interior based on the Surgeon General's determination of the maximum personal exposure of dust that can be permitted in any working shift without leading to a disability to any miner.

The interim standards of 3.0 milligrams of coal dust per cubic meter of air within 3 years and 2.0 milligrams within 6 years are only interim standards and should only be considered as such.

At the interim standard of 2.0 milligrams, thousands of miners would still be expected to contract pneumoconiosis, the black lung disease, before the end of their normal working career. This is unacceptable for any miner and for the Nation.

Black lung disease does not have to be an accepted fringe liability for American coal miners. It seems to me that the air

any miner breathes should be as pure as is breathed by any other worker or any other citizen.

Within the Department of Health, Education, and Welfare, the National Air Pollution Control Administration has just completed a major study of airborne particulate matter, similar in effect to coal dust. The Air Pollution Administration has recommended that dust levels should not exceed an annual average of 0.08 milligram per cubic meter of air. Over the period of 24 hours, the average person breathes about 20 meters of air and at 0.08 milligram would inhale about 1.6 milligrams of dust or 584 milligrams over a year's time. If this level is exceeded, HEW says that it is probable that adverse health effects will occur.

An average coal mine worker breathes at least 10 to 12 meters of air during an 8-hour shift. If that air contains 2.0 milligrams of coal dust per meter, the coal miner inhales over 20 milligrams of coal dust during that 8 hours. Assuming that he works only 240 days per year, the coal miner inhales from 4,800 to 5,760 milligrams per year just from his coal mining exposure.

This means that at the 2.0 milligram level a coal miner will inhale nearly 10 times more than the HEW recommended maximum of 584 milligrams, not counting the 700-1,000 other milligrams that he will inhale annually during his non-work hours.

This legislation makes it clear that Congress is not going to be content with a 2.0 dust standard. Congressional intent for the industry to reach a truly safe dust level is absolutely clear.

The chairman of the Labor Subcommittee, the Senator from New Jersey (Mr. WILLIAMS), should be singled out for his fine role in bringing such a strong and impressive bill to the floor of the Senate. His patience and dedication were instrumental in guiding the bill through its many weeks of hearings and committee consideration.

The members of the Committee on Labor and Public Welfare can bear witness to the fact that he has spent countless hours in and out of coal mines over the past year learning of the hazards facing coal miners and the problems facing the coal operators.

The bill that he has managed so well on the floor of the Senate clearly reflects

the fair-minded effectiveness of the junior Senator from New Jersey.

One must also acknowledge the contributions of the chairman of the Committee on Labor and Public Welfare (Mr. YARBOROUGH), who presided over 10 days of committee consideration, assuring that all points of view were fully deliberated; the ranking majority member, the Senator from West Virginia (Mr. RANDOLPH), whose detailed knowledge of the coal mine industry was of irreplaceable value; and the ranking minority member from New York (Mr. JAVITS), whose penetrating perceptiveness again aided the committee in developing a good bill with solid bipartisan support.

In addition, I believe that the senior members of the committee were greatly impressed by the involvement of our five newest members—the Senator from Missouri (Mr. EAGLETON), the Senator from California (Mr. CRANSTON), the Senator from Iowa (Mr. HUGHES), the Senator from Pennsylvania (Mr. SCHWEIKER), and the Senator from Ohio (Mr. SAXBE)—in the consideration of the bill. They were extremely diligent in their efforts and brought a number of important viewpoints to the committee's attention.

With the enactment of this legislation, it should no longer be necessary for miners to die in order for conditions in coal mines to be improved.

Mr. MCGEE. Mr. President, I shall speak briefly in support of the pending legislation, the Federal Coal Mine Health and Safety Act of 1969.

It is obvious to all of us that the safety and working conditions of the underground coal miner must be improved. Too frequently we are dramatically reminded of this fact when we suffer a major mine catastrophe. Less dramatically, but surely just as damaging and devastating, are the human and economic losses which occur to the miner by virtue of diseases he encounters as a direct result of working conditions within the underground mine. These conditions and the industrial diseases which flow from them have resulted in untold suffering and losses throughout the years. It is time that something be done in this regard, and I am confident that something constructive and effective will be done under the terms and requirements of S. 2917.

Fortunately the bill goes beyond simply improving conditions and environ-

ment in underground mining operations, although these features are an important part of the bill. It also provides a program of research into the causes and, hopefully, treatment of the industrial diseases related to underground mining. This is an area that has been recognized to a small degree in the past, but it has not received sufficient priority, particularly with reference to its funding. The bill now before us, as amended by the Randolph amendment, authorizes a program of realistic proportions to be financed by a direct appropriation. I do hope that this authorization will be followed by adequate appropriations so that this badly needed program of research may go forward.

In this bill we are placing great emphasis on the human element involved in the coal mining industry. This will result in a healthier coal mining industry and will most certainly result in healthier coal miners. Not only will it prevent human suffering and loss but it will prevent, or at least substantially reduce, the resultant economic loss which inevitably results when an individual contracts industrial disease.

For these reasons, Mr. President, I support this legislation. I do hope that it will be approved by the Senate without delay and that soon it will be enacted.

NIXON ADMINISTRATION UNDERMINES MEDICAL RESEARCH

Mr. WILLIAMS of New Jersey. Mr. President, I find it incredible that the Nixon administration can terminate or sharply reduce the very programs that can constitute a major part of the solution to the nationwide crisis in health care, to which the White House promised to give priority attention only a few months ago. Medical research, a key factor in the provision of health manpower and improved health services, is being undermined by penny-wise but pound-foolish budgetary cutbacks that the Nixon administration has imposed on the U.S. National Institutes of Health.

Nineteen of 93 NIH-supported general clinical research centers may have to shut down completely within 1 year. Right now, they are being required to submit budgets—for the fiscal year beginning October 1—with a 60-percent cutback from their grants for fiscal 1969. Major hospitals and medical schools in 13 States will be hard hit by this phaseout.

Not only will President Nixon's order to cut \$3.5 billion, overall, from his budget cause one-fifth of these research centers to become moribund, but it has also compelled NIH to announce a 10-percent reduction in funding levels for new medical research grants and a 5-percent cutback in grant levels for on-going research. The negative, long-term results of this fiscal surgery greatly outweigh a small saving of \$290 million in total spending on medical research, called for in the revised budget for fiscal 1970 submitted by the White House.

On top of these developments, five major Federal programs to attack chronic and crippling diseases are to be

closed down by the Nixon administration over the next few months, according to recent newspaper reports. By terminating, for all intents and purposes, the chronic disease control program of the U.S. Department of Health, Education, and Welfare, the White House will save the paltry sum of \$3 million in fiscal 1970. The five programs to be eliminated are those in heart disease and stroke; cancer; arthritis and diabetes; neurologic and sensory diseases; and respiratory disease. Some 350 jobs are at stake in this shutdown.

The Nixon administration fails to recognize the direct connection between biomedical research and the improvement of medical manpower and effectiveness in the delivery of health services to patients. To provide more doctors requires expanded medical school faculties, whose major "drawing cards" are the clinical research centers and research grants which help pay the minimal stipends for medical graduate students. To correct the crowded conditions in our Nation's hospitals requires more effective treatment that reduces the time patients occupy hospital beds, or prevents serious diseases in the first place. Major accomplishments in the prevention and treatment of disease and serious illness may be credited to the clinical research centers. For example, seven of the centers to be phased out of existence have specialized in research on the diseases of children—an area of research and health care in which the Nixon administration has indicated a special interest. Moreover, much of the modern experience in organ transplantation has been gained in such centers.

Research grant cuts penalize the all-important work on new ideas, drugs, and equipment to improve and shorten the delivery of health care. Thousands among the 1 million Americans bedridden or disabled with Parkinson's disease may be restored to a semblance of self-sufficiency as a result of research on a drug named L-dopa. Immunization techniques and antibiotics have almost eliminated the diseases that ranked as the top killers at the turn of the century. German measles, the contraction of which has always been a serious threat to expectant mothers, can become a thing of the past as a result of a vaccine recently developed by biomedical research and now being widely distributed.

Is the administration sincere in facing the health crisis? Or has its concern over inflation caused it to promote false and harmful economies? Recognizing that inflation in hospital salaries and equipment has been running between 8 and 15 percent, this will not be solved by reducing NIH spending levels that have remained unchanged for some 2 years. Whatever the wisdom of the American health care delivery system, the fact remains, as reported recently by NIH Director Dr. Robert Q. Marston, that the Institutes have become the major source of funds for biomedical research in the Nation and furnish more than 40 percent of all money for medical education.

If the administration is serious about improving health care as a national goal,

then let it undertake a comprehensive, in-depth study of the total system. Instead of this, however, biomedical research goes unmentioned in the "White House Report on Health Care Needs." Not only is \$3.9 million in additional funds for the clinical research centers (requested by President Johnson for fiscal year 1970) denied by the Nixon administration, but the NIH-related National Advisory Research Resources Council, perhaps on the basis of private information, has adopted a resolution that includes a warning against the billing of research patients as a possible solution to the problem.

Meanwhile, in this as in so many other areas of administration policy on which Congress awaits definite proposals, we hear that information is incomplete, that the problem is under study, and that no firm decision has been made. We can only contrast such indecision over medical research programs whose benefits have been proven, with the speed and self-conviction displayed by the Nixon administration in pressing for congressional approval of an antiballistic-missile system whose protection is highly uncertain. Moreover, while no one challenges reductions in Federal spending as a means of combating inflation, there remains the basic question of national priorities, reflected in the specific programs in which budgetary cuts are made. Why, for example, does a massive defense budget receive relatively light treatment by this administration, in comparison with its intensive scrutiny of minimal dollar amounts for health, education, welfare, and urban programs?

Adequate, prompt health care for all Americans ought to be a major national goal. Biomedical research is crucial to the improvement of medical services and the provision of medical manpower.

Mr. President, I ask unanimous consent that an editorial entitled "Downgrading Human Health," published in the New York Times of September 22, 1969, be printed in the RECORD at this point.

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

DOWNGRADING HUMAN HEALTH

The nation's health will in large measure be determined in decades to come by the generation of biomedical researchers now still in the graduate and medical schools. This—and not budgetary arithmetic—is the main issue in determining policies to guide the future of public health. It is the reason shock waves ran through the universities and medical schools when crippling cuts in health and medical research appeared imminent. Education and Welfare have subsequently stated that nothing as disastrously stringent as the threatened 20 per cent cuts was anticipated.

While a potentially devastating blow to already hardpressed universities may thus have been averted, there remains much cause for concern that the general pattern of belt-tightening will blunt the thrust of basic health and medical research. There still stands the projected closing of 19 of the existing 93 clinical research centers, even though no more than \$5 million in added allocations would be needed to keep these facilities in operation. Similarly, it is for a projected annual saving of a mere \$400,000 over a five-year period that the National Cancer Institute may have to kill 380

monkeys which are already an active link in the research chain that may help to unlock secrets essential to the conquest of cancer.

From such fragments of the budget puzzle emerges a trend that could signal a loss of scientific momentum and a drain on the enthusiasm of a new generation of promising researchers. It is an invitation to cynicism about the relative value attached to science in the service of saving lives as against its potential for destruction.

Such doubts are fed by recent charges of laxity in the enforcement of nutritional standards. Dr. George Wald, the Nobel Prize biologist, claims that flour used today contains 60 per cent less vitamin fortification than that of 20 years ago. It is Dr. Wald's contention that such staples as bread, milk and salt today provide adequate nutrition only to those who can afford to pay a "premium" for "enrichment."

The obvious need for government is to review its own priorities in support of health, research and to take a hard look at the policies of those who sell health-essential nutrition for rich and poor alike.

SENIOR POWER IN THEORY AND PRACTICE

Mr. WILLIAMS of New Jersey. Mr. President, as chairman of the Senate Special Committee on Aging, I have often noted that one of the most important tasks facing the Nation is the opening of new doors, new avenues of participation in national affairs for the elderly.

Older Americans need, want, and deserve a voice in the public dialog. It would be a double tragedy to shut the elderly out of policy debates and procedures; we would be denying millions of Americans their rightful access to the mechanisms of democracy and we would be denying ourselves the benefits of their wisdom, experience, and thoughtful judgments.

What has emerged from this challenge is the concept of senior power—the full utilization of commentary and constructive criticisms, by the aged and aging, on matters of national policy. Senior power is not to be dismissed as another cliché, or a half-hearted bow to the older citizen. Instead, it must be recognized for what it is: a remarkable and rewarding fact of public life, which supplies the public debate with seasoned and timely doses of good sense, meaningful insight, and vigorous advocacy.

Recently, I became aware of two items which illustrate the importance and immediacy of senior power in action. The first is an article written by Rogers Franklin, retirement counselor for Parade Publications, called "What Is Senior Power?" published during the week of August 10, 1969. The article suggests that older Americans can exercise senior power by writing letters, speaking out on vital issues, counseling younger people on problems they will likely face, and letting the men in Washington know how seniors feel about important questions.

The second item is an outline for an ongoing program of senior power, operating in East Harlem, N.Y., under the aegis of the East Harlem Committee on Aging. Operation Senior Power in East Harlem outlines the specific steps which a group of older Americans have taken, and will take in the future, to enrich their participation in governmental affairs and

policy discussions. The program is funded by a grant from the East Harlem Community Corporation. Dr. Frank Cordasco of Montclair State College, in New Jersey, has been closely associated with this program from its inception, and has been a motive force during its operation.

Because these two items bear so directly on the important question of participation by the elderly in public affairs, I ask unanimous consent that they be printed in the RECORD at this time.

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

TIME FOR LIVING

(By Rogers Franklin, retirement counselor)

WHAT IS SENIOR POWER?

I still have a few thoughts on the subject of last week's column, where I discussed the role we seniors ought to play in making our nation's policies, as well as some of our rights and responsibilities as citizens.

I mentioned our right, for instance, to due consideration of our just demands; our responsibility to use our weight of years and wisdom to support the just demands of others into the bargain.

Which is fine as far as it goes. But, practically speaking, what can we do to help solve the many problems confronting us and our lawmakers? We don't all want to become actively involved in politics, though that's an excellent idea. What can an ordinary citizen do?

In the first place, we seniors don't always realize our own voting power, and therefore our powers of persuasion!

Twenty million of us, or one in ten Americans, are over sixty-five. That means we're more than a tenth of the voting population, the over twenty-ones, and should have some say in matters concerning our welfare.

We have a good record for getting out to vote at elections. But we needn't, and shouldn't, stop there. Every time we feel strongly about an issue we should write to our state and federal representatives about it; tell them how we stand. We can also write, either in support or disagreement, to any other group that's involved with a particular issue. We can write to the press.

This doesn't mean we'll automatically "win them all." But that's democracy, as Churchill said, the worst form of government—except all the rest. Nevertheless, such tactics will help influence the course of events in Washington.

Of course, if only a few take the trouble to write, we may not get much action. But if 20 million of us make ourselves heard, or even 20 thousand, then the lawmakers may really sit up and take notice. And that's not counting all those approaching retirement who have similar interests at stake and can be equally vocal.

The burning question right now, as far as most of us are concerned—and in some ways even more for our children and grandchildren than for us—is what to do about social security.

Some experts feel there are only two ways to solve the problem of providing everyone with adequate retirement income: either people will have to save much more during their working years, or else the whole existing structure devised to supply income for retirement must be radically revamped.

The younger folks, as well as ourselves, should be thinking hard about this one and doing something about it before it's too late, or they'll be the ones to suffer when their time comes. We should help them to the limits of our experience.

The fact is that we seniors, like all segments of the population, are being affected by vast changes sweeping our society, and the adjustment can be painful.

Senator Harrison A. Williams (D.-N.J.), Chairman of the Senate Special Committee on Aging, put his finger on this recently when he emphasized the irony of the fact that the same old problems are still plaguing retired people, and even, it would seem, getting worse. Yet, at the same time, new and unparalleled opportunities are opening up to them everyday.

By the way, Senator Williams and his Committee are active on our behalf in Room G. 233, New Senate Office Building, Washington, D.C.

I repeat, writing to representatives and others does help, if enough people do it. And we can all talk to friends and encourage them to support what they think is important—never mind if we don't agree with them. The main thing is to let the men in Washington know how we all feel. That, in the best sense, is Senior Power.

OPERATION SENIOR POWER IN EAST HARLEM (A program for advocacy planning and action, education and training, of and for the elderly poor residents of East Harlem)

I. HISTORY AND BACKGROUND: THE CALL FOR HELP

The East Harlem Committee on Aging was formed in September, 1960, as one of the committees of the East Harlem Council for Community Planning. It was organized to meet a long-neglected need of planned service in the area for the elderly residents. The Committee on Aging became incorporated in January, 1968.

Composed of representatives of nearly every public and private agency serving the East Harlem area, the Committee on Aging has been meeting regularly once a month and has on file minutes of all its actions and programs. These include the following:

1. Survey of Older People in East Harlem:
One of its early and major undertakings was a Study of Older People in East Harlem and the Agencies which serve them. In cooperation with graduate students from the Human Relations Center of New York University, the Committee on Aging completed its job in 1963. The population study revealed that approximately 20,000 in a population exceeding 181,000 were 60 or more years old. The Study covers four aspects:

A. Population Study.
B. Facilities serving older people.
C. Socio-Economic conditions of older residents.
D. Implications drawn from the study.

2. In its efforts to coordinate activities and services, exchange program ideas, develop joint programs, and promote the involvement of older people in their own behalf, the Committee has also sponsored the following:

A. Annual Senior Citizens' May Celebrations.
B. Town Hall Meetings—Opportunities for older people to present their views on matters of deep concern to them to prominent public officials.

C. Community Organization Programs—The older East Harlem residents participated actively in the passage of the Medicare Legislation as well as in the "Medicare Alert".

East Harlem was represented by a member of the Committee on Aging at the Hearings before the Special Committee on Aging of the United States Senate in June, 1965.

D. Educational Program.—The Committee created groups with special interests and concerns and directed discussions with these groups.

E. Stimulation of Agency Interest.—Committee members have helped existing programs to develop awareness of this neglected part of the East Harlem population. As a result new programs have emerged and agencies have assigned staff to work with senior citizens. As these new staff people have been

added to the Committee on Aging, the need for so much more service has become apparent.

II. RATIONALE: FINDING AND SERVING THE ABANDONED

Despite its efforts and activities, the East Harlem Committee on Aging became acutely aware that it had a very tiny voice in the immediate community. Although studies had established that the Senior Citizens of East Harlem constituted a potential voting block of at least 20,000 people, their needs were still given short shrift in most of the private and public planning efforts.

Based upon its study of older people in East Harlem, the Committee prepared a proposal for anti-poverty funds. Upon the establishment of Massive Economic Neighborhood Development, the Committee submitted its proposal through M.E.N.D. in November 1965 and again in May 1966 but it was not funded. This proposal was again submitted to the Committee of Nineteen in 1967. The program provided for the involvement of older and younger adults in seeking out and serving the needy elderly of the area.

After being on the "low-priority" or rather "no-priority" list for all these years, the proposal finally received a small portion of its request for funds in April of 1969.

In a mere six weeks, the East Harlem Committee on Aging, with this small encouragement from the Community Corporation, has established an office and has begun to implement its action program. This program is already bringing hope and expectations to the hearts and minds of the elderly residents of East Harlem and their friends. Enthusiastic encouragement and support have already been expressed by Housing Managers, M.E.N.D. staff workers, the Health Department, Social Security Administration, Day Center Staff, and local residents both adult and elderly for the following program:

III. WORK PROGRAM: THE BEGINNINGS

In April, 1969, the East Harlem Committee on Aging began carrying out the following Action Program as outlined for 1969/1970:

1. Compiling and distributing a directory of services available to the elderly.
2. Obtaining detailed information on all group and individual programs serving the aging directly or indirectly and directions for joining.
3. Involving community people including the elderly themselves in interpreting this information.
4. Seeking, reaching and involving the separated and isolated elderly citizens.
5. Discovering and publicizing gaps and lacks in services to the elderly, whether in quantity or in quality.
6. Conducting lively discussions for the aging and their families concerning their own expressed concerns and interests.
7. Conducting seminars for staff members about working effectively with this age group.
8. Establishing and operating (by the elderly themselves) a current library and bulletin board which will be open and helpful to three groups: the aging, their families, and workers with the aging.
9. Serving as consultants on available and unavailable services.
10. Providing emergency escort and visiting service whenever staff is available.
11. Organizing and conducting a voter registration drive of all senior citizens and teaching these citizens the power of their vote.
12. Organizing Town Hall meetings on vital issues affecting the aging.
13. Conducting a new survey of the elderly in East Harlem with the purpose of gathering facts to support drives for improved or more coordinated services to the aging.
14. Providing field-work experience for graduate and undergraduate students for

the purpose of interesting them in this field of vocation.

15. Investigating and publishing findings on old and new sources of funds for services to the elderly of East Harlem.

IV. STAFFING, RECRUITMENT AND TRAINING: THE INVOLVEMENT

It is the intent of the East Harlem Committee on Aging that the staff of this proposed program, consisting almost exclusively of East Harlem residents, shall be more than a work force. Receiving leadership and guidance from both the Committee and from local Senior Citizens, the staff shall itself be an action group, which will inspire and unite residents to action on their own behalf. To this end, the staff will receive special training and development so that these jobs may be stepping-stones for future employment and citizen action.

The staff shall consist of a Director, a Community Worker (Full-time) an Assistant Community Worker (Part-time), an Executive Secretary/Bookkeeper, Maintenance worker, and six Senior-Citizen Aides. In addition there will be needed a small number of special Contract workers and/or Consultants.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DESIGNATION OF DESOLATION WILDERNESS, ELDERADO NATIONAL FOREST, CALIF.

Mr. BYRD of West Virginia. Mr. President, in behalf of the Senator from Washington (Mr. JACKSON), I ask the Chair to lay before the Senate a message from the House of Representatives on S. 713.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 713) to designate the Desolation Wilderness, Eldorado National Forest, in the State of California, which was to strike out all after the enacting clause and insert:

That, in accordance with subsection 3(b) of the Wilderness Act of September 3, 1964 (78 Stat. 891), the area classified as the Desolation Valley Primitive Area, with the proposed additions thereto and deletions therefrom as generally depicted on a map entitled "Desolation Wilderness—Proposed," dated April 26, 1967, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the Desolation Wilderness within and as part of the Eldorado National Forest, comprising an area of approximately sixty-three thousand five hundred acres.

Sec. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Desolation Wilderness with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, as such description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description and map may be made.

Sec. 3. The Desolation Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by

that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and except that the owners and operators of existing federally licensed hydroelectric facilities shall have the right of reasonable access to the areas for purposes of operating and maintaining such facilities in a manner that is consistent with past practices without prior approval of the Secretary.

Sec. 4. The previous classification of the Desolation Valley Primitive Area is hereby abolished.

Mr. BYRD of West Virginia. Mr. President, the purpose of this measure is to designate the Desolation Wilderness in the Eldorado National Forest in the State of California.

An identical bill in the House to S. 713 was H.R. 850. The committee, in reporting out H.R. 850 amended it by deleting two areas. On the House floor prior to passage, however, the bill was amended to restore the two areas.

Subsequently, this passage was vacated, and S. 713, the Senate bill, was passed in lieu after being amended to contain the language of H.R. 850 as passed.

The net result of the House action was to pass S. 713 in the identical form in which it passed the Senate on March 24.

Mr. President, at the request of the Senator from Washington (Mr. JACKSON) I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 49 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, October 1, 1969, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate, September 30, 1969:

INTERNATIONAL MONETARY FUND

William B. Dale, of Maryland, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years. (Re-appointment)

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonel

Nichols, William L. xxx-xx-xxxx

To be major

Jones, Roy M. xxx-xx-xxxx
 Mayers, Frederick H., Jr. xxx-xx-xxxx
 Strudeman, Richard C. xxx-xx-xxxx

To be major

CHAPLAIN CORPS

Marchbanks, Joseph xxx-xx-xxxx

To be major

ARMY MEDICAL SPECIALIST CORPS

Graziano, Joan M. xxx-xx-xxxx
 Latta, Patricia A. xxx-xx-xxxx
 Schmechel, Marilyn R. xxx-xx-xxxx

To be captain

Barkley, Craig C. xxx-xx-xxxx
 Barkman, Ralph A., Jr. xxx-xx-xxxx
 Bertelkamp, John N. xxx-xx-xxxx
 Cupples, Alan B. xxx-xx-xxxx
 Dishong, Dion S. xxx-xx-xxxx
 Entrekin, Philip B. xxx-xx-xxxx
 Eskew, Michael P. xxx-xx-xxxx
 Eveland, George B. xxx-xx-xxxx
 Haynes, John R. xxx-xx-xxxx
 Keaney, John P. xxx-xx-xxxx
 Kymer, Richard R. xxx-xx-xxxx
 Matlick, Robert R. xxx-xx-xxxx
 Ramage, Gary F. xxx-xx-xxxx
 Ritterspach, Frederick xxx-xx-xxxx
 Sanchez, Lorenzo xxx-xx-xxxx
 Stephens, Robert L. xxx-xx-xxxx
 White, William C. Jr. xxx-xx-xxxx

To be captain

MEDICAL CORPS

Ahmann, Thomas M. xxx-xx-xxxx
 Bouzlgard, Ray J. xxx-xx-xxxx
 Chalus, Dennis M. xxx-xx-xxxx
 Giordano, Frank L. xxx-xx-xxxx
 Shulman, Ned I. xxx-xx-xxxx
 Steele, Russell W. xxx-xx-xxxx
 Steines, William J. xxx-xx-xxxx

To be captain

MEDICAL SERVICE CORPS

Billingsley, Herchel O. xxx-xx-xxxx

To be first lieutenants

Acevedo, Rafael A. xxx-xx-xxxx
 Adams, Nolan J. xxx-xx-xxxx
 Adams, William R. xxx-xx-xxxx
 Albers, Peter H. xxx-xx-xxxx
 Albright, Carl W. xxx-xx-xxxx
 Allen, John E. xxx-xx-xxxx
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HOUSE OF REPRESENTATIVES—Tuesday, September 30, 1969

The House met at 12 o'clock noon.

Rev. Joe Vickers, Goodlettsville Cumberland Presbyterian Church, Goodlettsville, Tenn., offered the following prayer:

O God, who by Thy providence didst lead our forefathers to this good land wherein we found liberty and freedom to worship Thee: We are not unmindful of the heritage which is ours, not deserving but by Thy providence, and bought with diligence and sacrifice. We beseech Thee to provide this House with dignity, inspiration, knowledge, wisdom, and foresight, to lead us for the good of all mankind. We beseech Thee to save us from misuse of freedom without restraint.

We also beseech Thee to ever guide our Nation in the way of Thy truth and peace. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 10420. An act to permit certain real property in the State of Maryland to be used for highway purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1484. An act to abolish the commission authorized to consider a site and plans for building a national memorial stadium in the District of Columbia;

S. 2701. An act to establish a Commission on Population Growth and the American Future; and

S.J. Res. 117. Joint resolution to authorize appropriations for expenses of the Office of Intergovernmental Relations, and for other purposes.

THE REVEREND JOE VICKERS

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FULTON of Tennessee. Mr. Speaker, it is with a great deal of pleasure and pride that, through the kind invitation of our Chaplain, Reverend Latch, I have had the opportunity to ask

the Reverend Joe Vickers to open this meeting of the House of Representatives with a prayer.

Reverend Vickers is pastor of the Goodlettsville Cumberland Presbyterian Church of Goodlettsville, Tenn. He is a man of profound religious conviction and compassionate human understanding.

On this occasion I would like to welcome him, his charming wife, and lovely daughter to the U.S. House of Representatives.

A SIGN OF MOURNING

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, today I am wearing a sign of mourning. The black ribbon in my lapel is a visible expression of my grief and outrage that every week more than 150 American men are being killed in Vietnam.

To many of us the Vietnam war has not brought personal suffering or sacrifice. To some the war must seem not only distant but unreal. I would hope, however, that the wearing of black, which is a traditional expression of grief of most religious faiths, will serve as a reminder that none of us can ignore the continuing loss of life and that we do share the personal tragedy that so many American families are required to bear.

The American people have been asked to be patient over Vietnam for too many years. Now our policy no longer seeks a futile military victory but the gradual withdrawal of American troops over several more years pending a negotiated settlement. Should we pursue this policy of gradual withdrawal we only accept more unnecessary deaths. In fact, any arbitrary timetable is intolerable. We are dealing with the lives of our best young men and there is no excuse for this unjustifiable delay.

Therefore I think this ribbon can also be worn as a sign of commitment to do all one can to change our Government's tragic policy and thus end the unnecessary killing.

I hope that all those Americans, who are distressed as I am, will choose to wear a black ribbon until the administration, by deed, not word, is committed to the immediate and total withdrawal of American troops from Vietnam.

VIOLENCE IN INDIA

(Mr. SIKES asked and was given permission to address the House for 1 min-

ute and to revise and extend his remarks.)

Mr. SIKES. Mr. Speaker, only yesterday I commented on the heritage of Mahatma Gandhi and upon his contributions to India and to the world. Now my attention is directed to the violence and rioting which has flared across India; the worse since independence. It must be said that this makes a mockery of the plans to celebrate the centennial of the birth of Gandhi, father of the nation and leading advocate of nonviolence.

The whole world has been shocked by these disorders which were directed principally against Moslems. The Baltimore Sun has stated that the death toll is around 2,000 and several thousand others have been injured. The New York Times says that over 10,000 have been rendered homeless. The Washington Post, in a dispatch from New Delhi, said Hindus dragged Moslems from their homes and shops and poured gasoline over them and set them afire. This report goes on to say that the casualties were 80 percent Moslem because the Hindu police failed to act until the violence had run its course.

America is by necessity deeply disturbed by these reports of violence and cruelty. It will be difficult to understand if the Indian Government fails to take action against those responsible and to introduce more effective measures for the protection of life and property of the minorities living in their country. What has been done is inconceivable in a country which holds the teachings of Gandhi in reverence.

THE LATE PRESIDENT ADOLFO LOPEZ MATEOS OF MEXICO

(Mr. NIX asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NIX. Mr. Speaker, in the alternate years that the Mexico-United States Interparliamentary Group meets in Mexico our Mexican hosts have always arranged for the delegation to pay a visit with the President of Mexico. These are not the usual calls that protocol requires. They arise from a sincere desire on the part of the President to meet and chat with members of the U.S. delegation. As chairman of the U.S. delegation for a number of years, I have looked forward to these meetings with the President of Mexico either in his residence or in his office.

News has come from Mexico that for-