

foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MIKVA:

H.R. 14413. A bill to extend the fourth-class mail rate for books and educational materials to photographic prints mailed to and from amateur photographers and non-profit photographic exhibitions, photographic societies, and photographic print study groups; to the Committee on Post Office and Civil Service.

By Mr. MIKVA (for himself and Mr. EDWARDS of California):

H.R. 14414. A bill to prohibit hiring professional strikebreakers in interstate labor disputes; to the Committee on Education and Labor.

By Mr. MOSHER:

H.R. 14415. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. ST. ONGE:

H.R. 14416. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself, Mr. SPRINGER, Mr. GERALD R. FORD, Mr. BOLAND, and Mr. CONTE):

H.R. 14417. A bill to authorize the Secretary of Transportation to prescribe rules, regulations, and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research; to the Committee on Interstate and Foreign Commerce.

By Mr. TUNNEY:

H.R. 14418. A bill to amend the Marine Resources and Engineering Development Act of 1966 to establish a comprehensive and long-range national program of research, development, technical services, exploration, and utilization with respect to our marine and atmospheric environment; to the Committee on Merchant Marine and Fisheries.

By Mr. WEICKER:

H.R. 14419. A bill to authorize the Secretary of Transportation to prescribe rules,

regulations, and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 14420. A bill to extend for 3 years the authority of the Armed Forces and the Veterans' Administration to use dairy products purchased by the Commodity Credit Corporation; to the Committee on Agriculture.

By Mr. KEITH:

H.J. Res. 962. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H. Con. Res. 415. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H. Con. Res. 416. Concurrent resolution expressing the sense of Congress with respect to the assignment to Vietnam of persons inducted into the Armed Forces; to the Committee on Armed Services.

By Mr. FRIEDEL:

H. Con. Res. 417. Concurrent resolution to provide that failure of executive departments, agencies or instrumentalities of the Federal Government to respond within 60 days to requests from committees of Congress for reports on pending legislation shall create the conclusive presumption that such agencies favor enactment of the legislation and that enactment is consistent with the legislative program of the President; to the Committee on Rules.

By Mr. HANNA:

H. Con. Res. 418. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. PURCELL (for himself and Mr. COLLINS):

H. Con. Res. 419. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 14421. A bill to provide for the conveyance of certain property of the United States located in Lawrence County, S. Dak., to John and Ruth Rachetto; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of New York:

H.R. 14422. A bill for the relief of Giuseppe Musumeci and Concetta Franca Mellia Musumeci; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 14423. A bill for the relief of Alfio Occhio; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 14424. A bill for the relief of Loretta, Blondel, Brenalyn, Benaud, Beverly, and Brenda Lee Jones; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

268. The SPEAKER presented a memorial of the Legislature of the State of Wisconsin, relative to questions proposed to be asked on the 1970 decennial census, which was referred to the Committee on Post Office and Civil Service.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

297. By the SPEAKER: Petition of the American Ornithologists' Union, Washington, D.C., relative to establishing the Buffalo River as a national wild river; to the Committee on Interior and Insular Affairs.

298. Also, petition of Henry Stoner, York, Pa., relative to debate on Vietnam; to the Committee on Rules.

299. Also, petition of Francis A. Briney, Rocky Mount, N.C., relative to pensions for veterans of World War I; to the Committee on Veterans' Affairs.

SENATE—Monday, October 20, 1969

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

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

"Holy Spirit, Truth divine,
Dawn upon this soul of mine;
Word of God, and inward Light,
Wake my spirit, clear my sight."
—SAMUEL LONGFELLOW, 1864.

Eternal Father, may this song of the soul awaken us to all true values, clear our sight, and so guard and guide us that daily duties may be lifted into acts of worship. Refresh us at this noonday altar lest we weary before our work is done or despair because the tasks are too difficult. In a world uncertain about many things make us certain of Thee with an inner certitude of experience which endures "the strain of toil, the fret of care." Keep us clear in mind, steadfast in spirit, resolute in righteousness, that we may be used by Thee for the welfare of all mankind and the fashioning of this Na-

tion in the pattern of the kingdom whose maker and ruler is God.

In His name we pray. Amen.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of October 16, 1969, the following reports of a committee were submitted on October 17, 1969:

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, without amendment:

H.R. 2768. An act to amend title 38 of the United States Code in order to eliminate the 6-month limitation on the furnishing of nursing home care in the case of veterans with service-connected disabilities (Rept. No. 91-482); and

H.R. 3130. An act to amend title 38, United States Code, to provide that the Administrator of Veterans' Affairs may furnish medical services for non-service-connected disability to any war veteran who has total disability from a service-connected disability (Rept. No. 91-483).

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, with an amendment:

H.R. 9334. An act to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes (Rept. No. 91-484).

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, with amendments:

S. 1279. A bill to provide that any disability of a veteran who is a former prisoner of war is presumed to be service-connected for purposes of hospitalization and outpatient care (Rept. No. 91-486);

H.R. 693. An act to amend title 38 of the United States Code to provide that veterans who are 72 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes (Rept. No. 91-481); and

H.R. 9634. An act to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources (Rept. No. 91-485).

THE JOURNAL

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

The 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 the President had approved and signed the following acts and joint resolution:

On October 14, 1969:

S. 330. An act for the relief of Dr. Konstantinos Nikolaos Baballiaros.

S. 2068. An act 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 preschool and school-age dependents of employees.

On October 15, 1969:

S.J. Res. 46. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week."

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE— ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 12781. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes; and

H.R. 13194. An act to authorize special allowances for lenders with respect to insured student loans under title IV-B of the Higher Education Act of 1965 when necessary in the light of economic conditions in order to assure that students will have reasonable access to such loans for financing their education, and to increase the authorizations for certain other student assistance programs.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

RETIREMENT OF JUSTICES AND JUDGES OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, for the information of the Senate, the pending business, S. 1508, a bill providing for the retirement of U.S. judges after 20 years of service, will be laid aside for a period of time and will not be considered today or in the immediate future.

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

Mr. MANSFIELD. I yield.

Mr. SCOTT. This bill was introduced by the Senator from Maryland (Mr. TYDINGS) and myself. I understand the Senator's request, and I have no objection, but I do hope that this matter can be brought up soon.

Mr. MANSFIELD. The request of the distinguished minority leader will be given every consideration. May I say that the majority leader is acting at the request of the Senator from Maryland, which I am sure the distinguished minority leader understands.

INTRODUCTION OF BILLS AND SUB- MISSION OF RESOLUTIONS

Mr. MANSFIELD. Mr. President, on behalf of myself and the distinguished minority leader, I ask unanimous consent to have printed in the RECORD a letter which the minority leader and I have sent to the Secretary of the Senate. We hope that all Senators will carefully note its contents.

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

U.S. SENATE,

OFFICE OF THE MAJORITY LEADER,

Washington, D.C., October 1, 1969.

HON. FRANCIS R. VALEO,
Secretary of the Senate,
Washington, D.C.

DEAR FRANK: As you know, under Rule VII, the introduction of bills and resolutions is limited to the period for the transaction of morning business unless unanimous consent of the Senate is obtained. The Senate rule controlling the introduction of private bills and resolutions, however, is more liberal than that applicable to public bills, providing as follows:

"Senators having petitions, memorials, pension bills, or bills for the payment of private claims to present after the morning hour may deliver them to the Secretary of the Senate."

While the practice for many years has been to interpret the latter provision as permitting staff aides of Senators to deliver such items to the desk, it would appear to us that a stricter interpretation is now in order. After consultation with Senators of both parties, including the Chairman of the Ethics Committee (Mr. Stennis), it is our joint view that in accordance with the rules, bills

and resolutions should no longer be received at the desk by the Parliamentarian for reference to the appropriate standing committees unless they are signed by and delivered at the desk, in person, by the Senator introducing them.

MIKE MANSFIELD.
HUGH SCOTT.

BOARD OF EDUCATION, LEE COUNTY, S.C.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 339, H.R. 9946.

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

The LEGISLATIVE CLERK. A bill (H.R. 9946) to authorize and direct the Secretary of Agriculture to quitclaim retained rights in certain tracts of land to the Board of Education of Lee County, S.C.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I send to the desk, on behalf of the distinguished Senator from Wisconsin (Mr. PROXMIRE), an amendment to the bill.

The PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read as follows:

On page 1, beginning in line 5 with the word "a", strike all through the word "to" in line 9, and insert "an agreement subordinating all right, title, and interest of the United States of America in and to the land hereinafter described to a lien or liens to be executed by the said Board of Education of Lee County, South Carolina, its successors or assigns for the financing of consolidated public school improvements on the said land, which consists of".

Mr. HOLLINGS. Mr. President, by way of explanation of H.R. 9946, now under consideration, the purpose of the bill is to direct and authorize the Secretary of Agriculture to execute and deliver to the Board of Education of Lee County, S.C., an original quitclaim deed conveying and releasing all rights, title, and interest of the United States of America. At present, the rights, title, and interest of the United States is shared with the South Carolina Rural Rehabilitation Corp. on an undivided basis. The United States holds a 61.9-percent interest; the remainder is held by the South Carolina Rural Rehabilitation Corp. The amendment offered by the Senator from Wisconsin (Mr. PROXMIRE) would eliminate the quitclaim deed aspect and subordinate all rights, title, and interest of the United States to a lien or liens to be executed by the Board of Education of Lee County, S.C., its successors, or assigns, which would permit the board of education to issue bonds required to finance the construction for a consolidated high school.

Since the proposed amendment would permit the original intent of the bill, I urge that the matter receive favorable consideration by the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 9946) was passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-344), explaining the purposes of the measure.

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

This bill directs Secretary of Agriculture to quitclaim all interest of the United States in approximately 285 acres to the Board of Education of Lee County, S.C. The United States owns an undivided 61.9 percent interest in retained reversionary rights and mineral interests. The other 38.1 percent is owned by the South Carolina Rural Rehabilitation Corp. The property was acquired by the United States and the Rehabilitation Corp., for a resettlement project and the United States conveyed its interest in 1945 and 1946 to the South Carolina State Superintendent of Education, subject to the right to reenter if the property was not used for school and community purposes. The South Carolina State Department of Education transferred the property to the Lee County Board of Education on May 20, 1953. The Lee County Board of Education has, since 1953, operated a 12-grade public school on the land. In an effort to comply with an order of the U.S. District Court of South Carolina to provide integrated educational facilities in Lee County, the board of education has proposed, the Department of Health, Education, and Welfare has approved, the construction of a single high school for Lee County on the property in question. Clear title to the land is a prerequisite to the issuance of construction bonds required to finance the project.

The Department of Agriculture suggested amendments (1) directing the Secretary of the Interior to join in the conveyance, since he administers the reserved mineral rights; and (2) conditioning the conveyance upon conveyance by the rehabilitation corporation of its interest. The committee did not adopt either of these amendments, because neither of them appeared necessary, and their adoption might result in some delay in passage of the bill. Enactment is regarded as urgent to permit the board of education to comply with the court order. The rehabilitation corporation advised the House Committee on Agriculture that it was preparing a deed to quitclaim its interest. The Department of Agriculture advised informally that it did not regard its suggested amendments as essential.

COST

Enactment of the legislation will result in a savings to the Government. Passage of the bill will enable the Lee County Board of Education to comply with a Federal court order, the continued enforcement of which would result in expenses to the Government.

The title was amended, so as to read: "An Act to authorize and direct the Secretary of Agriculture to execute a subordination agreement with respect to certain lands in Lee County, South Carolina."

PROGRAM FOR VETERANS DAY AND THANKSGIVING

Mr. SCOTT. Mr. President, I rise to ask the distinguished majority leader what the program is for the period over Veterans Day, November 11, and for the period over Thanksgiving.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, the Senate will be in session on Veterans Day, which is Tuesday, November 11. The Senate will be out of session from the conclusion of business on the Wednesday before Thanksgiving Day until noon the following Monday.

I think it is better to operate in that fashion this particular year, so that we can comply with the request of the President that his legislation be given as expeditious consideration as possible.

Also, I am fearful that, with Veterans Day falling on a Tuesday, we might have a poor attendance on Monday or Wednesday.

So in this instance I would say that discretion is the better part of valor.

Mr. SCOTT. And on Veterans Day we can make due observance, I take it, of the original purpose for which the day was established—that is Armistice Day—in memory of those who have fallen in our numerous wars.

Mr. MANSFIELD. Yes, indeed; and I expect to make some remarks of that nature on that day. I know the distinguished minority leader will make some, and so will other Members of the Senate; and we will pay our respects to those who have done so much for their country in serving it in time of war and given their lives in its cause.

Mr. SCOTT. I thank the distinguished majority leader.

POTATO RESEARCH AND PROMOTION ACT

Mr. HOLLAND. Mr. President, while both distinguished leaders are in the Chamber, and while the distinguished Senator from North Dakota (Mr. YOUNG) is also present, I wish to have an important matter cleared up.

Last Thursday, when the Senate passed S. 1181, the Senator from North Dakota (Mr. YOUNG) offered an amendment in behalf of the Senator from Alaska (Mr. STEVENS) extending the provisions of the bill to the States of Alaska and Hawaii, the Senator from Alaska being at that time absent from the Senate on official business in Europe.

While the production of potatoes in those two States is negligible at the present time, I stated that if the Senator from Alaska wished to offer an amendment, or some other Senator wished to offer it for him, I would have no objection to it and would yield to the sponsors and authors of the bill on that matter.

Both the Senator from North Dakota and I have found since passage of the bill that the Senator from Alaska had determined that the bill should not be extended to Hawaii and Alaska at this time, and did not intend to offer his amendment.

I ask unanimous consent therefore, to

reconsider the vote by which S. 1181 was read a third time and passed and that the words "forty-eight contiguous States of the" be inserted after the word "the" on line 16, page 3, and also that those words be inserted on page 5 after the word "the" on line 1, and that the bill be read again the third time and passed.

I may say, for the information of the Senate, that this matter has been worked out with the Parliamentarian and with the distinguished Senator from North Dakota, and I understand that it fully complies with the present request of the distinguished Senator from Alaska.

I yield to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I support the request of the Senator from Florida. I did offer the amendment for Senator STEVENS, in his absence, not knowing that he had made a request that it not be considered. He had made this request through the mail, and there was some delay in the mail reaching us.

Mr. HOLLAND. Mr. President, this is a sad commentary on the state of our mail service. The letter was received by both the Senator from North Dakota and myself 3 days after its mailing here in the Senate and was received after the passage of the bill, so the mistake was thoroughly understandable because the Senator from Alaska had changed the previous intention after exploring the matter with the potato producers of his State.

Mr. President, I now renew my unanimous consent that the Senate reconsider the vote by which S. 1181 was read the third time and passed.

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

The LEGISLATIVE CLERK. A bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which the amendment offered by the Senator from North Dakota (Mr. YOUNG) on behalf of the Senator from Alaska (Mr. STEVENS) was agreed to.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Florida?

The Chair hears none, and it is so ordered.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the changes requested in my original request be made in order to restore the bill to its original form; that is, that the words "forty-eight contiguous States of the" be inserted after the word "the" on line 16,

page 3, and also that those words be inserted on page 5 after the word "the" on line 1, and that the bill be repassed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered. The original language will be reinserted in the bill.

The bill (S. 1181) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1181

An act to provide for potato and tomato promotion programs

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

TITLE I—POTATO RESEARCH AND PROMOTION

This title may be cited as the "Potato Research and Promotion Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 2. Potatoes are a basic food in the United States. They are produced by many individual potato growers in every State in the United States. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes. Approximately two hundred and seventy-five million hundredweight of potatoes have been produced annually during the past five years with an estimated sales value to the potato producers of \$561,000,000.

Potatoes and potato products move, in a large part, in the channels of interstate commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products. All potatoes produced in the United States are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

Therefore, it is the declared policy of the Congress and the purpose of this title that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the financing, through adequate assessments on all potatoes harvested in the United States for commercial use, and the carrying out of an effective and continuous coordinated program of research, development, advertising and promotion designed to strengthen potatoes' competitive position and to maintain and expand domestic and foreign markets for potatoes produced in the United States.

DEFINITIONS

SEC. 3. As used in this title:

(a) The term "secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or other entity.

(c) The term "potatoes" means all varieties of Irish potatoes grown by producers in the forty-eight contiguous States of the United States.

(d) The term "handler" means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes in a manner specified in a plan issued pursuant to this title or the rules and regulations issued thereunder.

(e) The term "producer" means any person engaged in the growing of five or more acres of potatoes.

(f) The term "promotion" means any

action taken by the National Potato Promotion Board, pursuant to this title, to present a favorable image for potatoes to the public with the express intent of improving their competitive positions and stimulating sales of potatoes and shall include, but shall not be limited to, paid advertising.

AUTHORITY TO ISSUE A PLAN

SEC. 4. To effectuate the declared policy of this title, the Secretary shall, subject to the provisions of this title, issue and from time to time amend, orders applicable to persons engaged in the handling of potatoes (hereinafter referred to as handlers) and shall have authority to issue orders authorizing the collection of assessments on potatoes handled under the provisions of this title, and to authorize the use of such funds to provide research, development, advertising, and promotion of potatoes in a manner prescribed in this title. Any order issued by the Secretary under this title shall hereinafter in this title be referred to as a "plan". Any such plan shall be applicable to potatoes produced in the forty-eight contiguous States of the United States.

NOTICE AND HEARING

SEC. 5. When sufficient evidence is presented to the Secretary by potato producers, or whenever the Secretary has reason to believe that a plan will tend to effectuate the declared policy of this title, he shall give due notice and opportunity for a hearing upon a proposed plan. Such hearing may be requested by potato producers or by any other interested person or persons, including the Secretary, when the request for such hearing is accompanied by a proposal for a plan.

FINDING AND ISSUANCE OF A PLAN

SEC. 6. After notice and opportunity for hearing, the Secretary shall issue a plan if he finds, and sets forth in such plan, upon the evidence introduced at such hearing, that the issuance of such plan and all the terms and conditions thereof will tend to effectuate the declared policy of this title.

REGULATIONS

SEC. 7. The Secretary is authorized to make such regulations with the force and effect of law, as may be necessary to carry out the provisions of this title and the powers vested in him by this title.

REQUIRED TERMS IN PLANS

SEC. 8. Any plan issued pursuant to this title shall contain the following terms and conditions:

(a) Providing for the establishment by the Secretary of a National Potato Promotion Board (hereinafter referred to as "the board") and for defining its powers and duties, which shall include powers—

(1) to administer such plan in accordance with its terms and conditions;

(2) to make rules and regulations to effectuate the terms and conditions of such plan;

(3) to receive, investigate, and report to the Secretary complaints of violations of such plan; and

(4) to recommend to the Secretary amendments to such plan.

(b) Providing that the board shall be composed of representatives of producers selected by the Secretary from nominations made by producers in such manner as may be prescribed by the Secretary. In the event producers fail to select nominees for appointment to the board, the Secretary shall appoint producers on the basis of representation provided for in such plan.

(c) Providing that board members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in performing their duties as members of the board.

(d) Providing that the board shall prepare and submit to the Secretary for his approval a budget, on a fiscal period basis, of its anticipated expenses and disbursements in the

administration of the plan, including probable costs of research, development, advertising, and promotion.

(e) Providing that the board shall recommend to the Secretary and the Secretary shall fix the assessment rate required for such costs as may be incurred pursuant to subsection (d) of this section; but in no event shall the assessment rate exceed 1 cent per one hundred pounds of potatoes handled.

(f) Providing that—

(1) funds collected by the board shall be used for research, development, advertising, or promotion of potatoes and potato products and such other expenses for the administration, maintenance, and functioning of the board as may be authorized by the Secretary;

(2) no advertising or sales promotion program shall make any reference to private brand names or use false or unwarranted claims in behalf of potatoes or their products or false or unwarranted statements with respect to the attributes or use of any competing products; and

(3) no funds collected by the board shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a) (4) of this section.

(g) Providing that, notwithstanding any other provisions of this title, any potato producer against whose potatoes any assessment is made and collected under authority of this title and who is not in favor of supporting the research and promotion program as provided for under this title shall have the right to demand and receive from the board a refund of such assessment: *Provided*, That such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the board and approved by the Secretary, but in no event less than ninety days, and upon submission of proof satisfactory to the board that the producer paid the assessment for which refund is sought, and any such refund shall be made within sixty days after demand therefor.

(h) Providing that the board shall, subject to the provisions of subsections (e) and (f) of this section, develop and submit to the Secretary for his approval any research, development, advertising or promotion programs or projects, and that any such program or project must be approved by the Secretary before becoming effective.

(i) Providing the board with authority to enter into contracts or agreements, with the approval of the Secretary, for the development and carrying out of research, development, advertising or promotion programs or projects, and the payment of the cost thereof with funds collected pursuant to this title.

(j) Providing that the board shall maintain books and records and prepare and submit to the Secretary such reports from time to time as may be prescribed for appropriate accounting with respect to the receipt and disbursement of funds entrusted to it and cause a complete audit report to be submitted to the Secretary at the end of each fiscal period.

PERMISSIVE TERMS IN PLANS

SEC. 9. Any plan issued pursuant to this title may contain one or more of the following terms and conditions:

(a) Providing authority to exempt from the provisions of the plan potatoes used for nonfood uses, and authority for the board to require satisfactory safeguards against improper use of such exemptions.

(b) Providing for authority to designate different handler payment and reporting schedules to recognize differences in marketing practices and procedures utilized in different production areas.

(c) Providing for the establishment, issuance, effectuation, and administration of appropriate programs or projects for the ad-

vertising and sales promotion of potatoes and potato products and for the disbursement of necessary funds for such purposes: *Provided, however,* That any such program or project shall be directed toward increasing the general demand for potatoes and potato products: *And provided further,* That such promotional activities shall comply with the provisions of section 8(f) of this title.

(d) Providing for establishing and carrying on research and development projects and studies to the end that the marketing and utilization of potatoes may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(e) Providing for authority to accumulate reserve funds from assessments collected pursuant to this title, to permit an effective and continuous coordinated program of research, development, advertising and promotion in years when the production and assessment income may be reduced: *Provided,* That the total reserve fund does not exceed the amount budgeted for two years' operation.

(f) Providing for authority to use funds collected herein, with the approval of the Secretary, for the development and expansion of potato and potato product sales in foreign markets.

(g) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this title and necessary to effectuate the other provisions of such plan.

ASSESSMENTS

SEC. 10. (a) Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment levied on potatoes; and such handler may collect from any producer or deduct from the proceeds paid to any producer, on whose potatoes such assessment is made, any such assessment required to be paid by such handler. Such handler shall maintain a separate record with respect to each producer for whom potatoes were handled, and such records shall indicate the total quantity of potatoes handled by him including those handled for producers and for himself, shall indicate the total quantity of potatoes handled by him which are included under the terms of a plan as well as those which are exempt under such plan, and shall indicate such other information as may be prescribed by the board. To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize difference in marketing practices or procedures utilized in any State or area. No more than one such assessment shall be made on any potatoes.

(b) Handlers responsible for collection of assessments under subsection (a) of this section shall maintain and make available for inspection by the Secretary such books and records as required by the plan and file reports at the times, in the manner, and having the content prescribed by the plan, to the end that information and data shall be made available to the board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of this title or of any plan or regulation issued pursuant to this title.

(c) All information obtained pursuant to subsections (a) and (b) of this section shall be kept confidential by all officers and employees of the Department of Agriculture and of the board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary, or to which he or any officer of the United States is a party, and involving the plan with reference to which the information to be disclosed was

furnished or acquired. Nothing in this section shall be deemed to prohibit—

(1) the issuance of general statements based upon the reports of a number of handlers subject to a plan if such statements do not identify the information furnished by any person, or

(2) the publication by direction of the Secretary of the name of any person violating any plan together with a statement of the particular provisions of the plan violated by such person.

Any such officer or employee violating the provisions of this subsection shall upon conviction be subject to a fine of not more than \$1,000 or imprisonment for not more than one year, or both, and shall be removed from office.

PETITION AND REVIEW

SEC. 11. (a) Any person subject to a plan may file a written petition with the Secretary stating that such plan or any provision of such plan or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling: *Provided,* That a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 12(a) of this title.

ENFORCEMENT

SEC. 12. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any plan or regulation made or issued pursuant to this title.

(b) Any handler who violates any provisions of any plan issued by the Secretary under this title, or who fails or refuses to remit any assessment or fee duly required of him thereunder shall be subject to criminal prosecution and shall be fined not less than \$100 or more than \$1,000 for each such offense.

INVESTIGATION AND POWER TO SUBPENA

SEC. 13. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this title or to determine whether a handler or any other person has engaged or is engaging in any acts or practices which constitute a violation of any provision of this title, or of any plan, or rule or regulation issued under this title. For the purpose of any such investigation, the Secretary is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpoena issued to,

any person, including a handler, the Secretary may invoke the aid of any court of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The site of any hearings held under this section shall be within the judicial district where such handler or other person is an inhabitant or has his principal place of business.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpoena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon, or growing out of any alleged violation of this title, or of any plan, or rule or regulation issued thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

REQUIREMENT OF REFERENDUM

SEC. 14. The Secretary shall conduct a referendum among producers who, during a representative period determined by the Secretary, have been engaged in the production of potatoes for the purpose of ascertaining whether the issuance of a plan is approved or favored by producers. No plan issued pursuant to this title shall be effective unless the Secretary determines that the issuance of such plan is approved or favored by not less than two-thirds of the producers voting in such referendum, or by the producers of not less than two-thirds of the potatoes produced during the representative period by producers voting in such referendum, and by not less than a majority of the producers voting in such referendum. The ballots and other information or reports which reveal or tend to reveal the vote of any producer or his production of potatoes shall be held strictly confidential and shall not be disclosed. Any officer or employee of the Department of Agriculture violating the provisions hereof shall upon conviction be subject to the penalties provided in paragraph 10(c) above.

SUSPENSION OR TERMINATION OF PLANS

SEC. 15. (a) The Secretary shall, whenever he finds that a plan or any provision thereof obstructs or does not tend to effectuate the declared policy of this title, terminate or suspend the operation of such plan or such provision thereof.

(b) The Secretary may conduct a referendum at any time and shall hold a referendum on request of the board or of 10 per centum or more of the potato producers to determine if potato producers favor the termination or suspension of the plan, and he shall terminate or suspend such plan at the end of the marketing year whenever he determines that such suspension or termination is favored by a majority of those voting in a referendum, and who produce more than 50 per centum of the volume of the potatoes produced by the potato producers voting in the referendum.

AMENDMENT PROCEDURE

SEC. 16. The provisions of this title applicable to plans shall be applicable to amendments to plans.

SEPARABILITY

SEC. 17. If any provision of this title or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this title and of the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION

SEC. 18. There is hereby made available from the funds provided by section 32 of Public Law 320, Seventy-fourth Congress (49 Stat. 774), as amended (7 U.S.C. 612c), such sums as are necessary to carry out the provisions of this title: *Provided*, That no such sum shall be used for the payment of any expenses or expenditures of the board in administering any provision of any plan issued under authority of this title.

EFFECTIVE DATE

SEC. 19. This title shall take effect upon enactment.

TITLE II—TOMATO ADVERTISING PRODUCTS

SEC. 201. Section 8c(6)(I) of the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "or avocados" in the proviso, and inserting in lieu thereof "avocados, or tomatoes".

Mr. HOLLAND. Mr. President, I wish to express appreciation to the presiding officer, the Senator from North Dakota (Mr. Young), and both leaders in straightening out this matter which was wholly the result of a misunderstanding on the part of all Senators concerned.

SENATOR GOLDWATER URGES SPECIAL OBSERVANCE OF VETERANS DAY

Mr. GOLDWATER. Mr. President, in a speech to the California State Convention of the Air Force Association in Long Beach, Calif., last Saturday night, I urged the American people to make a special occasion of their observance of Veterans Day on November 11 this year to show our fighting men in Vietnam that we are solidly behind them.

As I expressed it in my speech:

I believe it is extremely important that each and every man who is risking his life and serving his country in the cause of freedom for South Vietnam understand very clearly that the tremendous majority of American people are deeply grateful for the sacrifice they are making . . .

I think it is important to rededicate our nation and ourselves to the principles of national honor and patriotism that have made this country great. I can think of no better time to do this than on the date that we used to regard as Armistice Day and which is now dedicated to veterans of all wars.

Mr. President, since the subject of my speech has been broadcast and published in the newspapers, I have been deluged with expressions of support and requests from people who want to know exactly what to do. I have one specific suggestion and one I believe will be as important as it is lacking in public drama. I think it would be a fine thing for every responsible, concerned and patriotic American to use November 11 as the time for sitting down and writing a personal let-

ter of thanks to some American serving with the military in Vietnam. I believe it is important to personalize our feeling of gratitude in a way that will be understood unmistakably by the recipient of such a letter.

Mr. President, I should like to clarify the fact that I am not here calling for demonstrations and some great public display of emotion. Rather, I am calling upon the conscience of all true and patriotic Americans for a personal expression of their support.

BEHAVIOR OF MORATORIUM PARTICIPANTS COMMENDED

Mr. SAXBE. Mr. President, as one who questioned the moratorium held on October 15, I was pleasantly surprised by the behavior of the people who engaged in the moratorium. I was distressed originally that the so-called extreme elements or "crazies" might take over, but nowhere did I see the Vietcong flag, nowhere did I hear obscenities, and nowhere did I see people gathering other than in an orderly demonstration, which is their privilege under our Constitution.

I think those who handled the moratorium should be commended for this behavior and for their ability to put together something of this magnitude in keeping with good manners and good conduct. I do not think, however, they should fail to recognize that there is danger in the pyramiding of these days, one on the other, and the fact that there are those who will take advantage of these demonstrations in the future. However, on this particular occasion I think all of us who are critical, all of us who are apprehensive, should recognize that it was handled in a way that we can commend.

As to the effect, I cannot say at this time, nor can anyone. But I know that the actions taken by the President both before and subsequent to the moratorium have been toward ending the war in Vietnam. I cannot help feeling that, regardless of the nature of his statement, it will be effective and that we will see more actions in keeping with this end. I think we should be patient. As I said last week, there is no one except the President—the Executive—who can do the things that need to be done. I think we should recognize that an honest effort is being made.

In an editorial entitled "Piercing Some Bunk on War and Peace," written by my friend John S. Knight, which was published in the Akron Beacon Journal and other Knight newspapers throughout the country, Mr. Knight points out that the actions taken to date comply with the peace plank that was proposed and defeated at the Democratic National Convention last year and even go beyond it.

The PRESIDENT pro tempore. The Chair regrets to advise the Senator that his 3 minutes have expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may proceed for an additional 5 minutes.

The PRESIDENT pro tempore. Without objection, the Senator is allotted an additional 5 minutes.

Mr. SAXBE. I thank the Senator.

I believe that we have read in this editorial and in others the thoughtful reaction of people deeply concerned over the country and a reaction that says we are responding, that we feel the urgency. I think the Executive feels the emergency, and I think the Executive, our President, is responding.

So while I hesitate to caution, because my cautioning before was unnecessary, I believe they should recognize that once demonstrations do get out of hand, a serious detriment to the cause they espouse could happen, and I do not want that to happen, and I know they do not want it to happen.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial written by my friend, Mr. John Knight, together with some additional information regarding Mr. Knight and his approaching 75th birthday.

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

BACKGROUND INFORMATION ON JOHN S. KNIGHT

John S. Knight is president and editor of the Akron Beacon Journal and also publishes newspapers in several of our major cities. For many years his "Editor's Notebook" has been appearing each week in these and dozens of other papers throughout the nation.

His weekly column should be must reading for all Americans. The most recent, from editions of Sunday, Oct. 19, 1969, looks at the Oct. 15 "peace moratorium" and some of the events connected with it.

Mr. Knight, who turns 75 years of age on Oct. 25, could serve as a model for many of us. He still turns up at his office each morning, and remains until late afternoon. Quite often, this remarkable editor is one of the last to leave.

[From the Akron Beacon Journal, Oct. 19, 1969]

PIERCING SOME BUNK ON WAR AND PEACE

Moratorium Day has come and gone, the Republic still stands and everybody is talking about the "marvelous Mets."

Being a student of percentages, I back the Orioles, a species of black and orange birds able to build hanging nests but not much on catching a fly.

So let us talk about Moratorium Day. One can speculate as to why its sponsors picked that name. Why not simply Day of Dissent? Or, Stop the War Day? Yet Moratorium does sound terribly important and this was serious business.

But what did it prove?

Well, for one thing, it proved that Americans cherish their precious privilege "peaceably to assemble and to petition the Government for redress of grievances," as provided in the First Amendment to the Constitution.

"Bah," says my Congressman, "we cannot make foreign policy in the streets. The only person who can dictate what will happen in the field of foreign policy is the Commander-in-Chief, the President."

"Nonsense," say I. The President can "dictate" only in the sense that he formulates foreign policy.

The Constitution provides that the President shall have the power to make treaties "with the advice and consent of the Senate" and with the further stipulation that "two-thirds of the Senators present concur."

Treaty making is obviously an important part of foreign policy with responsibility being shared by the President and the Senate. The President cannot dictate, even though his influence is strongly felt.

A classic example of the rebuke of Presidential power was seen in March of 1920

when the Senate voted 49 to 35 to reject U.S. participation in President Wilson's League of Nations. The League, a treaty to enforce peace, had been negotiated by President Wilson in Paris.

It was the Southeast Asia Treaty Organization, a collective defense pact, which led to our involvement in Vietnam. The Senate gave its approval only after assurances that this treaty would in no way obligate the United States to go to war.

Today, SEATO is generally accepted as a "sacred commitment." Actually it is nothing of the sort.

In Article I, section 8 of the Constitution, it is stated that "Congress shall have power to declare war . . ."

The bloody struggle in Vietnam is certainly a war, a miserable and tragic mistake. Still, it is not a declared war in the Constitutional sense. We simply blundered our way into this morass with Congress and the people meekly accepting Presidential dictum as fact.

The demonstrations and Moratorium Days are expressing the bitter resentment of the people over having been conned into our country's greatest misadventure with little or no hope of attaining the stated objective of past leaders.

President Nixon can attempt to brush aside the significance of these protests.

The Vice President may find them "absurd" and slur his critics as "pushy youngsters and middle-aged malcontents."

Yet the undeniable fact remains that the protesters were indeed only exercising their constitutional rights on Moratorium Day, and generally in the form of peaceable assembly, while petitioning the government for a redress of grievances.

When President Nixon named Judge Warren Burger as Chief Justice of the Supreme Court, he mentioned that he wanted strict constructionists on the Court.

In that light, the moratorium parades of students, professors, clergy, mothers, politicians and businessmen were conservative in the eyes of the Constitution and not acts of radicalism as my Congressman would have us believe.

As the New York Times points out, Moratorium Day was observed with "a sense of both dignity and urgency—an observance in keeping with this country's tradition of pluralism and lawful dissent . . . the keynote was responsibility, not coercion or disruption."

Despite the bland brush-offs by government spokesmen who say the President "cannot be influenced by demonstrations," you may be sure that the normally savvy Mr. Nixon is feeling the hot breath of public discontent on his neck.

My Congressman also observes that many members of the House and Senate now attacking President Nixon's Vietnam policies are "doing it to save their political hides."

His point is indeed well taken. Some of Mr. Nixon's most vociferous critics have only lately come out of the woodwork.

For years they sat silently by while President Johnson was consigning this nation to near disaster. When they did rise to make a speech noted only by the Congressional Record, it was to praise the President's "wise policies" and pledge to him their "unstinting support."

Only a mere handful of Senators, notably Fulbright, Morse, Gruening, McCarthy, Young, McGovern and in later years Church, Percy, Gore, Aiken, Hatfield and Symington dared to challenge the Johnson course in Vietnam.

Since most of Mr. Nixon's war critics are of the Democratic faith, it is fair to examine their positions at the 1968 convention in Chicago.

David Broder of the Washington Post reminds us that the minority plank at Chicago, endorsed by all the doves, recommended precisely what President Nixon is doing now.

The plank called for a halt to the bombing of North Vietnam. This has been done.

It called for a reduction in offensive operations in South Vietnam. President Nixon has so ordered and it is now in effect.

The Democratic minority urged "a phased withdrawal over a relatively short period of time" of all foreign troops. Nixon moved to pull Americans out of Vietnam without waiting for North Vietnam to agree, as the doves felt would be required.

And finally, writes Mr. Broder, the minority plank recommended that the United States use the leverage of troop withdrawal to "encourage" the Saigon government to negotiate a political reconciliation with the Viet Cong while recognizing that the plan would be a matter for the South Vietnamese to determine.

In short, President Nixon is implementing the very policies which the Democratic minority regarded with such high favor in Chicago.

At some stage of his present torment, the President might well read the record to his political assailants, and to their confusion.

Yes, as my Congressman says, there are a lot of "hide savers" in Washington who are playing politics with the war issue.

Neither President Nixon nor anyone else can get us out of Vietnam instanter.

Politicians should avoid raising false hopes by feeding the American public with sugar-coated pabulum.

JOHN S. KNIGHT.

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

Mr. SAXBE. I yield.

Mr. MANSFIELD. Mr. President, I think the record should be made straight on the question of the President and his attempts to achieve a responsible solution to the tragedy which is Vietnam. I think we ought to also keep in mind that if any decision is going to be made, it is going to be made by the President of the United States.

What the President has done has been to bring about a deescalation of the conflict. What we have seen is 7 months of very reduced infiltration and 7 weeks of a decided lull in the fighting, up to this time. What we have seen is a reduction in personnel of 60,000 men, and it is hoped that more will be coming home before the end of this year. What we have seen is the inauguration of a new policy instead of the old "search and destroy" strategy sometimes referred to as a policy of "maximum pressure."

What we have now is a military policy known as protective reaction, which, in effect, means that if we are going to be attacked we will act accordingly, and if fired upon we will fire back. It approaches, in essence, a sort of cease-fire and standfast policy.

I would like to see the country get behind President Nixon, not for the purpose of prolonging the war but for the purpose of bringing about a responsible settlement and a responsible peace at the earliest possible opportunity.

I would like to see us encourage President Nixon in the efforts he has made in that direction.

I would like to see him pull out our troops faster.

I would like to see the war brought to an end sooner.

I have made my position known on Vietnam for the past 6 years. But the President is the one at whose desk, in the words of Harry S. Truman, "The buck

stops." President Nixon is the one who will have to make the final decision.

It is my hope that we will encourage him to keep going along the road he has followed and is following, and that he will do all that he can to speed up the resolution of the conflict in which we are involved.

President Nixon is aware, as all of us are—perhaps he more so—that the deaths of Americans in Vietnam, up to this time, are about 45,000 from all causes; that the wounded are pretty close to 250,000; and that the cost is well in excess of \$100 billion.

He is aware of the fact that we have problems at home which must be faced up to but which cannot be faced up to, as they should be, unless and until the tragedy in which we are involved in Vietnam is brought to a responsible conclusion.

I want to say, as a Democrat, that it would be my intention to support the President in every effort he would make toward a responsible and a peaceful departure from the quagmire in which we are caught, and I assure him that, so far as we are concerned, there will be no politics involved, because this is not a Republican responsibility, except that the President happens to be a Republican. It is a responsibility which can be placed, if we go back far enough—and not too far—on the shoulders of Democrats and Republicans alike.

What I am trying to say in brief is that this is something in which we are all involved and in which all of us must bear a certain share of the blame.

I think that the most important question now is to get out of this war responsibly and as quickly as possible; and, when we do, not to maintain a residual number of troops in Vietnam or in any other part of the Southeast Asian mainland but that, once a settlement is achieved there, to pull out, lock, stock, and barrel. Vietnam is not and has not been vital to the security of this Nation.

I would hope that when that day comes—and it will be a day not for rejoicing for those who pay with their lives and their bodies, but a cause for relief—when that day comes, I would like to see us enter into an agreement with other powers to insure the neutrality of all Southeast Asia, including Thailand, to the end that that region can achieve some stability and can look forward with some hope, because they have been immersed in war too long—and so have we.

I thank the Senator from Ohio.

Mr. SAXBE. Mr. President, I could not agree more with the distinguished Senator from Montana. Having heard his most statesmanlike remarks a moment ago, I think that the key word is "responsible."

We do not want a Dunkirk, as some people have indicated. We want a responsible withdrawal which will permit us to disengage without further loss of life.

There is talk today of a "cease-fire in place." I cannot help believing that we have achieved this to some degree already, as the distinguished Senator from Montana has stated.

It would not be too much of a step

to move even further. Then we can have an orderly withdrawal.

I would go even further than the Senator from Montana, not only in regard to a cease-fire and withdrawal from Vietnam, but also in regard to our military missions far flung all over the world and of a questionable nature.

Realizing that we are living in the nuclear age, we should look at each one of our commitments as to its military necessity both in manpower and in cost. We should also look to the question of whether we are desired in the countries we occupy. It hurts Americans everywhere to see signs "Yankee Go Home." I question how much good we do when we impose ourselves in places where we are not wanted.

Mr. MURPHY. Mr. President, I am pleased to have been in the Chamber to hear the distinguished majority leader express his position on Vietnam and his hope that there might be, in the not too distant future, an international arrangement put together which would guarantee the freedom of Southeast Asia. I should think that this would be probably the most productive thing that could happen.

I might suggest that perhaps we should include the Middle East at the same time.

Let me say to the distinguished Senator from Ohio (Mr. SAXBE), who seemed uncertain as to the effect of the recent moratorium, that there is one effect of which we can be sure—and I know whereof I speak—that it is creating a condition that he would not desire, nor would I; namely, creating great international propaganda for the enemy—the Communists in Hanoi. That is the unfortunate part of it.

Mr. GRIFFIN subsequently said: Mr. President, although the distinguished majority leader has left the Chamber temporarily, I wish to join the distinguished Senator from Ohio (Mr. SAXBE) and the distinguished Senator from California (Mr. MURPHY) in commending the majority leader for his statesmanlike support of President Nixon's efforts to end the war in Vietnam.

I noticed, however, the use of the term "lock, stock, and barrel withdrawal." That is a phrase that might mean different things to different people. I was pleased that the majority leader spoke in terms of a withdrawal on a responsible basis.

It is very important to keep in mind that when we support the President of the United States, we do not do so on a basis of seeking to push him into making what I, as one Senator, would consider unwise policy decisions. I am sure that the President does not intend to be pushed into unwise decisions from the standpoint of history. For example, I believe that one point is still nonnegotiable: That is the right of the people of South Vietnam to choose their own government and to choose their own destiny.

I think that any withdrawal from Vietnam must continue to take into account what happens to the American prisoners of war and surely it must also take into account what reasonable assurance we will have that those in South Vietnam who have sought freedom from coerced

Communist domination will not be massacred by the Communists.

We all share the wish and the desire that we could withdraw all our troops from all parts of Southeast Asia. It would be fine if there were no requirement for our troops to be in Korea, for example, or anywhere else. But it would be foolhardy if, willy-nilly, we created a vacuum in Southeast Asia, until and unless there were meaningful international guarantees.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. BYRD of West Virginia. Mr. President, I know the Senator would not wish to leave in the RECORD the impression that he feels the able majority leader has sought to press the President into taking an "unwise position."

Mr. GRIFFIN. Absolutely not.

Mr. BYRD of West Virginia. I am quoting the Senator when he used the words "an unwise position." The majority leader strives to assist in any way he can, and I think whatever he advocates, he advocates as being a wise approach, in his opinion.

Mr. GRIFFIN. Absolutely; he advocates it as being a wise approach, and he advocates it as a distinguished Senator, a great American, and a great majority leader, though there are times when perhaps others might believe that a particular position would be unwise under the circumstances.

Mr. BYRD of West Virginia. Yes; but never would his motive be an ulterior one.

Mr. GRIFFIN. I agree most wholeheartedly with the distinguished Senator from West Virginia.

Mr. BYRD of West Virginia. I thank the Senator.

CINCINNATI, OHIO—A GREAT CITY

Mr. SAXBE. Mr. President, a great city is much more than bricks and mortar, concrete and stone. A great city is people—young and old, rich and poor, black and white. Often their only bond is the city itself and it is the blending of this bond, the joining of the bricks and mortar and the people therein, that makes any city more than just another collection of buildings. Such a city is Cincinnati, Ohio, now in the final stages of an exciting rebirth of its downtown. Henry Wadsworth Longfellow, the poet, once described this great American metropolis as the "Queen of the West," a jewel sitting high on the banks of the Ohio River, a joy to its beholders.

Mr. President, a recent article in the Sunday New York Times caught particularly well the flavor of the city of Cincinnati. The article, by Reporter Jerry M. Flint, captured what some of the good people of the town are doing to make Cincinnati a better place to live.

Because I believe so strongly in cities like Cincinnati, and because I believe that so much of what happens in building a better America depends on what happens in our cities, I ask unanimous consent to have the article printed in the RECORD.

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

[From the New York Times, Oct. 19, 1969]
OLD CITY STOPS TO ADMIRE ITS NEW FACE
(By Jerry M. Flint)

CINCINNATI, October 18.—The Queen of the West, as Cincinnatians like to call their city, celebrated the downtown's rebirth today before thousands, serenaded by the Cincinnati Symphony, Smettler's Band and soul singers.

The focal point of the festivities is perhaps the campiest fountain in the Midwest, 98 years old but a jewel in the eye of its Cincinnati beholders and the centerpiece in the new downtown.

The massive 43-foot-high fountain had been hidden on a traffic island, but was moved out to decorate a \$2-million square atop an underground garage, flanked by a new 32-story office tower on one side and a new seven-story bank on another.

The heart of the old downtown, Fifth, Sixth, Vine and Walnut streets, was torn down for the square and building, Block A, of a 12-block renewal area with new buildings up, under way or committed to eight of the 12 blocks.

There is a new Convention Center, too, finished two years ago, and under construction are a baseball-football stadium on the riverfront, downtown's first high-rise apartment, and more than a mile of elevated walkways at second-story level—to wind around the downtown leading from parking buildings into and alongside department stores and to the stadium: a new approach to the problem of crowded sidewalks and narrow and congested streets.

"In another 10 years there won't be any of the old stuff left down there," said a Kentucky cab driver, one of many in the Cincinnati work force who lives across the Ohio River in neighboring Kentucky. "But the old stuff won't be missed."

The old downtown, filled with two and three-story buildings, many unused above the ground floor, was showing signs of blight and decay. Fred Lazarus 3d, president of the Chamber of Commerce and head of the Federated Department Store chain, said:

There are four major department stores downtown—a renewal block is now reserved for a fifth—but the suburban centers, 15 to 20 minutes from downtown by freeway—were luring away the customers.

"I think the downtown would have deteriorated if this wouldn't have been done," he said. "Now we've been able to pretty much hold our own volume downtown while increasing our suburban stores. We think this is pretty good when we see what's happening around the country."

"Ten years ago they talked about Pittsburgh's Golden Triangle, and the St. Louis riverfront," said Francis Dale, publisher of the Cincinnati Inquirer. "We're ahead of Pittsburgh now. This city has a better chance than any other city in America to keep a vibrant downtown."

The rebuilding isn't all in concrete. Mr. Dale's special project is raising \$750,000 for a sculpture fund from \$5 contributions to produce \$40,000 a year or so from interest. This would bring a noted sculpture to Cincinnati each year and commission a new work a year for the city.

"Every time a dignitary gets the key to the city we take him for five bucks," he said brightly.

At the red-block city hall, whose mate could be found anywhere in Germany, a reminder of Cincinnati's German heritage Richard Krabach, the city manager, said the renewal had kept major companies such as Procter & Gamble, with headquarters here, from moving to the suburbs.

The renewal plan isn't full of "Wishbook ideas" or schemes that "look good from a planner's viewpoint but can't be implemented," he said.

Rapid transit, for example, is "an impos-

sible dream and not in the plan," the city manager said.

"People here like to be called conservative," he said. "They enjoy it."

The downtown rebuilding has been pushed by a select committee of businessmen and Government officials and backed by a \$16-million city bond issue, \$22-million in Federal renewal money, and "what will be more than \$100-million in private investment," Mayor Eugene Ruehlmann said.

Cincinnati, ringed by hills that lead into town as the fingers of a hand lead to the palm, was founded on the Ohio River in 1788 and named Losantville, but the Governor of the Northwest Territory could not stand that name and in 1790 renamed the settlement "Cincinnati," for the Society of Cincinnati, a group of Revolutionary War officers.

The steamboats on the Ohio and the German migration led to dynamic growth. Henry Wadsworth Longfellow called the city "Queen of the West" in a poetic tribute to Ohio wine.

Cincinnati was a river gateway to the South, and even today the nation's north-south freeway runs through it. But the Civil War and the railroads ended that pattern of growth.

Today the city of 500,000—1.4 million in the metropolitan area—seems more Appalachian than Northern in life style, and the Southern Ohio.

FUTURE FARMERS OF AMERICA

Mr. MURPHY. Mr. President, last week, the Future Farmers of America held their 42d annual convention in Kansas City. Prior to this, I had the opportunity to meet some of the fine young men studying vocational agriculture from the California association of the FFA who were visiting Washington before attending the conference.

Agriculture is the single largest industry in my State of California, Mr. President. The California delegation of Future Farmers consisted of 110 young men and their advisers, representing some 14,500 agriculturally oriented families throughout the State.

Seldom have I seen such a fine looking large group of clean-cut, well-mannered and obviously interested young men. Not only was there not one long-haired, un-groomed boy in the group, but each that I had the opportunity to chat with showed a keen historical interest in the world around him and a credible knowledge of current affairs, and a definite objective and purpose planned for his own future.

Mr. President, I was proud of these young men, not only for their appearance and behavior, but also because I believe that they represent a great "silent" segment of today's youth who know what direction they want to take and who embark upon it with enthusiasm, dedication, and respect. They have chosen to enter a field which will benefit us all and which is essential to the survival of mankind, and their decision deserves our recognition.

So I salute these delegates from the California association of the FFA, who I believe were a refreshingly welcome scene in these great corridors of the Capitol and a true credit to their State and their Nation.

Unfortunately, too often the advertisements are used to portray troublemak-

ers and those young people who do not seem to have any direction to their lives. I hope that the Future Farmers of America will serve as a direction to those young people and to many others who, I am sure, are just as ready and as able as the young Future Farmers from California whom I have had the pleasure of greeting.

WHY WAS THAT SACRIFICE NECESSARY?

Mr. YOUNG of Ohio. Mr. President, my purpose in speaking out today is to urge that our Government immediately—and by immediately, I mean not later than early this week—announce to the world that the hundreds of thousands of men in our Armed Forces in South Vietnam will stop all offensive operations against the forces of the National Liberation Front, or VC. Furthermore, that all napalm and other bombing by our bombers and warships will cease and that we shall continue this purely defensive policy until and unless our forces are attacked. In addition, that we will withdraw our combat soldiers and marines from Vietnam this year, bringing them back in the same manner we sent them in—by ships and planes.

Administration leaders should then announce and make it loud and clear to our own people and to the heads of state throughout the world that we will continue and, in fact, redouble our efforts to reach a diplomatic settlement and an official cease-fire in this immoral, unpopular, undeclared war in which we should never have been involved in the first instance.

When I first spoke out in the Senate Chamber against our involvement in a civil insurrection in a faraway country of no importance whatever to the defense of the United States, and when I proved in statements I made in the Chamber and elsewhere that, in fact, there were no commitments made by three Presidents to fight a major war in Vietnam or to intervene and keep in power a militarist regime in Saigon, letters, telegrams, and telephone calls came to me in great numbers denouncing me as a Communist sympathizer and even as a traitor.

Since that time, particularly during recent months, the messages I have received from Ohio citizens are precisely the opposite. In nearly every small community in Ohio and, in fact, everywhere in our Nation the priceless life of some recent high school graduate has been ended violently in Vietnam. The bitterness and sorrow of our involvement in this little faraway country has now touched many thousands of American families whose sons and brothers have been killed or wounded in combat or who have died due to what the Pentagon terms "accidents or incidents" or from bubonic plague, hepatitis, malaria fever, or other jungle diseases.

Mr. President, I shall read and embody in my remarks a letter that came to me today, written by Mrs. Sandra Fraser, who was born and reared in Oak Harbor, Ohio, which is within a few miles of where, in my youth, I spent some of the happiest days of my life along the beautiful shores of Lake Erie.

Mrs. Fraser lives at present in Springfield, Va. I read her letter:

SPRINGFIELD, VA.,
October 13, 1969.

DEAR MR. YOUNG: Recently my twenty year old brother was killed in Viet Nam.

Do you know what it's like to get that most horrid telephone call?

Do you know what it's like to wait almost two weeks for his body to be returned home?

Do you know what it's like to watch a father bury his only son?

Do you know what it's like to fly home to north western Ohio in May to see him off to Viet Nam and in August, to fly home to Ohio again, to bury him?

Do you know what it's like to see a picture of our Secretary of Defense and his family—all smiling—and know that his 21 year old son is deferred because of "purine metabolism?" In all my days of nursing—I never heard of that particular deficiency being disabling.

Do you know what it's like seeing newscasts from Viet Nam and see the bodies of young soldiers covered with blankets and know that your brother was under one of those blankets just a few months ago?

Do you know what it's like to send a brother off to this "war" alive, happy and proud and have him come home in a box with no face and chest?

Do you know how hollow the letters of sympathy sound coming from official Washington? "It was a pleasure to serve with him." From a military man who makes flying trips to very secure areas infrequently. "The most supreme sacrifice a man can make for his country." I ask you Mr. Young—why was that sacrifice necessary?

Sincerely,

Mrs. SANDRA FRASER.

MICHIGAN STATE UNIVERSITY NAMES NEW PRESIDENT

Mr. GRIFFIN. Mr. President, last Friday the board of trustees of Michigan State University, after sifting and considering as many as 300 possible nominees, selected a successor to Dr. John A. Hannah, now administrator for the Agency for International Development, to be president of the great university located at East Lansing, Mich.

The new president is Dr. Clifton Reginald Wharton, Jr., a 42-year-old economist who has distinguished himself in the field of education and in other fields as well.

It happens that Dr. Wharton is the first Negro ever selected to head a major university with a predominantly white student body. It is also important, however, to note that Dr. Wharton is eminently qualified, and that his record and his whole life promise great and outstanding leadership for this great university in my State.

I ask unanimous consent to have printed in the RECORD an article entitled "Negro Economist Is Named To Head Michigan State University," and a biographical sketch, both published in the New York Times of Saturday, October 18, 1969.

There being no objection, the article and biographical sketch were ordered to be printed in the RECORD, as follows:

NEGRO ECONOMIST IS NAMED HEAD OF MICHIGAN STATE U.—CLIFTON WHARTON, AIDE ON DEVELOPMENT COUNCIL, TO SUCCEED HANNAH EAST LANSING, MICH., October 17.—Dr. Clifton Reginald Wharton Jr., a 43-year-old economist from New York City, today was elected

president of Michigan State University, which has 40,000 students.

Dr. Wharton, who is the first Negro to head a major public university in the North, on Jan. 2 will succeed Dr. John A. Hannah, who left Michigan State after 28 years to become administrator of the Agency for International Development.

Dr. Wharton, the son of a career diplomat, is vice president of the Agricultural Development Council, a private, nonprofit organization with extensive projects in Southeast Asia and Latin America, headed by John D. Rockefeller 3d.

Two days ago, a Negro educator from Michigan, Dr. John W. Porter, was named by the State Board of Education as Acting State Superintendent of Public Instruction, another first in the nation.

The choice of Dr. Wharton was marred by bitter political feuding among the university's trustees. They divided, 5 to 3, in Dr. Wharton's favor after rejecting G. Mennen Williams, a six-term Michigan Governor, by the same vote.

ONE OF FOUR BACKED

Dr. Wharton was one of four nominees who had been endorsed by a 12-member faculty-student search and selection committee after more than 300 possibilities had been screened for the post. Mr. Williams was not so endorsed.

Dr. Wharton was elected by a combination of three Republicans and two of the five Democrats—the board's chairman, Don Stovens, the education director of the Michigan State A.F.L.-C.I.O., and Blanche Martin, a Negro dentist.

Clair White, a Democratic trustee, attributed the vote to pressure in Dr. Wharton's behalf by Dr. Hannah and Governor Rockefeller of New York. Mr. White said that Mr. Rockefeller had used his influence in repayment of preconvention support that Dr. Hannah gave him in 1968 for the Republican Presidential nomination.

[In New York, a spokesman for Governor Rockefeller said of Mr. White's assertion: "This is utter nonsense. The Governor had no contact whatsoever with anyone on this matter."]

[Later, the Governor issued a statement on the appointment. It described Dr. Wharton as "an able administrator and a talented innovator." It added: "He has demonstrated a deep commitment to achieving the kind of understanding needed so badly between young and old, between persons of different cultures, religions and nationalities. He was an invaluable member of the recent Presidential mission to Latin America. I hold him in the highest esteem."]

REJECTED OWN SECRETARY

On a 4-to-4 tie vote, the board rejected its own secretary, Jack Breslin, a former M.S.U. football star. Mr. Breslin, a Republican, had not been cleared by the faculty committee.

After Dr. Wharton's selection, made behind closed doors, was confirmed in an open meeting, Mr. Breslin was given the title of university executive vice president and secretary.

In the resolution of appointment, Dr. Wharton was hailed as possessing the "unusual combination of insight, ability and leadership necessary" to direct the university.

NEGRO FACE SETTER; DR. CLIFTON REGINALD WHARTON JR.

Clifton Wharton has done it again. As the newly appointed president of Michigan State University, Dr. Wharton will be the first Negro president of a major, predominantly white college in the country.

His new job adds to a long list of firsts for Dr. Wharton. Friends recall that he was the first Negro to join the student radio station at Harvard, the first national secretary and one of the founding members of the National

Student Association, the first, in 1948, black student at the Johns Hopkins University School of Advanced International Studies. Early this year, Dr. Wharton became the first Negro to be elected a director of the Equitable Life Assurance Society.

The 42-year old economist will leave his current post as vice president of the Agricultural Development Council, Inc., to assume the presidency of Michigan State. The council is a philanthropic enterprise of the Rockefeller family devoted to problems of agricultural growth in developing nations.

"It's not as big a change as it might appear," Dr. Wharton said yesterday in an interview. "All my career has been devoted to working on the problems of underdevelopment and poverty, and I think a university, and especially a land-grant university such as Michigan State, has a long tradition of service to similar problems in the nation and the world."

SERVICE TO OTHERS

Nor does he see his appointment as a simple accomplishment of personal power, but more as an opportunity to pursue his ethic of service to others.

"The university is made up of faculty and students and the public it serves. I see myself not as the man who will simply be at the head of Michigan State but as one who is in service to the people who make it up."

Dr. Wharton has an example of public service—and success—in his father, C. R. Wharton. The senior Mr. Wharton was the first Negro to rise through the ranks of the Foreign Service to become an ambassador. Before his retirement in 1964, he was Ambassador to Norway.

How does Dr. Wharton feel about his long list of accomplishments as a Negro?

"I'm a man first, an American second and a black man third," he said. "I do feel that my appointment at Michigan is an important symbolic occasion, but that is not the criterion of it. It shows that if one has the skill and the talent, you're going to make it."

But he admits that in the decision to call him to Michigan State, which has a long history of promoting Negro enrollment, his race, "may have been an added attraction."

Before becoming vice president of the Agricultural Development Council, Dr. Wharton spent six years in Malaysia, teaching at the University of Malaysia and working on the council's program in Thailand, Vietnam and Cambodia. During those years he learned lessons that he believed could apply to the United States and his own place in America.

"Mankind is heterogeneous in race, religion and culture, and that's the beauty of it," he said. "The problem is to find ways of living with this heterogeneity, and of not letting it destroy us."

The Whartons live in Manhattan with their two sons, Clifton 3d, 17, and Bruce, 10. The boys attend the Dalton School.

In whatever spare time he can find, Dr. Wharton enjoys ice skating and tending an aquarium of tropical fish.

"I first bought the fish for the boys," he said, "but then I got interested in them."

PRESIDENT NIXON IS MAKING PROGRESS IN BATTLE AGAINST INFLATION

Mr. GRIFFIN, Mr. President, over the past weekend, President Nixon took several important additional steps in his administration's determined and continuing battle against inflation—steps which should be hailed by all who share his deep concern about the rising cost of living.

With typical and commendable forth-

rightness, President Nixon "laid it on the line." Speaking to business and labor leaders, to Members of Congress, and to the public at large, he made it clear that he was determined to deal with runaway inflation even though the cure has involved and will involve the administration of "some unpleasant medicine."

Let me list the steps taken by the President over the weekend:

First, he delivered a radio address to the Nation Friday afternoon, and reported encouraging successes in the effort to halt the inflationary spiral. He called for support, and pointed up the special responsibilities that must be borne by the Government, business, labor, and the public. Importantly, he called upon all Americans to restrain themselves "in their personal and credit decisions, so as to reduce the pressures that help drive prices out of sight."

Second, he released a letter written to 2,200 leaders of business and labor, urging them, in their own interest as well as the national interest, to avoid price and wage decisions which will further contribute to inflationary pressures.

Third, he announced his intention to appoint Dr. Arthur F. Burns as Chairman of the Federal Reserve Board, to succeed William McChesney Martin, Jr., when the latter steps down next January 31.

The announcement concerning Dr. Burns has been appropriately hailed in business and banking circles around the world as welcome evidence that the Federal Reserve System will continue to be guided by sound money policies.

In some quarters, Dr. Burns is regarded as a conservative. Needless to say, such terms as "conservative" and "liberal" have different meanings for different people.

In that regard, I believe it might be noteworthy to focus on several paragraphs of an article published in the New York Times last Saturday:

Nowadays, Dr. Burns is customarily regarded as a conservative—probably the most conservative member of President Nixon's inner circle, except Attorney General John N. Mitchell. That is because he is a conservative on many of today's most pervasive and controversial domestic policy issues—the restructuring of welfare programs, for example.

But another, older group of domestic policy issues have by no means disappeared, although most publicity and attention, nowadays, is focused on the specific problems of the cities, the blacks and the poor.

On these issues, relating basically to the means of keeping the basic economy in good health, Dr. Burns was relatively liberal in the Eisenhower Administration—and may turn out to be something of a liberal during the Nixon years as well—perhaps not only more liberal than Mr. Martin but also more liberal than President Nixon's Council of Economic Advisors.

The key point is that in basic economic policy—the role of the Federal Government in keeping the economy growing without inflation—Dr. Burns has always been an activist.

Mr. President, I ask unanimous consent that the text of President Nixon's radio message to the Nation on inflation, the letter from President Nixon to business and labor leaders, and the article entitled "Burns and Nixon's Aims," written by Eileen Shanahan, and published in the New York Times of October 17,

1969, to which I have referred, be printed in the RECORD.

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

TEXT OF THE RADIO ADDRESS OF THE PRESIDENT ON THE RISING COST OF LIVING

Today I would like to share my thoughts with you about a problem that worries millions of Americans—high prices that keep getting higher.

All across this land, hard working men and women look at paychecks that say they've had a raise. But they wonder why these bigger checks just don't buy any more than their lower paychecks bought four years ago.

All across this land, men and women in their retirement, who depend on insurance and on Social Security and on their life savings, look at their monthly checks and wonder why they just can't seem to make ends meet any more.

And all across this land, housewives wonder why they have to pay 86 cents for a pound of hamburger that cost 53 cents four years ago; people who are ill want to know why in those four years the cost of one day in a hospital has gone from \$27 to \$48; children who pay a nickel for a candy bar want to know why that bar is only half as big as it used to be.

When it comes to rising prices, it seems to most people that there is no end in sight. Many Americans are upset, and many are even angry about this. They have a right to be—because the ever-rising cost of food and clothing and rent robs them of their savings, cheats them of the vacations and those necessary extras that they thought they had been working for.

Why does everything cost so much? And what can we do to hold down the upward climb of prices?

For five long years, you have heard politicians and economists denouncing "the high cost of living." Back in 1966 and '67, when prices rose by 3% a year, everyone said how bad that was; in 1968, when prices speeded up by 4%, everyone agreed something ought to be done; and now, when momentum has carried the rise to nearly 6%, the same heads are shaking.

You might begin to wonder: If a rising cost of living has so many enemies, why has it been allowed to grow so fast? For years, in political speeches, the high cost of living has been as safe to denounce as the man-eating shark; but after the speeches were over, nobody seemed to be doing anything about it.

There was a fairly simple reason why your cost of living got out of hand: the blame for the spiral of wages and prices falls fundamentally on the past policies of your government.

The Federal government spent a lot more than it raised in taxes. Some of that spending was on the war in Vietnam, some of the spending was on new social problems, but the total spending was very heavy. Now we're paying for all that red ink—not only in higher taxes, but in higher prices for everything you buy. To put it bluntly, the frequent failure to balance the Federal budget over the past five years has been the primary cause for unbalancing the family budgets of millions of Americans.

Today I want to tell you what we have been doing to make it easier for you to balance your family budget. I want you to know what results we are beginning to see, and to understand the meaning of the news about the economy you will be reading in the coming months. And finally, I want to suggest what the American people can do together to hold down the cost of living.

When this Administration took office nine months ago, we decided that we were going to stop talking about higher prices and we were going to start doing something about them. We knew that some sophisticated in-

vestors could make out fairly well in a time of skyrocketing prices, but the average family bore the brunt of the high cost of living, and the family on a fixed income was being driven up the wall.

And so, to meet the real needs of most Americans, we began a steady effort to take the upward pressure off your cost of living.

Of course, there was a faster way available to bring prices down—many people suggested that we slam on the brakes hard and fast, and bring about a recession. But that kind of shock treatment is harsh and unnecessary—we want to level things off, not shake them up and down.

Step by step we took those measures necessary to get our nation's house in order.

Step One was to cut Federal spending, which more than anything else was pushing your prices up. We cut proposed Federal spending by more than seven billion dollars. We have taken it out of defense, we are cutting back on construction projects, we are squeezing it out of many other departmental budgets. We have been selective in these cuts, recognizing urgent national and social needs, but hardly anything has escaped some reduction. One area that was not cut in the Federal government was the Department of Justice, which had fallen far behind in the war against crime.

Next, working with the Congress, we proposed to phase out the tax surcharge over the course of a year. We could not afford to let the surtax lapse in the middle of 1969, because that would have driven up the prices you pay for everything.

Also, we have supported our central banking system in its policy of keeping money hard to borrow. When too much money is borrowed, this money is simply used to bid prices up higher.

Let's face it: Holding down government spending and holding up the tax rate, and making it harder for people to get credit, is not the kind of policy that makes friends for people in politics. We have asked the American people to take bitter medicine. We believe that the American people are mature enough to understand the need for it.

Here we are, nine months later, and I can report to you that the medicine has begun to work. There will be no overnight cure, but we are on the road to recovery from the disease of runaway prices.

Let me be careful not to mislead anyone: Prices are still going up, and many continue to do so for a while—a five year momentum is not easy to stop. But now prices are no longer increasing faster and faster—the increases not only have slackened, but the rates of increase are actually declining. Without shock treatment, we're curing the causes of the rising cost of living.

For some time to come, you will be reading about how some business is not doing very well. Sales may be sluggish in department stores; new housing—which the nation needs—has declined; the production of our industry has edged down for the first time in a year.

Ordinarily, this is bad news. But today these declines are evidence that our policy of curbing the rising cost of living is beginning to take hold.

We must be realistic; as we gently, but firmly, apply the brakes, we are going to experience some "slowing pains." Like growing pains, these are a healthy development—but painful nevertheless. My point is this: We have undertaken a policy that is slowing down the rise in prices. Unfortunately, some industries and some individuals will feel this necessary adjustment more directly than others. But difficult though it may be, and unpopular though it may become when the water gets a bit choppy, by curbing inflation we do what is best for all the American people.

Just as we must be realistic, we must be

compassionate; we must keep a close watch on the rate of unemployment. Now, there are some who say that a high rate of unemployment cannot be avoided.

I do not agree. In our leveling-off process, we intend to do everything we can to resist increases in unemployment, to help train and place workers in new jobs, and to cushion the effects of readjustment.

For example, we have overhauled and modernized our job training programs, and we have proposed reforms extending unemployment insurance to millions not now covered, with higher benefits paid over longer periods to those in the system. We have proposed a computer job bank, to match workers with hundreds of thousands of vacant jobs.

The nation must dedicate itself to the ideal of helping every man who is looking for a job to find a job. Today, about 96% of the work force is employed; we want it to be more, but we cannot effectively and fairly make it more by ignoring the widespread hardship that a runaway cost of living imposes on so many Americans.

Now that we have begun to detect the signs of success in slowing down, what can you expect your government to do next?

First, let me tell you what we are *not* going to do.

We are *not* going to change our game plan at the end of the first quarter of the game. We are not going to turn away from treating basic causes to start treating symptoms.

In other words, we are *not* considering wage or price controls. My own first job in government was with the old Office of Price Administration at the beginning of World War II. From personal experience, let me say this: Wage and price controls are bad for business, bad for the workingman, bad for the consumer. Rationing, black markets, regimentation—that's the wrong road for America, and I will not take the nation down that road.

Nor are we considering putting the government into the business of telling the workingman how much he should charge for his services or how much the businessman should charge for his goods. Those are called "guidelines," and they collapsed back in 1966 because they failed to get to the root of the problem.

What we *are* going to do is based on total realism.

This weekend, I am sending a letter to a cross-section of leaders in labor and business calling their attention to the latest facts of economic life.

I am asking them to take a hard look at what government has done in these nine months—not just our words, but our deeds. And I am asking them to make their own future plans on the basis of working and selling in a country that is not fooling about slowing down the rise in the cost of living.

Instead of relying on our jawbone, we have put some backbone in government's determination to hold the line for the consumer. We are going to continue to exercise that backbone in the face of criticism by a lot of special interests. You can rely on that, and most important, you can make your plans on the basis that price rises are going to be slowing down.

As workingmen and businessmen get that message—as they see that government is willing to live up to its responsibilities for doing what is needed to hold down prices—we can expect to see a new responsibility in the decisions of labor and business. By responding to the changed conditions, they will be following their self-interest and helping the national interest as well.

Today, I have laid out our strategy to take the pressure off the prices you pay. There is a good reason for spelling out the strategy right now, at the beginning of a turning point in the struggle.

You see, there is a secret weapon that we intend to use in the battle against rising

prices. That secret weapon is the confidence of the American people.

In recent years, that confidence, in our ability to slow down the upward spiral has been missing. More and more, a paralyzing fatalism has crept into our view of prices. Too many of us have made the mistake of accepting ever-higher prices as inevitable, and as a result, we have planned on higher prices. And what we expected—we got.

Only our secret weapon of American confidence in ourselves will get us out of that vicious circle.

More than a generation ago, in the depths of a depression, an American president told you—over this medium of radio—that the only thing we had to fear was fear itself.

Today, in a prosperity endangered by a speed-up of prices, the only thing we have to fear is fatalism—that destructive habit of shrugging our shoulders and resigning ourselves to a hopeless future on a wage-price treadmill.

I say to my fellow Americans: The runaway cost of living is no cross we are obliged to bear. It can be brought under control. It is being slowed by firm and steady action that deals with its root causes.

And as you plan for your own future on the assumption that the rise in prices will indeed slow down, you will be bringing our secret weapon into play. Your confidence in the strength of our economy, your confidence in the determination of America to win this battle—that is what will turn the tide.

On that note of confidence, let me issue this call:

I call upon the Congress to extend the surtax at half-rate, 5%, from January 1 to June 30 of next year. Also I call upon the Congress, when it passes tax reform legislation, which is greatly needed, not to make a net tax reduction of a size that will help push up prices that the consumer has to pay.

I call upon Americans to urge their Congressmen to pass those measures of manpower training and unemployment insurance I have proposed—measures that would help make it easier for people to adjust to change.

I call for your support in our policy of holding down Federal spending so that we are able to continue setting an example with a responsible budget for fiscal 1971.

I call upon citizens to urge their State and local governments to cooperate in postponing spending that can appropriately be delayed.

I call upon labor's leadership and labor's rank and file to base their wage demands on the new prospect of a return toward price stability.

I call upon businessmen to base their investment and price decisions on that new economic climate, keeping in mind it is in their private interest to be realistic in their planning and to help build a strong economy.

I call upon all Americans to bear the burden of restraint in their personal credit and purchasing decisions, so as to reduce the pressures that help drive prices out of sight.

I am convinced that Americans will answer this call.

I am convinced that a new confidence will be felt in this country when we match the strength of our resources with the strength of our resolution.

The dollar you earn should be worth a dollar. The dollar you save should stay worth a dollar. This is no impossible dream—this is something you are entitled to.

The cost of living affects the quality of life. Together we are going to improve the quality of life—and together, we are going to succeed in slowing down the rise in your cost of living.

TEXT OF LETTER FROM THE PRESIDENT TO 2,200 BUSINESS AND LABOR LEADERS

In view of the growing concern about the rising cost of living, I would like to share

with you at some length my thoughts about what is being done and what we must do to curb inflation.

The danger of inflation is real; the cure requires some unpleasant medicine, patience on the part of all and self-discipline by the Government, business and labor.

This Administration is determined to control inflation without imposing controls upon the economy.

Four great forces make up the free market: Government, business, labor and the consumer. A Government that tolerated huge budget deficits could not fairly heap the blame for the ravages of inflation onto any of the other market forces. It was past Government policy that caused our present inflation.

That is why I have refused to look for a scapegoat amid the genuine national concern about the rising cost of living.

That is why I have insisted Government put its own economic house in order before enlisting other forces in the fight against inflation.

HARD DECISIONS

Hard decisions had to be made to extend the surtax; to slash Federal spending by more than \$7-billion dollars a year; to drastically curtail construction commitments by the Federal Government; to place a strong budget surplus in tandem with a restrictive monetary policy. Economic policy needed backbone rather than jawbone, and backbone is exactly what our record shows.

We have taken the unpopular road to earn back Government's credibility in fiscal affairs, and by our actions we have shown that we mean what we say about cooling inflation.

Because of this record, everyone should realize that Government will continue to do whatever is necessary in the future to curb the rising cost of living.

Because Government's house is now in order, we can turn to business and labor to remind them that inflation is everybody's problem and fighting inflation is everybody's business.

It is in the interest of private business to consider pricing policies in the light of Governments' determination to check inflation. The business that commits errors in pricing on the up side, expected to be bailed out by inflation, is going to find itself in a poor competitive position. Betting on ever-higher prices is a sure way of losing.

LABOR IS CAUTIONED

It is in the interest of every union leader and workman to avoid wage demands that will reduce the purchasing power of his dollar and reduce the number of job opportunities.

Government has set the example of restraint, and will continue to set that example. When we combine labor restraint and business restraint, we can build a foundation for an on-going prosperity.

In curbing inflation, we must continue to move deliberately, with a careful eye on the unemployment picture. The percentage of our work force unemployed is more than a statistic—it is a human condition that deserves the close attention of every American.

New laws and new restrictions are not required, if we treat with respect the law of supply and demand. Government's recent action in the construction industry, to increase the supply of skilled labor and materials so as to curb the excessive expansion of demand, is a case in point.

Because we add no artificial controls does not mean that there are no controls in operation. The free market has its own controls on those who flout responsibility: loss of profits to the businessman, loss of jobs to the workman. These are losses that responsible action can avert.

A sense of responsibility must be part of every prudent judgment concerning prices and wages, now that Government has repudiated the previous inflationary policies.

Price and wage decisions that anticipate inflation's continuing at or near present levels would be shortsighted, imprudent, and unprofitable.

ADMINISTRATION POLICY

For your own planning, the policy of this Administration in the fight against inflation will be:

First, to continue stern restraints on Federal spending.

Second, to insist on a tax system that has the capacity to generate enough revenues to cover spending outlays. I shall not tolerate, for example, a tax bill that would result in an irresponsible budget.

Third, to rely strongly on the forces of reason and moderation within the private economy, so that governmental intervention will rarely be necessary.

The ultimate consequences of runaway inflation—the bust that follows, with the suffering that accompanies huge unemployment—must never again be inflicted upon the American people. Instead, we will take every measure necessary to build a sound prosperity, temporarily unpopular as some restraints may be.

I would be interested in your own views as to how the private sector and Government can work together in holding down the cost of living. In this cause—hard to explain, hard to achieve, but fundamental to the economy of our nation and the progress of our people—I trust that I can count on your support.

BURNS' AND NIXON'S AIMS: PRESIDENT'S APPOINTMENT APPARENTLY IS MOVE IN THE BATTLE AGAINST INFLATION

(By Eileen Shanahan)

WASHINGTON, October 17.—It seems more than likely that President Nixon chose today to announce his choice of Arthur F. Burns to be chairman of the Federal Reserve Board as part of his grand strategy in the battle against inflation.

He spoke to the public on this issue by radio this afternoon. The Burns appointment spoke, and was doubtless intended to speak, to a different constituency—the business and financial community.

The message intended by the announcement of the appointment—three months before the scheduled retirement of William McChesney Martin Jr.—was clearly this: the Federal Reserve System is going to remain safely in the hands of a conservative, a sound-money man.

VIEW MAY BE SHORT

A look at history suggests, however, that this characterization of Dr. Burns may be true only in the immediate economic situation, which finds the Administration grappling with a seemingly intractable set of inflationary forces and feelings. Dr. Burns, only yesterday, both predicted and endorsed continuing the present anti-inflationary policies of the Administration and of the independent Federal Reserve System.

Yet at one time Dr. Burns was in sharp—although mainly quiet—disagreement with the policies followed by the Federal Reserve Board under Mr. Martin, the man he will replace. At least twice during the Eisenhower Administration, in the mid-fifties and in 1960, he suggested the Federal Reserve was restricting credit too harshly, threatening first to create and thereafter to prolong a business contraction.

Nowadays, Dr. Burns is customarily regarded as a conservative—probably the most conservative member of President Nixon's inner circle, except Attorney General John N. Mitchell. That is because he is a conservative on many of today's most pervasive and controversial domestic policy issues—the restructuring of welfare programs, for example.

OTHER ISSUES REMAIN

But another, older group of domestic policy issues have by no means disappeared,

although most publicity and attention, nowadays, is focused on the specific problems of the cities, the blacks and the poor.

On these issues, relating basically to the means of keeping the basic economy in good health, Dr. Burns was relatively liberal in the Eisenhower Administration—and may turn out to be something of a liberal during the Nixon years as well—perhaps not only more liberal than Mr. Martin but also more liberal than President Nixon's Council of Economic Advisers.

The key point is that in basic economic policy—the role of the Federal Government in keeping the economy growing without inflation—Dr. Burns has always been an activist.

He has spent much of his adult life in economic research on the subject of business cycles—booms and busts and how to detect when one is turning into the other.

It seems reasonable to assume that he would believe, based on a lifetime of work, that he had some skill in determining when the underlying economic trends were turning—and when Federal Reserve policy ought also to turn.

On this judgment, he could conceivably come into conflict with the present economic advisers, notably the Council's Chairman Paul W. McCracken, and another member, Herbert Stein, both of whom have repeatedly expressed skepticism about anyone's ability to call such turns with any precision.

Both men hold that many of today's economic troubles—specifically today's persistent inflation—stem from the Johnson Administration's errors in reacting too swiftly to what seemed to be economic downturns, but which turned out not to be.

PREACHED "HERESY"

It is assumed, then, that Dr. Burns will remain an economic activist—as he was in the nineteen-fifties, preaching the then-heresy for Republicans that the Federal Budget should not always be balanced, particularly in bad times.

But whatever his policies and stance, Dr. Burns will be only one member of a seven-member Federal Reserve Board, in the old phrase, the first among equals. And Federal Reserve Board policies are determined by a simple majority vote.

This being the case, a key question becomes: What will be his ability to influence his fellow governors and the presidents of the 12 regional Federal Reserve Banks.

It is here that Dr. Burns is very much an unknown. He strikes many people as arrogant, even those who freely concede that he possesses a most strikingly superior mind.

MARTIN HAS PREVAILED

Mr. Martin has been able to operate to conciliate and, generally, to prevail. He has been able to maintain a broad constituency, in the business community and elsewhere, in support of his policies and views.

Even when he publicly disagreed with the Presidents under whom he served—as he has with every one except, so far, Mr. Nixon—he always seemed able to keep lines of communication open and personal relationships amicable.

Will Dr. Burns be able to do this, with all of the vast intellect and energy (not even allowing for his age) that he will bring to his new job? The answer is not yet known.

THE PRESIDENCY—THE POPULAR WILL

Mr. HANSEN. Mr. President, the Washington, D.C., Sunday Star of yesterday, October 19, 1969, contained a reasonable and reasoned editorial about the October 15 Vietnam moratorium which deserves the attention of all.

The editorial, "The Presidency and the

Popular Will," put the question of the just concluded Vietnam moratorium, specifically, and public protest, in general, into the proper perspective.

The President, after all is said and done, has to make his decisions on the basis of what will best serve the interests of all Americans, not just those who have been most vocal.

Further, I firmly believe that we are making progress in Vietnam, as the result of the President's policies. The President is working hard, to end the war in Vietnam. Among other things, he is withdrawing troops. He has significantly reduced the level of fighting. He has given top priority to turning the war over to the South Vietnamese.

To object so strenuously to what we are trying to accomplish, to oversimplify the problem so greatly with sloganeering, to demand that we "get out of Vietnam," that we "end the war," is to do a grave disservice to the men who have died there.

Perhaps the "popular will" could be served by such unrealistic action, but our country's pledge to help maintain freedom would be destroyed.

The distinguished Senator from Montana (Mr. MANSFIELD) commented recently on the President's efforts in Vietnam. He noted, in a speech here in the Senate on October 15, that he had just returned after 3 days in Montana and that he was asked there about his views on the situation in Vietnam.

Senator MANSFIELD noted:

I told my fellow Montanans that it seemed to me that the President was doing all that he could do on the basis of the best advice he had available to bring about a responsible settlement. I stated further that, in my opinion, there were elements which were encouraging and which might lead toward a possible settlement.

I pointed out that in the 7-month period since last March, the total number of North Vietnamese infiltrates numbered approximately 20,000 compared with an annual rate of infiltration last year between 7,000 and 13,000 a month; I pointed out that there had been a lull in the fighting, that the casualties had been reduced though, in my opinion, they were still too high; I pointed out that the President had ordered the withdrawal of 60,000 troops by the end of this calendar year and that this was a decided shift away from escalation toward deescalation; I pointed out that a new military strategy of "protective reaction" had replaced the strategy of "maximum pressure" which had been followed in the previous administration and during the first months of this administration.

I stated further that it was my understanding that the orders for this shift had gone to General Abrams last July. To me, a strategy of "protective reaction" means that we have moved a long distance in the direction of a cease fire and stand fast policy because, as I interpret it, the search and destroy missions are a thing of the past, and under the new policy, we will fire only when there is a threat that our forces will be fired on even while remaining prepared to undertake necessary action should any attack be in the offing.

I said to the people of Montana that I thought the President was moving in the right direction, that, from our point of view, progress was being made toward a settlement.

Mr. President, the Sunday Star's editorial rightfully notes that "the Presi-

dent's special interest is the welfare of the United States." The Star also said:

He cannot become obsessed with the pursuit of a single objective. He must consider every proposed action in the light of its total consequence. And in reaching decisions, the President has available to him information that must exceed that of the best informed citizen.

Mr. President, it is my sincere hope that those persons who are even now planning another demonstration for mid-November will keep those points firmly in mind.

I ask unanimous consent that the editorial to which I have referred be printed in the RECORD at this point.

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

THE PRESIDENCY AND THE POPULAR WILL

Last week's Vietnam Moratorium has been generally hailed as a success. The exact turnout will never be known, but no one would question the fact that it was an impressive and unique demonstration of disapproval of a uniquely unpopular war.

Now that the day has passed, the focus of attention shifts from the streets to the White House. How should the President, the official charged with the ultimate responsibility for the conduct of American foreign policy, react to this tangible evidence of the public will?

For the leaders of the Moratorium, the answer is simple. He should do as he is told. He should order an immediate cease-fire—whether or not the enemy responds in kind. He should assemble all available means of transport and he should evacuate all United States military personnel just as quickly as possible.

Their enthusiasm is understandable. A degree of irresponsibility is one of the several glories of youth. But the cry for instant presidential response is not limited to the campus. It has been taken up by a surprising number of senators, representatives, assorted local politicians and professors. It has been echoed by a number of editorialists, columnists and news interpreters.

The Moratorium, so the reasoning goes, proves that the Nixon administration is out of step with the people. Such a massive manifestation of discontent should shift the decision-making process from the elected officials to the street. Isn't that what democracy is all about?

There is, to be sure, such a definition of democracy. It can mean the direct and leaderless rule of the people. But the word also applies to a system of government in which carefully defined powers are vested in agents chosen by the people in free elections. And that is what American democracy is all about.

Such a formula does not deny the right of the people to assemble, to march, to protest, to speak and to demonstrate for or against any cause they care about. Nor does it mean that the elected agents should be unmindful of such demonstrations.

No one in any way responsible for the future of the United States could truly remain totally unaffected by any mass demonstration. As a political animal—and one who presumably has some interest in personal political survival—President Nixon has to consider every manifestation of public will.

But a recognition of the trends of public opinion is far removed from the abdication of presidential responsibility that is being demanded. The former is a proper application of practical politics. The latter is an open invitation to chaos.

To begin with, the people of the United States do not speak with a single voice. They never have. And as long as the human mind continues to function, they never will. The

Moratorium was a case in point. It was a generalized statement of public discontent. But on the question of specifically how and when the United States should extricate itself, opinions spanned the spectrum from the hope for a swift Viet Cong victory to demand for precisely what is happening: A phased withdrawal timed to the ability of South Vietnam to fend for itself politically and militarily.

But let us, for the sake of argument, assume that the demonstrators did speak with a single voice. Let us also increase all published estimates of the total turnout and say that an even million marchers turned out to demand immediate and total withdrawal from Vietnam. Should the President discard his own views and accept this mandate from the people?

If he should do so, what would become of the rights of the remaining 199 million Americans? The majority of those of voting age elected a president to fulfill his constitutional function. They did not go to the ballot box to name an observer of street demonstrations or an interpreter of public opinion polls.

The framers of the constitution and those who have refined it through the years were quite specific in defining the powers, duties and rights of the different branches of government. And the rights of the people under that government are also carefully set forth.

The people have the right to vote. They have the right—perhaps the obligation—to make their opinions known to their government through free speech, peaceful assembly and petitions for redress of grievances. But they have no right to dictate specific policy decisions from the street.

There is no abridgement of freedom or dilution of the democratic process. It is a practical recognition of the fact that the elected officials—and the president in particular—have a different view of the nation than the man in the street can possibly have. The president's special interest is the welfare of the United States. He cannot become obsessed with the pursuit of a single objective. He must consider every proposed action in the light of its total consequence. And in reaching his decisions, the president has available to him information that must exceed that of the best informed citizen.

This was the case in the infancy of the nation. It applies a thousandfold to the infinitely complex world today.

President Nixon has made it clear enough that he does not intend to turn aside from his obligation to frame foreign policy and to turn that function over to the Moratorium committee. He has said it in his press conference statement. He has repeated it in his reasoned letter of reply to the student who protested Mr. Nixon's press conference remark. But the matter does not end there.

The promise is for increasing pressure, in the form of future mass demonstrations, to force the President to capitulate. The chances are that the moratoriums planned for November and December will prove, in terms of numbers, something of an anticlimax. But it is not unlikely that they will make up in intensity and violence what they will lack in size.

Regardless of the nature or the size of the protest, Mr. Nixon, from all available evidence, will continue to follow the policies that he determines to be in the best present and future interests of the United States. But there is danger that the notion of immediate popular authority, which is being thoughtlessly touted today, will gain such currency that some future chief executive will feel compelled to disregard his constitutional obligations and to turn the decision-making process over to that multi-voiced, semi-informed, whimsical and indecipherable entity called public opinion.

Presidents can be wrong. That's why pro-

testers, commentators, editorialists and voters were born. The means to correct the problem of human frailty or errors of judgment in high places is indeed vested in the citizens. But the proper exercise of that power is not the bullet, not the brickbat, not the dictatorship of the people.

It is the vote.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON APPROVAL OF LOAN TO GOLDEN VALLEY ELECTRIC ASSOCIATION, INC., OF FAIRBANKS, ALASKA

A letter from the Administrator, Rural Electrification Administration, United States Department of Agriculture, transmitting, pursuant to law, a report on the approval of a loan to the Golden Valley Electric Association, Inc. of Fairbanks, Alaska, in the amount of \$9,214,000 which includes \$5,827,200 for the financing of certain new transmission and generating facilities and the completion of a previously loaned transmission project (with an accompanying report); to the Committee on Appropriations.

PROPOSED LEGISLATION AUTHORIZING AND FOSTERING JOINT RATES FOR INTERNATIONAL TRANSPORTATION OF PROPERTY

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize and foster joint rates for international transportation of property, to facilitate the transportation of such property, and for other purposes (with accompanying papers); to the Committee on Commerce.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to the request of the Chairman, Committee on Ways and Means, House of Representatives, a report on the results of his monitoring of a special review of the aid to families with dependent children in New York City, conducted by the Department of Health, Education, and Welfare and the New York State Department of Social Services, dated October 17, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT OF COMPTROLLER GENERAL

A letter from the Director of the Federal Judicial Center, transmitting, pursuant to law, the Second Annual Report of the Federal Judicial Center, dated October 1, 1969 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Post Office and Civil Service:

"ASSEMBLY JOINT RESOLUTION 44

"Memorializing Congress to reform the 1970 decennial census and assure a complete count of the population

"Whereas, Article I of the United States Constitution requires a decennial census for the purpose of apportionment of the House of Representatives and therefore requires no data on extraneous subjects; and

"Whereas, this constitutional purpose for the census has been distorted into a complex and overly personal interrogation of all Americans, as evidenced by the final plans

for the 1970 census containing questions on population, housing and employment totaling 67 different subjects; and

"Whereas, the scope of these questions results in harassment of our citizens who are faced with a 60-day jail sentence or \$100 fine, or both, if they refuse to submit to these inquiries, including the following questions: have you been married more than once; (if a woman) number of babies born, not including stillbirths; where did you live in April 1962; what was your major activity in April 1962; what is the value of your property; what is your rent; did you work any time last week; and

"Whereas, the right to personal privacy of our citizens is trammled by extraction of extensive facts regarding marital life, income and personal background and by the threat of criminal penalty for failure to answer questions including those concerning household equipment, all of which flouts the cherished "right to be left alone" on which this nation is founded; and

"Whereas, the state of Wisconsin requires early and complete population counts from the decennial census, as does every other state and the federal government, in order to apportion and redistrict election districts of all types; and

"Whereas, in 1950 5.6 million people were missed by census takers though this fact was not uncovered until 1965; and

"Whereas, nearly 20 billion dollars in federal grants-in-aid and other financial assistance to states and their political subdivisions are distributed annually by Congress with population an important criteria in this disbursement; now, therefore, be it

"Resolved by the assembly, the senate concurring, That the Congress of the United States is memorialized to adopt legislation to return the decennial census to its intended constitutional purposes, restore the personal privacy rights of the American people through repeal of offensive criminal penalties and provide every possible assurance that the count of population will be conducted accurately; and, be it further

"Resolved, That duly attested copies of this resolution be transmitted to the secretary of the senate of the United States, the chief clerk of the house of representatives and the members of Wisconsin's congressional delegation.

"HAROLD V. FROELICH,
"Speaker of the Assembly.
"WILMER H. STRUBING,
"Assembly Chief Clerk.
"WILLIAM P. NUGENT,
"Senate Chief Clerk."

The petition of Daniel Edlord Leveque, of Sheboygan, Wis., praying for a redress of grievances; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

William O. Baker, of New Jersey, to be a member of the Board of Regents, National Library of Medicine, Public Health Service; and

Jack Malcolm Layton, of Arizona, to be a member of the Board of Regents, National Library of Medicine, Public Health Service.

ADDITIONAL COSPONSORS OF BILLS

S. 2674

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from

Hawaii (Mr. INOUE), I ask unanimous consent that, at the next printing, the name of the Senator from Kansas (Mr. DOLE) be added as a cosponsor of S. 2674, to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialists officers for the Armed Forces.

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

S. 2876

Mr. HART. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from New Jersey (Mr. WILLIAMS) and the Senator from Idaho (Mr. CHURCH) be added as cosponsors of S. 2876, to amend the Communications Act of 1934 to provide candidates for congressional offices with certain opportunities to purchase broadcast time from television broadcasting stations.

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

ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 41

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Utah (Mr. BENNETT) be added as a cosponsor of Senate Concurrent Resolution 41, urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry.

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

LEGISLATIVE BRANCH APPROPRIATION BILL, 1970—AMENDMENT

AMENDMENT NO. 251

Mr. PROXMIRE (for himself, Mr. CASE, Mr. KENNEDY, and Mr. BROOKE) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 13763) making appropriations for the legislative branch for the fiscal year ending June 30, 1970, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. HRUSKA. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Paul C. Camilletti, of West Virginia, to be U.S. attorney for the northern district of West Virginia for the term of 4 years, vice John H. Kamlowsky, resigned.

James T. Lunsford, of Alabama, to be U.S. marshal for the middle district of Alabama for the term of 4 years, vice William M. Parker, Jr.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Monday, October 27, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement

whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON NOMINATIONS

Mr. HRUSKA. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, October 28, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Henry L. Brooks, of Kentucky, to be U.S. circuit judge for the sixth circuit to fill a new position created by Public Law 90-347 which was approved June 18, 1968.

Alfred T. Goodwin, of Oregon, to be U.S. district judge for the district of Oregon, vice John F. Kilkenny, elevated.

R. Dixon Herman, of Pennsylvania, to be U.S. district judge for the middle district of Pennsylvania, vice Frederick V. Follmer, retired.

David L. Middlebrooks, Jr., of Florida, to be U.S. district judge for the northern district of Florida, vice George Harrold Carswell, elevated.

Cristobal C. Duenas, of Guam, to be judge of the district court of Guam for the term of 8 years, vice Paul D. Shriver, resigned.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi (Mr. EASTLAND), chairman; the Senator from Arkansas (Mr. McCLELLAN), and myself.

TAX REFORM NO. 3: DEMOCRATIC STUDY GROUP TAX REFORM FACT BOOK

Mr. METCALF. Mr. President, today I shall place in the RECORD another section of the Tax Reform Fact Book prepared by the Democratic Study Group in the House of Representatives. Today's section discusses the capital gain preference.

The House bill would provide a moderate reduction of this tax preference, in part, by lengthening the holding period from 6 months to a year and eliminating the 25-percent alternative rate. When administration officials testified before the Committee on Finance, they announced their opposition to these changes. Here is what Assistant Secretary of the Treasury Edwin S. Cohen said about these provisions on September 4:

We are opposed to the complete elimination of the alternative tax and to the extension of the holding period. These changes in our judgment impose too great a burden on capital investment. The effect of the bill would be to remove a large measure of the incentive for private capital to engage in new and expanded business ventures. Present capital investments would tend to be frozen and the economy as a whole would suffer. We believe that the six months' holding period should be maintained and that, in general, the alternative tax should be retained.

On September 25 the former Assistant Secretary of the Treasury, Stanley S.

Surrey, commented on his successor's objections to these changes:

But these dire forebodings are strange indeed when placed alongside its actual recommendations. For the Treasury is obviously aware that the capital gain preference is the single most important factor in permitting high income persons greatly to reduce their effective rate of tax, so that the equity and fairness of the tax system are markedly reduced. Hence, it recommends a complex limitation on the use of the 25 percent alternative rate which is in effect a special minimum tax applicable to capital gains. Under this approach the revenue gain in the capital gain and loss area would be \$425 million—or about 66 percent of the House Bill gain of \$635 million. It is hard to see how this \$210 million additional gain under the House Bill—less than one percent of the present yield from capital gains taxation of individuals—can have the adverse effects on investment painted by the Treasury. In this light, the House bill approach, which is direct and far simpler, is to be preferred.

On October 10 the Committee on Finance agreed to delete from the House bill the provision that would have extended the holding period for a long-term capital gain to 12 months instead of the present 6-month requirement. The House Committee on Ways and Means had estimated that an increase in the holding period to 1 year would have resulted in an annual revenue gain of \$100 million in 1970 and \$150 million in subsequent years. The only reason given for deleting this provision from the bill was that the administration was not sure that revenues would be increased by as much as \$150 million a year. I am not persuaded by that argument. On the contrary, after examining the available evidence gathered at the hearings, I am convinced that this provision must be restored to the House bill when it reaches the Senate floor.

Mr. President, I ask unanimous consent to have printed in the RECORD the section of the DSG Fact Book on Tax Reform which discusses in detail the capital gain provisions contained in the House-passed bill. On Tuesday, October 21, I shall place in the RECORD the section which discusses the taxation of corporations.

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

**DSG TAX REFORM FACT BOOK SECTION TWO—CAPITAL GAINS
ELIMINATE PREFERENTIAL TREATMENT FOR CAPITAL GAINS
The problem**

Highly preferential tax treatment is provided for capital gains—appreciation of such assets as stocks, real estate and other property not held for use in the taxpayer's trade or business plus profits from the sale of such assets as livestock, royalties, and real estate used in business.

Originally capital gains were taxed like other income. But through the 1930s various approaches were tried as support grew for preferential treatment. Finally, in 1942, the present system was adopted. A strong push for heavier taxation for capital gains was made in 1962 but Congress finally abandoned the effort.

At least \$15 billion in unrealized capital gain now escapes taxation every year. Another \$25 billion in reported gain is subject to capital gains treatment and taxed

at rates ranging from 7% to 25%. This yields around \$5 billion to \$6 billion in revenue a year.

This special treatment for unearned income, according to Treasury studies, is more important than any other factor in reducing tax rates of high-income individuals. It also distorts the economy as capital asset sales are timed to maximize loss write-offs and postponed to meet requirements for tax-free transfers at death.

Present law

Reported capital gains now are taxed at half the normal rate, up to 25%. Gains on stocks, real estate and other appreciated assets transferred at death escape taxation. Further, the law allows liberal capital loss writeoffs, enabling taxpayers to program transactions in different years so each \$1 of capital loss be used to wipe out at least \$2 in profit.

Pending proposals

None of the tax reform proposals introduced this year would eliminate preferential treatment of capital gains. Several, however, would sharply limit this tax preference.

Revenue impact

Treasury estimates that taxing all capital gains as ordinary income would increase revenue about \$8.5 billion a year.

Proponents and opponents

The U.S. Chamber of Commerce, New York Stock Exchange, American Farm Bureau Federation, and American Bankers Association are leading opponents of proposals to end preferential treatment of capital gains. The AFL-CIO, UAW and Longshoremen's Union testified for this change.

Administration action

The Treasury, in its December recommendations, urged taxation of capital gains now untaxed at death but did not deal with other preferential provisions.

The Nixon Administration's proposals do not deal directly with eliminating preferential treatment. They would tighten provisions dealing with capital loss deductions, however, and require taxation of appreciation of property donated to charity.

House action

The House adopted several changes limiting capital gains preferences. One would require, for individuals, that net long-term capital losses be reduced by 50% before deduction from ordinary taxable income. Another would extend the long-term capital gains holding period from six months to one year. Still another would eliminate the 25% ceiling on taxation of capital gains, requiring taxation at one-half regular rates for individuals. The capital gains tax rate for corporations would be raised from the present 25% to 30%. Further, lump-sum distribution from qualified pension, profit-sharing, stock bonus and annuity plans, now taxed at capital gains rates, would get this treatment only for the excess of distribution over contributions by the taxpayer involved. The amount represented by employer contributions would be taxed as ordinary income.

RESOURCE REFERENCES

Ways and Means hearings, Volumes 8 and 13; Treasury Studies, Part 3.

REQUIRE EQUAL TREATMENT OF CAPITAL GAINS AND LOSSES

The problem

Unequal tax treatment of capital gains and losses gives investors, especially those speculating in the stock market or in real estate, a substantial break.

One half the profit from sales of such assets as stocks and real estate held more than six months is tax-free and the other half qualifies for highly preferential capital gains treatment. Yet losses from these same kinds

of transactions are fully deductible against both the taxable portion of profit and ordinary income. This enables taxpayers to program sales in different tax years so each \$1 of capital loss can be used to wipe out at least \$2 in profit. Further, up to \$1,000 in additional losses can be written off each year against ordinary income.

Present law

All taxpayers may deduct capital losses at least to the extent of capital gains. Further, in the case of individuals, capital losses that exceed capital gains may be deducted against ordinary income up to \$1,000 a year, with an unlimited right to carry any excess forward to future taxable years.

Pending proposals

None of the tax reform measures introduced in the House deal specifically with a requirement for equal treatment of losses and gains.

Revenue impact

Treasury estimates limiting capital loss deductions to 50% and tightening restrictions on the \$1,000 a year in losses allowable against ordinary income would raise \$60 million in new revenue the first year and \$100 million a year when fully effective.

Proponents and opponents

The U.S. Chamber of Commerce and the New York Stock Exchange opposed limits on capital loss deductions. The Tax Council proposed a new system of taxing capital gains with full, unlimited loss offsets against long-term gain and unlimited carryover of excess losses.

Administration action

The Administration has recommended that each dollar of net long-term capital loss be permitted to offset only 50 cents of ordinary income. The annual deduction limit would be held at \$1,000 with unlimited carryover. It also calls for an annual limit of \$500 each for married persons filing separate returns.

House action

The House voted to require, in the case of individuals, that net long-term capital losses be reduced 50% before deduction from ordinary taxable income. Net short-term capital losses, under this plan, would continue to be fully deductible. The overall limit of \$1,000 on capital loss offset against ordinary income also would continue (except for a \$500 limit on married persons filing separate returns).

Resource references

See Ways and Means hearings, Volume 8; Treasury Studies, Part 2.

TAX CAPITAL GAINS NOW UNTAXED AT DEATH

The problem

It is estimated that at least \$15 billion in realized appreciation in securities, real estate and other property escapes income taxation every year, either in the hands of the original owner or his heirs. This appreciation becomes irretrievable as a possibility for income taxation when the owner dies.

One result of this is that investors, particularly older people, hold their property for their estates instead of selling it and allowing the gain to be taxed. This artificial economic restraint has a "locked-in" effect. Another result is loss of a considerable amount of tax revenue.

A proposal to tax unrealized gains at death was rejected by Congress in 1963. Treasury's general counsel at that time issued an opinion concluding taxation of gains in this manner would be constitutional.

Present law

Gain on stocks, real estate and other appreciated assets transferred at death now escapes income taxation. In addition the basis of the asset for tax purposes is stepped up to market value at the time of transfer. Thus, in any subsequent sale by the heir,

no tax is paid on the increase between the basis of the asset in the hands of the decedent and the market value at the time of transfer.

Pending proposals

A large number of tax reform bills introduced in the House call for taxation of capital gains now untaxed at death. H.R. 5250 (Reuss and others) would tax unrealized gain at capital gains rates in the final income tax return of the decedent. Identical or similar measures are H.R. 6206, 6770, 7040, 7045, 7346, 7585, 8144, 9195, 9759, 9852, and 10253.

Revenue impact

Most estimates of revenue that would be raised by taxing unrealized capital gains appreciation at death range from \$2.5 billion to \$3.1 billion, depending on exemptions and other variable provisions.

Proponents and opponents

The American Bankers Association, New York Stock Exchange, National Association of Manufacturers, and American Farm Bureau Federation all testified in opposition to this reform. The latter two groups, in fact, urged more liberal capital gains treatment. The AFL-CIO, UAW and Longshoremen's Union all testified in favor of taxing unrealized capital gains at death.

Administration action

The Treasury recommendations submitted in December called for taxing unrealized capital gains on transfer by gift or at death. The proposal included provisions for a substantial exclusion and provided for reporting in the decedent's final income tax return.

The Nixon Administration's proposals submitted in April did not include any provisions for taxing unrealized capital gains at death.

House action

None.

Resource references

Ways and Means hearings, Volumes 8 and 13; Treasury Studies, Part 3.

VICE PRESIDENT'S NEW ORLEANS SPEECH

Mr. DOLE, Mr. President, Vice President AGNEW spoke to a citizens testimonial dinner in New Orleans last evening. He gave a concise description of the Nixon administration's policy in Vietnam, supported draft reform, discussed our defense posture and inflation. These subjects went unreported by the press.

To put the Vice President's speech in the proper perspective, I ask unanimous consent that the complete text of his remarks be printed in the RECORD.

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

ADDRESS BY THE VICE PRESIDENT

Sometimes, it appears that we are reaching a time when our senses and our minds will no longer respond to moderate stimulation. We seem to be approaching an age of the gross. Persuasion through speeches and books is too often discarded for disruptive demonstrations aimed at bludgeoning the unconvinced into action.

The young, at the zenith of physical power and sensitivity, overwhelm themselves with drugs and artificial stimulants. Subtlety is lost, and fine distinctions based on acute reasoning are carelessly ignored in a headlong jump to a predetermined conclusion. Life is visceral rather than intellectual, and the most visceral practitioners of life are those who characterize themselves as intellectuals.

Truth is "revealed" rather than logically proved, and the principal infatuations of

today revolve around the social sciences, those subjects which can accommodate any opinion and about which the most reckless conjecture cannot be discredited.

Education is being redefined at the demand of the uneducated to suit the ideas of the uneducated. The student now goes to college to proclaim rather than to learn. The lessons of the past are ignored and obliterated in a contemporary antagonism known as the generation gap. A spirit of national masochism prevails, encouraged by an effete corps of impudent snobs who characterize themselves as intellectuals.

It is in this setting of dangerous oversimplification that the war in Vietnam achieves its greatest distortion.

The recent Vietnam Moratorium is a reflection of the confusion that exists in America today. Thousands of well motivated young people, conditioned since childhood to respond to great emotional appeals, saw fit to demonstrate for peace. Most did not stop to consider that the leaders of the Moratorium had billed it as a massive public outpouring of sentiment against the foreign policy of the President of the United States. Most did not care to be reminded that the leaders of the Moratorium refused to disassociate themselves from the objective enunciated by the enemy in Hanoi.

If the Moratorium had any use whatever, it served as an emotional purgative for those who feel the need to cleanse themselves of their lack of ability to offer a constructive solution to the problem.

Unfortunately, we have not seen the end. The hard-core dissidents and professional anarchists within the so-called "peace movement" will continue to exacerbate the situation. November 15 is already planned—wilder, more violent, and equally barren of constructive result.

Is all this justified? Are we imperialist war mongers? Let's look for a moment at the President's policy in Vietnam in the light of political and military conditions as they were and as they are today.

The situation as of January 20, 1969:

MILITARY CONDITIONS

The number of U.S. troops to Vietnam was still increasing (When the men on their way there on January 20 finally arrived, it reached an all-time high level in February.) We appeared still to be seeking a military solution.

Military operations were characterized by maximum military pressure on the enemy, through emphasis on offensive operations.

Progress in strengthening the South Vietnam army was slow; resources being devoted to this effort did not receive high priority.

POLITICAL CONDITIONS

We found only a general and vague set of proposals for political settlement of the war. While they called for "self-determination," they provided no specific program for achieving it.

Mutual withdrawal of forces was provided for under the Manila Declaration, which envisioned that the Allied withdrawal would be completed within six months of the withdrawal of North Vietnamese forces and the subsiding of the level of violence.

The situation today:

MILITARY CONDITIONS

We have instituted a Vietnamization program which envisages South Vietnamese responsibility for all aspects of the war—coping with both Viet Cong insurgency and regular North Vietnamese forces—even if we cannot make progress in the political negotiations.

We have offered the withdrawal of U.S. and Allied forces over a 12 month period, if North Vietnamese forces also withdraw.

We have declared that we would retain no military bases.

We have begun to reduce our presence in South Vietnam by setting in motion the re-

placement of over 60,000 U.S. troops (12% of total troops, or 20% of combat troops.) This is a meaningful act of de-escalation.

We have emphasized to our military commanders the requirement that losses be held to an absolute minimum, consistent with their mission to protect Allied forces and the civilian population. (Casualties in the first nine months of the Administration are one-third less than during the comparable period last year.)

POLITICAL CONDITIONS

For the first time, concrete and comprehensive political proposals for the settlement of the war have been made:

We have proposed free elections organized by joint commissions under international supervision.

We and the government of South Vietnam have announced that we are prepared to accept any political outcome which is arrived at through free elections.

We have offered to negotiate supervised ceasefires under international supervision to facilitate the process of withdrawal.

We have expressed willingness to discuss the 10-point program of the other side, together with plans put forward by the other parties.

In short, the only item which has not been declared negotiable is the right of the people of South Vietnam to determine their future, free of outside interference.

PROGRESS MADE TO DATE IN VIETNAM

The enemy was unable to launch the summer offensive which everyone had predicted.

The infiltration rate is down by $\frac{3}{4}$ (which means that the possibility of an offensive this fall has receded).

Casualties for the first nine months of this year are down $\frac{1}{2}$ compared with the comparable period last year.

The South Vietnamese army is larger, stronger and more well-equipped.

The influence of the government of South Vietnam has expanded substantially throughout the countryside and the government has made significant progress in coping with its domestic problems.

Let us turn for a moment to a legitimate complaint of our young people—the draft.

The draft, at best, is a necessary evil—one that President Nixon wants to do away with as soon as possible. But while the draft is still necessary, our government has a moral obligation to make it as fair and as reasonable as possible. Our failure to do so mocks the ideals we profess so often.

What is it that makes our draft system so unfair and unreasonable?

Essentially, there are two problems: first—the present system creates for our young men a long period of draft vulnerability, one which begins at age 19 and stretches for seven long years—unless the young man is drafted sooner. During this time, his educational plans, his career, even his decisions concerning marriage and family are distorted by his inability to predict the impact of the draft. All of this constitutes a terrible pressure, a dark shadow which falls across the lives of young Americans at the very time when they should be greeting the opportunities of adulthood with the greatest sense of excitement and adventure.

Prolonged uncertainty is one problem with the draft. Unfair selection is a second. Though all are technically vulnerable to the draft, those who are able to go on to college and then into certain graduate programs or occupations are often able to escape induction. In short, the current draft system creates frustration and mocks justice; it is both unfair and unreasonable.

This is not my opinion alone. It is widely shared—by members of all age groups in all parts of the country. Two panels composed of distinguished citizens—one headed by General Mark Clark and one headed by Mr.

Burke Marshall—have reached the same conclusion in recent years. So have the reports of both the House and Senate Armed Services Committees and so have many leaders of both parties in the House and Senate.

Months ago President Nixon took the lead in the battle to reform the draft. On May 13, 1969, he sent a message to the Congress in which he asked that body to reduce the period of prime vulnerability from seven years to one and to institute a fair, random selection system. Under this arrangement, everyone would be eligible for the draft at age nineteen and would be randomly assigned a place in the order of call at that time. He would remain in a condition of prime eligibility for 12 months. If he were not drafted in that time, he would move into less vulnerable categories. Those who chose to take a deferment at age nineteen, to go on to college, for example, would do so knowing where they fell in that order of call and could plan their lives accordingly. They would then spend their year in the prime vulnerability group at the time they left school.

Few of the President's statements have brought more favorable reaction than his suggestions for reforming the draft. Despite the widespread dissatisfaction with the draft and despite the widespread praise which greeted the President's message—the Congress waited until this week to act. The House Armed Services Committee unanimously has reported the bill favorably, and early House action is expected. Senate action will depend on prompt attention by Senator Stennis' Committee.

As Secretary Laird recently explained, all that is necessary is that one sentence be changed in the current draft law, a sentence introduced as a last minute afterthought back in 1967. This single sentence now prevents the President from switching to the random selection process. It is true that the President could reduce the seven-year period to one year on his own; in fact, the President has indicated that he might take this step unilaterally even if Congress does not act. But he would much prefer to take the two steps together—and that means Congress must cooperate.

Why does he prefer both steps at once? If the President should go ahead and reduce the period of prime vulnerability to one year without Congressional cooperation, a strange thing would happen. The law would still require that the *oldest* nineteen year olds be drafted first—which could mean, for example, that everyone born in January and February might be drafted every year, while everyone born in November and December might regularly go unaffected. If Congress lets him, the President would avoid that systematic inequity by scrambling the 365 days of the year and rearranging them each year in a different order. Then everyone whose birthday was drawn first would be called first, and those whose birthdays were drawn last would be called last. This is clearly the fairest system.

Certainly this is the time for the people to join the President in making their desires felt. For if reform is frustrated, it will be a defeat not only for the President, but also for the Democratic process. Above all, it will be a defeat for the principles of reason and justice which we value so highly in this country, principles which we preach with great ardor to our young people, but which we have not yet achieved in our selective service legislation.

Among the inaccurate tirades against the present foreign policy of the United States is an oft repeated allegation that we are mostly at fault for the strategic arms race with Russia.

If we examine the record of the past few years, it is quite clear that the United States has exercised considerable restraint in its

strategic weapons programs, probably more than was prudent.

We built up to a force of about 1,000 ICBM's by mid-1967 and held it there;

We began building the last of our 41 ballistic missile submarines in 1965 and we have built none since;

Even though President Kennedy was being pressed to deploy an ABM as early as 1961, the U.S. refrained from a decision to deploy the ABM until 1967. Moreover, it was decided to modify the previous Administration's ABM system to emphasize further that the U.S. deployment was not intended to be provocative;

We have stretched out a decision to deploy a new manned bomber for nearly a decade.

The Soviet Union's record should be judged against this background of U.S. restraint.

The Soviets have already deployed 64 ABM's, and they are pursuing an active ABM development program; they have more ABM's today than we will have by 1974;

Their recent SS-9 tests with multiple warheads suggest that they are also pursuing a MIRV development program, a development which is of grave concern to us;

They have several ICBM's in development and production and have overcome our lead in deployed ICBM's already this year they have started construction on upwards of 100 new ICBM's; and they show no signs of slackening off;

They are continuing to build and deploy ballistic missile submarines and test new missiles for them;

They are continuing to build up their air defense systems;

They are developing mobile missile systems.

In summary, they are active across the board in developing and deploying strategic systems.

Interest in arms control cannot be one sided. It takes two sides to have a competition. I believe our record is clearly one of restraint. Moreover, since this Administration took office, we have studied in detail every aspect of limiting strategic weapons.

For example, for many weeks we have had a panel of experts examining in depth the possibilities and pitfalls in limiting the development and deployment of MIRV's.

We have had another panel doing a detailed study of U.S. intelligence capabilities and our ability to verify compliance with an arms control agreement.

These studies have shown that clear cut-off points are very difficult to establish. For example, it would not be enough simply to ban MIRV testing in order to stop MIRV deployment. We would have to have collateral restrictions on the testing of most space and weapons systems involving multiple or maneuvering objects in order to have confidence that MIRV deployment was in fact banned. This makes a unilateral moratorium very risky.

Complex questions such as these will not be resolved overnight. We look forward to discussing strategic arms limitation issues with the Soviet Union. Until such discussions clearly demonstrate a mutual concern in restraining the strategic arms competition, we believe we must pursue a course of action that preserves our security against the threats we continue to face.

We gain nothing, and the prospects for successful negotiations are not advanced one iota, by restraint which is not reciprocated. Why should the Soviet Union bargain seriously with us if they can have what they want without paying any price whatever? We would be playing Russian roulette with U.S. security if we failed to take the minimum essential steps to maintain our security.

Finally, we are beset with the accusation that this Administration is insensitive to domestic needs; that we are not spending enough on the problems of the poor; and

that we, in fact, do not have a domestic program.

The decisions and actions of this Administration, since it came to office on January 20th, have been conditioned by the economic environment that we inherited. By Inauguration Day, 1969, the Federal government had run for eight years an unbroken string of budget deficits that added more than \$78 billion to the Federal debt. The impact of these deficits on the national economy was far reaching.

By this past January, price inflation had been generated and propelled to the point where the cost of living was surging upward at a rate of five per cent a year. These price increases, coupled with tax increases, meant that the average American workingman had made no gain at all in real income in more than three years. For those below the national average—the Americans who live on pensions or fixed income—these three years had been even more difficult. These Americans were worse off economically in terms of real income in January of 1969 than they had been in December of 1965—despite the growth in the economy.

The imperatives of this economic situation dictated to a great extent our legislative and administrative priorities.

We made initial cuts of some \$4 billion in the proposed 1970 fiscal year budget. Later, we made additional cuts of more than \$3 billion to hold to our spending ceiling of \$192.9 billion for this fiscal year. A short tight leash on Federal spending is the most effective means of controlling inflation—we shall continue to use it.

We recommended an orderly phase-out of the surtax at the full ten per cent for the second half of 1969 and at five per cent for the first six months of calendar year 1970. Congress has so far only granted the first and most vital part of this request. We ordered a cutback of 75 per cent in all Federal construction; we have asked the states to cut back construction as much as they can; we have followed the restrained and responsible monetary policy which our precarious economic situation requires.

While controversial and unpopular in the short run to many Americans, these measures are essential to the long-run stability and security of the economy on which the well-being of both the public sector and the private sector ultimately depend.

Even with a tight budget leaving little room for fiscal maneuver, we have come forward with legislative initiatives that break new ground in half a dozen areas, that entail historic reform in others, and that will enable us to test a philosophy of government that rejects the old centralism that guided Federal policy most of the past four decades.

Among our recommendations to this first session of the Ninety-First Congress are:

1. The most extensive overhaul of the welfare system since the beginning of the New Deal.
2. The beginning of an historic redistribution of power from the national capital to the state capitals and city halls through a sharing of Federal income tax revenues with the states.
3. The first major reform of the Federal Tax Code in 50 years.
4. The first major reform of Selective Service System since conscription became a permanent feature of American life in 1948.
5. A major attack on organized crime and the narcotics traffic.
6. A concerted national effort to eliminate the vestiges of hunger and malnutrition from our national life.
7. Replacement of the 189 year old United States Post Office Department with a government-owned corporation operating on business principles rather than political patronage.

8. The most extensive Federal commitment to mass transit and aviation in history.

Taken together, these recommendations represent our best judgment as to the priority of the competing and legitimate claims on the Federal government. This is our assessment of where existing Federal resources can best be distributed for the good of the entire country. If our diplomatic policies can produce an honorable peace in Asia and our economic policies can halt inflation in the economy, we shall be able to take up at once other urgent needs of our people.

Great patriots of past generations would find it difficult to believe that Americans would ever doubt the validity of America's resolve to protect free men from totalitarian attack. Yet today, we see those among us who prefer to side with an enemy aggressor rather than stand by this free nation. We see others who are short-sighted enough to believe that we need not protect ourselves from attack by governments that depend upon force to control their people—governments which came into being through force alone and continued to exist by force alone.

I do not want to see this nation spend one dollar more on defense than is absolutely necessary, but I would hate to see this nation spend one dollar less on defense than is absolutely necessary. Until the principle of open representative government exists among all nations, the United States must not abandon its moral obligation to protect by any means necessary the freedoms so hard won by the 400,000 Americans who made the ultimate sacrifice in dedicated belief that some things are more precious than life itself.

THE PRESIDENCY AND THE POPULAR WILL

Mr. McGEE. Mr. President, there has been considerable debate concerning the impact of last week's Vietnam moratorium, particularly as it is or is not reflected by the President of the United States. There should be more attention to the question of whether or not the Chief Executive should be influenced by the demonstrations in the street.

Happily, the question has not been ignored. The Washington Sunday Star of October 19, in its lead editorial, dealt at some length with the question of the Presidency and the popular will, and did so without questioning the impressive and unique demonstration which occurred last Wednesday. Yet, as the Star points out, the leaders of the moratorium, and all who participated for that matter, I would add, enjoy a high degree of irresponsibility in that they are not answerable for the consequences of the policies they espouse. The President most assuredly is, and he is answerable to all the people.

To follow the dictates of the moratorium committee would be to shift the decisionmaking process from elected officials to the street. Our leaders, elected by all the people, are charged with the decisionmaking process. That is what American democracy is all about. As the Star editorial puts it:

The people have the right to vote. They have the right—perhaps the obligation—to make their opinions known to their government through free speech, peaceful assembly and petitions for redress of grievances. But they have no right to dictate specific policy decisions from the street.

No one in a position of responsibility can remain totally unaffected by a mass demonstration such as we witnessed last week. But the recognition of an expression of this sort is far removed from the abdication of presidential responsibility, and that is what the more militant of the demonstrators seek, apparently.

Mr. President, because of its careful and intelligent discussion of this vital question, I commend the Star's editorial to all and ask unanimous consent that it be printed in the RECORD.

THE MORATORIUM AND THE PRESIDENT

Mr. DOLE. Mr. President, all Americans, whether in or out of public life, are reflecting on the meaning, effects, and influences of the Vietnam moratorium last Wednesday. Most would agree that it was a significant event. Much has been devoted to the manifestation of the popular will which the President is bound to heed. I, for one, do not find this point of view to be consistent with my understanding of the system of government established by the Constitution. This great document assures the people a firm and decisive voice in the affairs of government, but the voice is to be articulated in the voting booth not in the street.

Mr. President, the lead editorial of the Washington Sunday Star is most cogent and well reasoned in its assessment of the moratorium. I join the Senator from Wyoming in asking unanimous consent that it be printed in the RECORD.

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

[From the Washington (D.C.) Sunday Star, Oct. 19, 1969]

THE PRESIDENCY AND THE POPULAR WILL

Last week's Vietnam Moratorium has been generally hailed as a success. The exact turnout will never be known, but no one would question the fact that it was an impressive and unique demonstration of disapproval of a uniquely unpopular war.

Now that the day has passed, the focus of attention shifts from the streets to the White House. How should the President, the official charged with the ultimate responsibility for the conduct of American foreign policy, react to this tangible evidence of the public will?

For the leaders of the Moratorium, the answer is simple. He should do as he is told. He should order an immediate cease-fire—whether or not the enemy responds in kind. He should assemble all available means of transport and he should evacuate all United States military personnel just as quickly as possible.

Their enthusiasm is understandable. A degree of irresponsibility is one of the several glories of youth. But the cry for instant presidential response is not limited to the campus. It has been taken up by a surprising number of senators, representatives, assorted local politicians and professors. It has been echoed by a number of editorialists, columnists and news interpreters.

The Moratorium, so the reasoning goes, proves that the Nixon administration is out of step with the people. Such a massive manifestation of discontent should shift the decision-making process from the elected officials to the street. Isn't that what democracy is all about?

There is, to be sure, such a definition of democracy. It can mean the direct and leaderless rule of the people. But the word also

applies to a system of government in which carefully defined powers are vested in agents chosen by the people in free elections. And that is what American democracy is all about.

Such a formula does not deny the right of the people to assemble, to march, to protest, to speak and to demonstrate for or against any cause they care about. Nor does it mean that the elected agents should be unmindful of such demonstrations.

No one in any way responsible for the future of the United States could truly remain totally unaffected by any mass demonstration. As a political animal—and one who presumably has some interest in personal political survival—President Nixon has to consider every manifestation of public will.

But a recognition of the trends of public opinion is far removed from the abdication of presidential responsibility that is being demanded. The former is a proper application of practical politics. The latter is an open invitation to chaos.

To begin with, the people of the United States do not speak with a single voice. They never have. And as long as the human mind continues to function, they never will. The Moratorium was a case in point. It was a generalized statement of public discontent. But on the question of specifically how and when the United States should extricate itself, opinions spanned the spectrum from the hope for a swift Viet Cong victory to demand for precisely what is happening: A phased withdrawal timed to the ability of South Vietnam to fend for itself politically and militarily.

But let us, for the sake of argument, assume that the demonstrators did speak with a single voice. Let us also increase all published estimates of the total turnout and say that an even million marchers turned out to demand immediate and total withdrawal from Vietnam. Should the President discard his own views and accept this mandate from the people?

If he should do so, what would become of the rights of the remaining 199 million Americans? The majority of those of voting age elected a president to fulfill his constitutional function. They did not go to the ballot box to name an observer of street demonstrations or an interpreter of public opinion polls.

The framers of the constitution and those who have refined it through the years were quite specific in defining the powers, duties and rights of the different branches of government. And the rights of the people under that government are also carefully set forth.

The people have the right to vote. They have the right—perhaps the obligation—to make their opinions known to their government through free speech, peaceful assembly and petitions for redress of grievances. But they have no right to dictate specific policy decisions from the street.

This is no abridgement of freedom or dilution of the democratic process. It is a practical recognition of the fact that the elected officials—and the president in particular—have a different view of the nation than the man in the street can possibly have. The president's special interest is the welfare of the United States. He cannot become obsessed with the pursuit of a single objective. He must consider every proposed action in the light of its total consequence. And in reaching his decisions, the president has available to him information that must exceed that of the best informed citizen.

This was the case in the infancy of the nation. It applies a thousandfold to the infinitely complex world today.

President Nixon has made it clear enough that he does not intend to turn aside from his obligation to frame foreign policy and to turn that function over to the Moratorium committee. He has said it in his press conference statement. He has repeated it in his

reasoned letter of reply to the student who protested Mr. Nixon's press conference remark. But the matter does not end there.

The promise is for increasing pressure, in the form of future mass demonstrations, to force the President to capitulate. The chances are that the moratoriums planned for November and December will prove, in terms of numbers, something of an anticlimax. But it is not unlikely that they will make up in intensity and violence what they will lack in size.

Regardless of the nature or the size of the protest, Mr. Nixon, from all available evidence, will continue to follow the policies that he determines to be in the best present and future interests of the United States. But there is danger that the notion of immediate popular authority, which is being thoughtlessly touted today, will gain such currency that some future chief executive will feel compelled to disregard his constitutional obligations and to turn the decisionmaking process over to that multivoiced, semi-informed, whimsical and indecipherable entity called public opinion.

Presidents can be wrong. That's why protesters, commentators, editorialists and voters were born. The means to correct the problem of human frailty or errors of judgment in high places is indeed vested in the citizens. But the proper exercise of that power is not the bullet, not the brickbat, not the dictatorship of the people.

It is the vote.

SAN FRANCISCO SCHOOLS AND SAN FRANCISCO EXAMINER SUPPORT S. 2625

Mr. MURPHY. Mr. President, on July 15, I introduced the Urban and Rural Education Act of 1969. The San Francisco Examiner, in an editorial, commented on the statement I made when introducing the measure. I ask unanimous consent that this editorial be printed in the RECORD.

In addition, I received a letter of endorsement from Superintendent Robert E. Jenkins of the San Francisco Unified School District. The superintendent said that he was "in complete agreement with the suggestions" incorporated in the Urban and Rural Education Act of 1969. I ask unanimous consent that the superintendent's letter also be printed in the RECORD.

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

[From the San Francisco Examiner, Aug. 3, 1969]

THE NEW PATTERN OF SCHOOL NEEDS

Senator George Murphy has put his finger on some of the stark facts of education today in seeking added federal help for schools—rural and urban—with concentrations of disadvantaged pupils. It would amount to \$220 million, not much but a start.

He said in a Senate speech, "In our nation's 15 largest cities, the school dropout rate varies from a high of 46.6 percent to a low of 21.4 percent. In three schools in a predominantly Negro area of Los Angeles two-thirds of the students drop out before completing high school."

As for rural areas, "Approximately 415,000 children of migrant parents have been estimated not to attend school on a regular basis . . . There are still about 10,000 one-room schools in this country."

Obviously the money should be put where the need lies. Unfortunately it is not going there now because of antiquated distribution

formulas. Alan K. Campbell pointed out in the Saturday Review earlier this year that "The tax base in large cities has not kept pace with the most recent growth and changing nature of the school population in the cities."

The tax base of impoverished rural areas is equally distressing.

Although the central city once generated ample school funds as compared with the suburbs, that situation no longer holds. Murphy told the Senate, "By 1965 in the 37 largest metropolitan areas the average per pupil expenditure was \$449 for the central city and \$573 for the suburbs. All indications are that this expenditure gap is growing dramatically."

That certainly applies to California, as Gov. Reagan recognized in a report to the people last May: "Elementary school district expenditures range from as little as \$289 per student per year to \$2662." Anyone who calls this "equalization" needs to review grade school arithmetic and develop a sense of proportion.

Federal and state funds must be channeled into those school districts where the demand is for special educational means that cost money in terms of materials and teacher strength. We are glad to hear that point driven home so eloquently by Sen. Murphy on the floor of the Senate.

SAN FRANCISCO UNIFIED SCHOOL DISTRICT, OFFICE OF THE SUPERINTENDENT,

San Francisco, Calif., September 10, 1969.
Hon. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MURPHY: I have just completed reading the text of the Congressional Record for Tuesday, July 15, 1969. It was very interesting to see how closely our thinking is related to the whole matter of urban education and possible solutions.

I am in complete agreement with the suggestions which are made by you in your introduction to the Urban and Rural Education Act of 1969.

I am sure that you are aware that not only in our city, but throughout the State of California, the present Title I ESEA funds are being used as suggested in your Bill. The major problem, however, is that adequate funds have not been provided by Congress to follow through on the fine suggestions which have been made.

I hope that you will seek the support of other Congressional members so that your ideas can become reality. I shall call this to the attention of other school people to encourage their support of your action.

Sincerely,

ROBERT E. JENKINS,
Superintendent of Schools

PROPOSED REPEAL OF EMERGENCY DETENTION PROVISION OF INTERNAL SECURITY ACT OF 1950

Mr. INOUE. Mr. President, earlier this year I introduced with 26 cosponsors, S. 1872, a measure to repeal the emergency detention provision of the Internal Security Act of 1950.

I have been pleased and heartened by the number of people throughout the Nation who have expressed to me their support for the proposed legislation. As a sample of the widespread support for S. 1872, I have received resolutions from the following organizations urging that the emergency detention provision be repealed: Board of Supervisors of County of Los Angeles; Monterey Park City Council; Salt Lake City branch of NAACP; Federated Auxiliaries of the

International Longshoremen's & Warehousemen's Union; Office & Professional Employees Union, Local 29, Oakland, Calif.; Salt Lake chapter of the Spanish Speaking Organization for Community, Integrity and Opportunity.

I ask unanimous consent that text of these resolutions be printed in the RECORD.

Further, I have received reports that the administration is prepared to oppose the repeal of this law; however, despite repeated inquiries, the administration has not responded to my request and the request of a number of other House Members for a report or a position on this legislation. Therefore, I again urge that early hearings be scheduled on S. 1872.

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

RESOLUTION BY THE BOARD OF SUPERVISORS, COUNTY OF LOS ANGELES

Whereas, with knowledge of the experience of Japanese-American citizens in emergency detention, we recognize the danger of Subtitle II of the Internal Security Act of 1950 (Emergency Detention Act), to the civil rights of all Americans, and

Whereas, American citizens of all nationalities regret that said part of our recent history, and

Whereas, the Emergency Detention Act provides that, during periods of "internal security emergency," any person who *probably* will engage in, or *probably* will conspire with others to "engage in, acts of espionage or sabotage" can be incarcerated in detention camps, and

Whereas, a person detained under the Emergency Detention Act will not be brought to trial under law, but instead will be judged by a Preliminary Hearing Officer and a Detention Review Board, wherein the detainee must prove his innocence, but the government is not required to disclose evidence or produce witnesses to justify the detention, and

Whereas, said procedures violate all constitutional guarantees and protections and are unnecessary, as existing laws and procedures are available and are completely adequate to safeguard internal security.

Now therefore be it resolved that this Board hereby expresses its opposition to Subtitle II of the Internal Security Act of 1950 (Emergency Detention Act), and,

Be it further resolved that this Board's position be made known to all members of the Congressional Delegation from the Los Angeles area, with a request that they exert their influence to bring about repeal of the Emergency Detention Act.

RESOLUTION 7384

A resolution of the City Council of the city of Monterey Park recommending the repeal of subtitle II of the Internal Security Act of 1950, adopted on June 10, 1969

The City Council of the city of Monterey Park does resolve:

Whereas, the existence of Title II of the Internal Security Act of 1950 (Emergency Detention Act) provides that, "the Attorney General may apprehend and detain any person who *probably* will engage in, or *probably* will conspire with others to engage in, acts of sabotage or espionage," and

Whereas, a person who is detained under the Emergency Detention Act is denied his rights to due process of trial under law; and

Whereas, there exist more effective laws and procedures to safeguard internal security.

Now, therefore, be it resolved that the City Council of the City of Monterey Park requests

the Congress to repeal Sub-Title II of the Internal Security Act of 1950.

The City Clerk shall certify to the adoption of this Resolution and is hereby directed to send a copy thereof to Senator Daniel Inouye, Senate Office Building, Washington, D.C.

Adopted and approved this 22d day of September, 1969.

KENNY GRIBBLE,

Mayor of the City of Monterey Park, Calif.

Attest:

Laura Lee McMILLEN,
City Clerk.

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Monterey Park at a regular meeting held on the 22d day of September, 1969, by the following vote of the Council:

Ayes: Councilmen: Karnos, Kreger, Erambert and Gribble.

Noes: Councilmen: None.

Absent: Councilmen: Lewis.

Laura Lee McMILLEN,
City Clerk of the City of Monterey Park, Calif.

A RESOLUTION PASSED UNANIMOUSLY BY THE SALT LAKE BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE—NAACP

Whereas, the NAACP is long familiar with the tyranny that exists where the rights of man and due process of law do not, and

Whereas, the NAACP has long fought to establish the right of all persons to receive their fullest constitutional protection under law, and

Whereas, the arrest and detention of persons in places of confinement solely on the grounds of suspicion and belief without due process of law and without having been convicted of a crime by a jury of their peers is contrary to the beliefs of and abhorrent to the members of the NAACP, and

Whereas, there now exists under the provisions of Public Law 831, 81st Congress; Title II, Section 102, 103, 104 (The Emergency Detention Act of 1950, the possibility of just such arrest of persons and their confinement in detention camps, such camps having already been built, without conviction for crime or due process of law, and

Whereas, Senator Daniel K. Inouye and 22 co-sponsors have introduced Senate Bill 1872 in the United States Senate and Congressman Spark M. Matsunaga and Chet Holifield have sponsored H.R. 11825 in the United States House of Representatives for the purpose of repealing the Emergency Detention Act of 1950.

Therefore, the Salt Lake Branch of the NAACP unanimously resolves to give its wholehearted support to repeal of the Emergency Detention Act of 1950 and urges Senator Wallace F. Bennett, Senator Frank E. Moss, Congressman Lawrence Burton and Congressman Sherman P. Lloyd to work for and to vote for the repeal of an act so contrary to American belief in freedom and justice, and

Further resolves that a copy of this resolution be sent to each Utah Senator and Congressman, and to Senator Daniel K. Inouye and Congressman Spark M. Matsunaga and Chet Holifield to show our support for the repeal of the Emergency Detention Act of 1950, and further that a copy be sent to the Salt Lake Branch of the Japanese American Citizens League that they may know we have committed ourselves to the campaign for repeal.

INTERNATIONAL LONGSHOREMEN'S AND WAREHOUSEMEN'S UNION, FEDERATED AUXILIARIES—RESOLUTION TO REPEAL TITLE II OF THE McCARRAN ACT

Whereas: The Internal Security (McCarran) Act of 1950 was enacted in the McCarthy era, over the veto of President Truman, who

declared "the act would strike blows at our liberties"; and

Whereas: The International Longshoremen's and Warehousemen's Union (ILWU) Federated Auxiliaries has consistently opposed this Act; and

Whereas: Title II of the Act, known as "The Emergency Detention Act" gives power to the President or his agent to detain persons "if there is reasonable ground to believe that such person will engage in or probably will with others engage in acts of espionage or sabotage"; and

Whereas: A person so detained will not be brought to trial, but must prove his innocence before a Hearing Officer. However the government is Not required to disclose or produce witnesses to justify the detention; and

Whereas: With the knowledge of the experience of the more than 110,000 citizens and non-citizens of Japanese ancestry (men, women and children) who were incarcerated, in 1942, in 10 concentration camps without hearing or due process of law because of racism and war hysteria; and

Whereas: In a May 1968 report, the House Un-American Activities Committee recommended use of Title II to detain in concentration camps, militant black leaders; and

Whereas: Senator Daniel Inouye of Hawaii, at the behest of the National Japanese Citizens League (JACL) Committee To Repeal Title II, has introduced Senate Bill #1872 to repeal the Emergency Detention Act, and 23 senators are cosponsors; and

Whereas: It has been and is the consistent policy of the ILWU Federated Auxiliaries to defend and protect constitutional rights and principles of democracy and to fight racism;

Therefore Be It Resolved: That the 14th BIENNIAL CONVENTION of the ILWU Federated Auxiliaries, assembled in Seattle, Washington this 18th day of June, 1969 while re-affirming our opposition to the entire McCarran Internal Security Act of 1950, hereby goes on record to support passage of S. 1872, and

Be it further resolved: That S. 1872 be considered and enacted as separate legislation and not attached to any pending and/or contemplated legislation; that copies of this resolution be sent to all ILWU Auxiliaries for action: that we take appropriate steps to have the various State Legislatures, in which we have auxiliaries, to pass resolutions to memorialize Congress for "DO PASS S. 1872"; to have Brother Al Lannon, ILWU Washington represent us at any hearings that may come up on this issue before Congress; and request Brother Lannon to take proper steps to have our resolution made a part of the Congressional Record; that we reach as many other Women's organizations as possible; to pass similar resolutions and finally that copies of this resolution be sent to Senator Inouye; to The Senate Committee on Judiciary and to the Press.

Adopted by ILWU Federated Auxiliaries 14th Biennial Convention Seattle, Wash., June 18th, 1969.

VALERIE TAYLOR,
President.
NORMA WYATT,
Secretary.

RESOLUTION TO REPEAL TITLE II OF INTERNAL SECURITY ACT BY PASSAGE OF SENATE BILL 1872 AND HOUSE RESOLUTION 11825

Whereas: The Internal Security (McCarran) Act of 1950 was enacted in the McCarthy era, over the veto of President Truman, who declared "the Act would strike blows at our liberties"; and

Whereas: Title II of the Act, known as "The Emergency Detention Act" gives power to the President or his agent to detain persons "if there is reasonable ground to believe

that such person will engage in or probably will with others engage in acts of espionage or sabotage"; and

Whereas: A person so detained will not be brought to trial, but must prove his innocence before a Hearing Officer, however the government is NOT required to disclose or produce witnesses to justify the detention; and

Whereas: With the knowledge of the experience of the more than 110,000 citizens and non-citizens of Japanese ancestry, who were incarcerated, in 1942, in 10 concentration camps without hearing or due process of law because of racism and war hysteria; and

Whereas: Senator Daniel Inouye of Hawaii, at the behest of the National Japanese American Citizens League (JACL) Committee To Repeal Title II, has introduced Senate Bill #1872 to repeal the Emergency Detention Act, and 23 Senators, including Alan Cranston and George Murphy, are cosponsors; and

Therefore be it resolved that Local 29, Office and Professional Employees Union, AFL-CIO go on record to support passage of SB 1872 which eliminates Title II—the Emergency Detention Section; and

Be it further resolved that we make public this action through every means at our command; and

Be it further resolved that copies of this resolution be sent to the Senate Committee on Judiciary and Senators Inouye, Cranston and Murphy; and

Be it further resolved, that the Senate consider SB 1872 and enact as separate legislation and not attached to pending and/or contemplated legislation; and

Be it finally resolved that similar resolution be sent by our Local on HR 11825, similar legislation introduced by Congressmen Matsunaga, Hollifield and many other Congressmen.

RESOLUTION PASSED UNANIMOUSLY BY THE SALT LAKE CHAPTER OF THE SPANISH-SPEAKING ORGANIZATION FOR COMMUNITY INTEGRITY AND OPPORTUNITY—SOCIO

Whereas, it is one of the goals of SOCIO to promote the dignity, integrity and freedom of all persons, and

Whereas, the arrest and detention of persons in places of confinement on the basis of suspicion and belief without due process of law and conviction for crime by a jury of their peers is contrary to the beliefs of and abhorrent to the members of SOCIO, and

Whereas, there now exists under the provisions of Public Law 831, 81 of Congress, Title II, Section 102, 103, 104. (The Emergency Detention Act of 1950) the possibility of just such arrest of persons and their confinement in detention camps, such camps having already been built, without conviction for crime or due process of law, and

Whereas, Senator Daniel K. Inouye and 22 co-sponsors have introduced Senate Bill 1872 in the United States Senate and Congressmen Spark M. Matsunaga and Chet Hollifield have sponsored H.R. 11825 in the United States House of Representatives for the purpose of repealing the Emergency Detention Act of 1950,

Therefore, the Salt Lake Chapter of SOCIO unanimously resolves to give its wholehearted support to repeal of the Emergency Detention Act of 1950 and urges Senator Wallace F. Bennett, Senator Frank E. Moss, Congressman Lawrence Burton and Congressman Sherman P. Lloyd to work for and to vote for the repeal of an act so contrary to American belief in freedom and justice, and

Further resolves that a copy of this resolution be sent to each Utah Senator and Congressman, and to Senator Daniel K. Inouye and Congressmen Spark M. Matsunaga and Chet Hollifield to show our support for the repeal of the Emergency Detention Act of

1950, and further that a copy be sent to the Salt Lake Chapter of the Japanese American Citizens League that they may know we have committed ourselves to the campaign for repeal.

A TRIBUTE TO ROLLA A. CLYMER, OF EL DORADO, KANS.

Mr. PEARSON. Mr. President, as a part of its Media Appreciation Day activities Wichita State University proclaimed October 4 as Rolla A. Clymer Day.

Rolla Clymer is the editor of the El Dorado Times and I know of no other editor more deserving of this tribute. Rolla has been a towering figure in Kansas journalism and the affairs of the State for half a century. He has contributed greatly to the quality of Kansas journalism. The community of El Dorado and the State as a whole are better off because of Rolla Clymer. And through his liting prose we have come to see and more keenly appreciate the enduring beauty of the magnificent Kansas Flint Hills.

Mr. President, it was quite appropriate that Clyde Reed, editor and publisher of the Parsons Sun and a distinguished editor in his own right, delivered the principal tribute to Mr. Clymer.

His words are a fitting tribute to this great and beloved Kansan and I ask unanimous consent that Mr. Reed's statement be printed in the RECORD.

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

STATEMENT OF CLYDE M. REED

This university has chosen wisely today to cite Rolla A. Clymer of El Dorado for his contributions to Kansas, to Kansas journalism, to Wichita State itself.

Wisely, because no man is more deserving of the honor, this towering figure of Kansas life for a full 50 years, this master craftsman of the editorial sanctum, this beloved friend of countless Kansans from the lowliest stations to the highest callings within the borders of our glorious commonwealth.

It is a painful but nevertheless necessary duty to issue a warning at the outset of these meager and wholly inadequate remarks about Rolla Clymer. The first rule of journalism, to be objective, will be discarded forthwith. For how can you be objective about this man? Certainly not one who has looked to him for 25 years as a father confessor, who has been given a helping hand over life's rough spots, who has been the beneficiary of encouragement which somehow and unfailingly balances the scales leaning heavily if momentarily in the direction of despair or distress.

There is temptation to call our noble friend the "dean of Kansas journalism." But that doesn't fit. The term "dean" denotes a bit of stuffiness, if one dares to say so here in the midst of ivy and academic tassels.

No one ever has accused Rolla Clymer of being stuffy. No one ever will. That would be slander. He is everything else but. He has spent his life sticking needles into pomposity, deflating the unduly inflated, reducing the self-exalted to earthly and humble measurements.

He is honored here today as the senior practicing editor of his state, not in years alone but in the beauty, the sparkle and the wisdom which have poured forth from his typewriter in prodigious, delightful volume for half a century.

Many, if not most, of his contemporaries in his salad days of Kansas journalism long since have written their "30's" and departed

for that Valhalla reserved for editors who in mystical fashion have met the weekly payroll, survived the ire of subscribers, dodged the withering wrath of vengeful politicians and yet produced the unsurpassed wit and wisdom found only in newspaper editorial columns.

"Our friend Clymer," as his late and dearly departed comrade, F. W. Brinkerhoff of Pittsburgh, used to call him, has done all of that and more, for he has weathered hell on earth in these recent months in the form of cruel physical adversity and today stands taller than ever in the eyes of his friends and as the editor of the El Dorado Times, the title which fits him best.

The same Rolla Clymer. Who else?

The rollicking Rolla Clymer who wet nurses and hand feeds a diverse stable of mischievous characters in his column of pungent paragraphs quoted so widely. Ham Berger, a thinly-veiled facsimile of the editor himself who gardens ardently and keeps a running score on the natural enemies nailed in defense of this year's radish crop. Or Ham Berger who visits full fury on those who peddle or eat onions and garlic, commodities he considers relentless foes of man's digestive processes and inner serenity, and whose growers are but lickspittles for the producers of assorted breath sweeteners hawked as the saviors of young love via the video tube.

There's Lem Lump, the town ne'er do well who has weightless opinions on all the weighty subjects of the day. There's Old Nosy, the coyote friend from the Hills who keeps the editor informed of happenings seen through carnivorous eyes, intelligence hot off the Bluestem.

The same Rolla Clymer. Who else?

Editorialist Clymer whose genius in words is unsurpassed in Kansas, past or present, only by that of his teacher and early confidant, the late William Allen White of Emporia.

Editorials in the Times are and have been for many years the standards by which all other journalistic output is judged. The style, the rhythm, the vocabulary, not to mention the content, are the products of a master and a perfectionist.

They are at once penetrating and indignant, kindly and humorous, not to mention condemning and forgiving, for Rolla Clymer is a true artist of words and moods as he sits at his easel, the typewriter, and daily composes the editorial canvas which has brought him lasting notice and a succession of recognition and honors.

But it is for his readers he writes. That is the important and only genuine purpose of the editorial.

First and foremost Rolla Clymer knows his town and his people. He has labored in it and among them for half a century, through days of boom and depression, in years that have been alternately rewarding and trying. But always the focus is on El Dorado and El Doradoans.

The late Jack Harris of the Hutchinson News once wrote that if you have to die some time, a reasonable assumption, the best place in Kansas to depart this earth is El Dorado for there are published editorial obituaries without parallel. They are knowingly and tenderly written about the lives and contributions of deceased townsmen, the little people and the leaders alike. The true Clymer touch probably is never better reduced to words than in this exercise of pure human love for fellow man.

Forgiving is this man, too. He can belt in stinging terms the pratfalls from grace of fellow editors, candidates, or occasionally a combination of both, who are so unknowing and undiscerning as to advocate a severance tax on oil and gas production for the enrichment of the public treasury and the greater enlightenment of the state. But mercy breaks through by the time the last pain of the lashes has disappeared although certain

posterior tenderness may still be in evidence. All is right again with the world.

And indignant as well this fellow Clymer can be when the occasion arises.

There was the day that an edition of a northeast Kansas paper was unwrapped on the Times' exchange table and perused by the probing eyes of our El Dorado friend.

A young colleague, with far more courage than wisdom but perhaps pushed for column material on a dull day, had discoursed on the "knobby-kneed steers" which were said to inhabit what were pictured as the rather commonplace Flint Hills.

The reaction was as instantaneous as it was violent. The Clymer typewriter became Mount Vesuvius. Angry smoke belched forth in far greater volume than Gary, Indiana, has ever known. Molten lava rushed northward in torrents reminiscent of the black Friday of 1951 on the overburdened rivers of Kansas. The heavens shook. The hapless young man, so perfidiously attacking the Big Beef Steer which abounds in the Kingdom of Butler, and the Hills whose praises Rolla Clymer has sung in memorable prose, was blistered and scorched. He was left to stew in his own juices along the Missouri River mud flats whose detractions from the Kansas landscape were enumerated regularly with clymerian relish in ensuing issues of the Times.

The Hills. The Flint Hills. They have been Rolla Clymer's love ever since he set foot in El Dorado early in 1918, and even before. He has put their virtues into words which promise to live as long as the Hills themselves. He writes gracefully of the unfolding, unending miracles of their changing seasons. They sleep, they wake, they flower into supernal glory, they fade—and then they sleep again.

No one knows the Hills better or cherishes them with more soul-felt affection. None is able to speak of their June loveliness in such eloquence, or with more feeling about the twilight of November "when the light lingers briefly before bidding a reluctant farewell to this ancient land of beauty."

Rolla Clymer, the poet laureate of the Hills, a designation richly earned and beyond challenge—an added dimension of a gifted editor.

The El Dorado Times has been the paper that Rolla Clymer has wanted it to be, for he was fortunate not only to have his own ambitions and ideas but also to have been provided a blueprint by his mentor, "Father" White, soon after he left the office of the Emporia Gazette and the bustle and excitement that marked it as the shrine of small town journalism in America.

The young editor, tried and tested in the mysteries of newspaperdom from hand-blistering operations of the Washington hand press to the marvels of Mergenthaler to the precarious balancing of front office books, moved to El Dorado.

Today it is less than an hour's piece down the Kansas Turnpike from Emporia. In 1918 it may have seemed half a continent away to a youthful mind bent upon a newspaper of its own at last.

Soon followed the gospel from "Father" White. On March 29, 1918 he wrote to his protegee embarking upon uncertain seas in what then was a competitive town.

"Of course," advised the Emporia editor, "the first job of the newspaper is to print the news, but on the other hand after you have piled your paper full of names, you must have a policy, and I should say that policy should be the material and spiritual improvement of all El Dorado, and do not forget that the spiritual improvement stands for dozens of things."

Young Clymer was informed that "you may have to tear up your city printing contract, but do it. And you may have to tear up your county printing contract, but do it, and do it in a cold-blooded way. You will find that the confidence of the community in the paper's integrity is worth three times as

much as the contracts which you lose. And you will only lose those contracts temporarily, for when your integrity is established, they will come back, and then they will stay with you. A newspaper's good name is its chief asset, it brings not only circulation but power and prosperity. There isn't anything else in the newspaper business as sacred as that axiom. . . ."

And it is on that axiom that the El Dorado Times has functioned and flourished for five decades under the firm, inspired hand of our friend. Rolla Clymer never forgot that advice.

All the while the Clymer dedication to Kansas, his native state, has been total and unbroken. His first brush with printer's ink came in Miltonvale, as the young son of a Presbyterian minister. High school and after-hours newspapering continued in Quenemo, nestled along what Fred Brinkerhoff termed the "uncertain banks of the classic Marais des Cygnes." Then college at the College of Emporia and later at the University of Kansas, a four-year turn on a Democratic weekly—Democratic, it is emphasized—in Olathe, on to Emporia and ultimately El Dorado.

This is a day for Rolla Clymer and for journalism. A recitation of his busy outside life as a citizen, a community and state leader and a doer of all good things in any event is too well known to be enlarged upon here. Suffice to say it is as broad as it is productive. Failure is a stranger in that roll call of accomplishments. Not a total stranger, for he did serve as a Republican presidential elector in 1936, but nevertheless a force most conspicuous by its absence.

Here we gather to honor him, this remarkable and indestructible soul, and honor him we do, glorying in the successes and renown which have been his, but above all, the rich and wonderful friendships with him that stretch over the years in endless directions.

As a younger friend, chosen as I was to deliver the message to Clymer upon this occasion, I hope you will forgive a personal note. But to me, and I hope to you, it expresses simply and movingly what all of us have in our hearts at this moment.

I called our mutual friend, Jim Pearson, in Washington one day late in the summer of 1968 to break the sad news of impending events in Rochester, Minnesota.

There was silence at the senatorial end of the line and then these poignant words:

"Thank God, they can't take his typewriter away from him."

Thank God, indeed.

IMPLEMENTATION OF HUMAN TREATIES

Mr. PROXMIRE. Mr. President, last week I spoke of the report recently published on the treaty making power of the United States in human rights matters. This report, prepared by the Special Committee of Lawyers of the President's Commission for the Observance of Human Rights Year 1968, presents a detailed argument for the ratification of the three human rights conventions covering genocide, forced labor, and the political rights of women. The report analyzes the two principal problems surrounding implementation:

For the United States, problems of implementing human rights treaties have two dimensions: the nature of the implementation procedure proved for in treaties themselves and the built in implementation procedure peculiar to the United States arising out of the fact that its treaties are the supreme law of the land.

The report outlines three procedures for implementing human rights treaties:

judicial proceedings, conciliation, and Government reporting. Judicial proceedings are undertaken by the International Court of Justice at the request of a government and are binding on the government requesting the proceedings. In the United States, this procedure is limited to commitments where the Court's jurisdiction does not extend to "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States as determined by the United States."

The second method for implementing human rights treaties is the use of conciliation procedures. These have recently been established by two effective instruments, the protocol to the UNESCO Conventions Against Discrimination, and the Convention on Elimination of All Forms of Racial Discrimination. In each case special committees have been set up which are ready to handle individual complaints. They make suggestions and recommendations which are then summarized in a final annual report.

Government reporting is used to keep members of the Committee of Experts on the Application of Conventions and Recommendations abreast of Government efforts to implement ratified conventions. The committee then uses these reports to make suggestions to the General Assembly on better implementation and enforcement methods.

Mr. President, these three implementation methods, judicial proceedings, conciliation, and Government reporting insure that once the conventions are ratified, adequate implementation procedures will be available. The time for action by the Senate on these three conventions is long overdue. The enforcement procedures are ready for use. Senate action is needed now.

Mr. President, I wish also to clarify one point. I have spoken about the report prepared by the Special Committee of Lawyers of the President's Commission for the Observance of Human Rights Year 1968. In earlier remarks I referred to this Committee as being appointed by President Johnson. The President's Commission for the Observance of Human Rights Year 1968 was appointed by President Johnson who in turn appointed the able and distinguished W. Averell Harriman as Chairman of the Commission. Mr. Harriman in turn appointed the Special Committee of Lawyers of the President's Commission for the Observance of Human Rights Year which was headed by former Supreme Court Justice Tom Clark.

THE MILITARY-INDUSTRIAL COMPLEX: A PERSPECTIVE

Mr. GOLDWATER. Mr. President, since the 91st Congress convened last January, we have heard and read literally thousands of words on the general subject of the so-called military-industrial complex. However, I do not believe that anyone has presented this subject in its true perspective any better than did Eugene M. Zuckert, former Secretary of the Air Force, in a recent speech before the Defense and Contract Pro-

urement Administration Conference in Detroit, Mich.

Mr. Zuckert, who has a long experience in Government circles closely associated with the Defense Department, makes an especially important point concerning the critics of the military-industrial complex. He put it this way:

You are all familiar with the government's long-established policy against undue concentration of economic power in our corporations and you are seeing the grim spectre raised of undue power in the military-industrial complex.

But I have heard no such hue and cry raised against the undue concentration of propaganda power that results from the ideological interlock among our Liberal mass news media and certain faculty members of our universities, and the editors of most journals of opinion.

Yet all too often, in the name of free expression and academic freedom, we find this great concentration of propaganda power attempting to preempt the functioning of the Presidency and the Congress in the field of foreign policy.

Mr. President, we have recently seen a typical example of propaganda power in connection with the recent Vietnam moratorium.

I ask unanimous consent that the full text of Mr. Zuckert's remarks be printed in the RECORD.

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

THE MILITARY-INDUSTRIAL COMPLEX: A PERSPECTIVE

(By Eugene M. Zuckert, former Secretary of the Air Force)

For twenty-five years I worked in a variety of capacities to help build a proper and productive relationship between government and industry—a relationship necessary to meet the needs of our national defense. Today I am saddened. That relationship has been misunderstood, has been criticized, has been denigrated, and the term "military-industrial complex" has been used as a mark of opprobrium. This has been true even though it took the same skills and the same resources of the very same complex to produce the much-applauded Apollo 11.

How and why has this come about?

What I hope to do this evening is to give you some views, based on my own experience, what I believe lies behind the public controversy which now pours more heat than light on the problems of our national defense and defense establishment.

I am proud of the Defense Establishment of today, that I have had some share in building it to its present level of effectiveness. But, at the same time, I am not blind to the faults, the failings and the built-in inefficiencies that one can find in the Defense Establishment or in any huge organization, particularly one which does not have to sell its products to the public to stay in business.

I have spent good part of a lifetime looking for those faults and for ways to correct them. I only wish that the current critics of the Defense Establishment were looking sincerely for genuine faults and positive corrections. But basically, that is not at all what the most vocal of the critics are after.

What is the thread of the allegations against the military and its supporting industry? It goes far beyond a concern for the proper level of military expenditures. There is an underlying charge that a conspiracy exists among our military and the defense industry that results in wasteful spending for arms with consequent profits to industry and an inordinately swollen military pos-

ture. For that running start, the charges fan out and derive nourishment from sensationalized treatment of a variety of examples of mistakes and inefficiencies, real or alleged.

At the same time, a whole host of newly qualified military experts spring up on all sides; there is a startling discovery that the military has run wild because of perfunctory scrutiny of the defense budget. That is particularly ironical to me because I recall the vigorous McNamara budget process. The fashionable criticism in those days was that our military suffered an excess of civilian control with a resulting downgrading of experienced military judgment.

It is my considered judgment that the current furor over the military industrial complex is really an attack on an unpopular war. Wasn't it Arnold Toynbee, the great historian, who said that war weariness is a most useful tool for dictators and demagogues? The critics of the Vietnam war have been raging on the Potomac since 1965, and they are not likely to subside soon. The professors, politicians and pundits who are already in the fray are enjoying it immensely, and they have friends who also are bound to claim "a piece of the action."

There is a long list of things which the storm over the military industrial complex is not:

It is *not*—as advertised—a Great Debate over American Defense and Foreign Policy. A Great Debate, in my opinion, is desperately needed. But this isn't it.

It is *not*—as some claim—a popular uprising against militarism and procurement hanky-panky in the Pentagon. Waste there is and always will be. But these critics are opposed to the Defense Establishment no matter how well run.

Nor is it—as claimed—a "concerned dialogue" over national priorities. How can you have a "dialogue" on whether we should have obsolete weapons systems or higher vertical slums? The two serious problems deserve serious attention, not rhetorical flim-flam.

What we're experiencing is not even a rational discussion of the weapons systems our current national defense posture requires. One cannot find in all the arguments an effort to define our needs and then measure the Defense Establishment against the requirements.

Superficially, the controversy over the military-industrial complex might seem to arise from any or all of these issues, depending on what syndicated column or Washington newsletter you read.

But don't you believe it. All the sloganeering just doesn't add up: How we must reassess our national priorities by cutting back our defense expenditures; how we have to get the military under civilian control; how we are headed down the road to militarism and fascism.

The controversy over the military industrial complex is the same tired old combination of *unilateral disarmament* and pious hopes that we have seen played on the Washington circuit off and on for well over a quarter of a century! The young ones don't know it, and the old ones too often have forgotten, but we've seen and heard it all before.

To be sure the format has been updated. Now it's a kind of ideological Western. The military industrial complex is cast in the role of the bad guys. Forty years ago it was the "Merchants of Death"—but the plot was the same.

All reasonable persons can applaud conscientious dispassionate inquiry into and search for evidence of stupidity, incompetence, favoritism and waste in military procurement. Responding to such inquiries is a legitimate part of the job for the uniformed and civilian Defense leaders who must defend their management before Congress.

The cost of the C5A transport or blunders

on the Cheyenne helicopter and the effectiveness of the supertank—these are all appropriate subjects for Congressional investigation by the able committees charged with that responsibility.

But what I regard as dangerous and illegitimate is the highly organized and furiously pressed propaganda assault on our defense institutions disguised as a selfless effort by "concerned" intellectuals to save the nation from takeover by an alleged combination of defense industry profiteers and a war-minded military.

There are some who may say this merely is symptomatic of the malaise of our times—part of the current attack on so many of our established traditions and institutions. There are some who will insist that a better-educated and more enlightened populace has finally risen in righteous wrath and indignation against a longtime evil.

Actually, however, the scenario is old hat. It was first staged in the early '30s by a curious combination of far-out Liberal intellectuals and a group of Republican isolationist Senators of that era. The isolationist Senators just did not want the United States in any more European wars. Some of the involved intellectuals believed that the French and British were about to join with Hitler in common cause against Russian communism. But whatever the motivations, and they were mixed, everybody in the combination wanted to make sure that Wall Street and the munitions-makers of World War I were blamed for whatever past, present or future problems could be claimed.

So what played the Washington circuit then was a truly memorable extravaganza. A Senate Committee (to become famous as the Nye Committee) set out to investigate the relationship between Wall Street and American War profiteers and munition-makers who stood accused of having dragged the United States into World War I. The production played to standing room only. It received tremendous publicity and developed a new "devil image" for Wall Street and American Big Business, the evil.

Congress rushed to pass the Neutrality Act of 1935. Free from the machination of the Merchants of Death we were all, presumably, safe.

Sure we were—until the roof caved in on us at Pearl Harbor.

Today, many of the players are different. But the arch-villain is the same—something called this time the military industrial complex.

But what the nation could endure in the peaceful, nonnuclear '30s becomes an irrational luxury in the nuclear, cold war '60s. We can see the danger now that a colossal demonstration of pacifist sentiment may well lead to hasty and ill-advised actions designed to fetter our defense establishment and impair our defense posture. This, in turn, could be misread as a sign of our weakness, and it could trigger the very confrontation that the anti-military group presumably wants to avoid.

Does this sound far-fetched? I don't think so. Let's look at what happened in the '40s, the '50s, as a result of so-called "popular demand":

Remember the frantic demobilization of our fighting forces and the defense industry we had built to meet the needs of World War II? We paid heavily for that spasmodic reflex to strident, fomented hysteria. I had a ringside seat at the anti-military fights that went on before, during and after that struggle. (I was then Special Assistant to Stuart Symington, Assistant Secretary of War for Air.) The critics hastily cut the armed forces and just as hastily rebuilt them for Korea.

In 1949 I watched the late Defense Secretary, Louis Johnson—acting under Presidential orders to economize—cut the military budget to the bone. That was the year when

Russia developed her own A-bomb, on which we were supposed to have a monopoly for at least twenty years.

It took the communist invasion of Korea in 1950 to teach us the hard way that the ill-considered demobilization and disarmament after World War II was a disaster never again to be invited.

That's when we started, painfully and expensively, to rebuild the defense establishment we had deliberately and ruthlessly wrecked.

The furious controversy over our development of nuclear and thermonuclear weapons compounded the difficulties of recapturing and rebuilding our initiative in nuclear technology. This was brought home to me when I served as an Atomic Energy Commission member from 1952 to 1954.

I went back to the Pentagon in January of 1961 as Secretary of the Air Force under a truly great Secretary of Defense—Robert S. McNamara. During that tour of duty, in the Administrations of Presidents Kennedy and Johnson, I saw the Defense Establishment revitalized in muscle and posture.

There was a sharp break with former Treasury Secretary Humphrey's insistence that a balanced national budget must be accorded priority over the requirements of national security.

A defense policy based on the Dulles doctrine of massive retaliation was replaced with President Kennedy's posture of "flexible response" to aggression.

He made a unique contribution of great permanent significance in substantially improving the quality of information that forms the basis of the decision process in the Pentagon.

And probably most important, Secretary McNamara made giant strides toward the nation's goal of actually unifying the missions of our armed forces which the Unification Act, as amended in 1958, called for.

Secretary McNamara put together a defense establishment under civilian control of which the nation can be proud. And he established the elements of the sound and proper relationship between our military leadership and the nation's defense industry which I devoutly hope will endure in the years ahead.

This is only part of what is being threatened today.

In Vietnam our soldiers fight in a war that could well be won for the enemy on the propaganda front at home. Right here.

In the new concept of revolutionary warfare—between an open society like ours and the closed systems of Russia, China and North Vietnam—our public opinion environment becomes the decisive battleground. Both Ho Chi Minh and General Giap have repeatedly declared that the propaganda front of American public opinion will be the theater of the final and decisive communist victory in the Vietnam War. You may be sure they have taken great care to secure Hanoi's homefront against the kind of disruptive tactics which are a daily occurrence here.

In North Vietnam, offenses such as "disrupting public order," speaking against the war, staging student demonstrations or "undermining the solidarity of the people" draw penalties ranging up to life imprisonment and death.

None of us would want to see any of our freedoms so constrained. We must use self-restraint as we exercise our hard-won rights of free speech. And we must face realities. We must understand that a major war goal for Ho Chi Minh and General Giap is a psychological one—the dramatic and enduring humiliation of the United States with a significant influence on the shadow and substance of American power, particularly in Asia.

For the President (any President) and the Senate (any Senate) Vietnam presents

an issue of American foreign policy which will not be solved simply by bringing our troops home in a blind rush.

Vietnam is a test of the Truman Doctrine, established in 1947 by a Democratic President with the solid approval of the Republican 80th Congress. A defeat for the policy in Vietnam will invite similar challenges elsewhere.

These are strange times indeed. The Democratic Party seems to be abandoning the Truman Doctrine. The stance of many of its leaders in the fight against deployment of an ABM carried overtones of a reversion to the Dulles policy of "massive retaliation." Some of the Liberal intellectual rhetoric sounds like an echo of the old arch-conservative rallying cry of "Fortress America."

I don't get it.

One thing I do get. Inevitably and unavoidably, in the absence of clearly defined policies or clairvoyance of the future, the military establishment must plan to fight almost every kind of war that could be thrust upon us.

Another anomaly. So many ardent supporters of the late President Kennedy are now enthusiastic participants in the campaign against the Vietnam War and the off-shoot crusade against the military industrial complex. Have they forgotten the words of President Kennedy in his Inaugural Address? He said:

"We dare not tempt them with weakness. For only when our arms are sufficient beyond doubt can we be certain beyond doubt that they will never be employed."

I haven't forgotten.

You are familiar with the government's long-established policy against undue concentration of economic power in our giant corporations and you are seeing the grim spectre raised of undue power in the military industrial complex.

But I have heard no such hue and cry raised against the undue concentration of propaganda power that results from the ideological interlock among our Liberal mass news media and certain faculty members of our universities, and the editors of most journals of opinion.

Yet all too often, in the name of free expression and academic freedom, we find this great concentration of propaganda power attempting to preempt the functioning of the Presidency and the Congress in the field of foreign policy.

Just as the interpreters of the Constitution have concluded that the economic freedom guaranteed to us does not include the power to monopolize or near-monopolize to the detriment of all of us, so I believe that the freedom of speech guaranteed to us by the Constitution does not intend that any group of like-thinkers should spawn a complex of Propaganda power—a complex so potent in our kind of society today, that it makes the economic weight of the military and industry seem puny by comparison.

As a lawyer and a Liberal Democrat I am dedicated to the principle of free speech. As a longtime public servant I've taken the oath to support and protect the Constitution of the United States which guarantees that freedom. But I've also had some responsibility for the preservation of the security of this country and for equipping our young people for modern warfare and assigning them, men and arms, to battle in far-flung places.

Small wonder then that I cannot accept that "anything goes" under the banner of free speech and academic freedom.

In an age of instant and all-pervasive mass communications a pressure-group democracy such as ours should not, dare not, permit the exercise of a form of monopoly propaganda power over the public dissemination of information.

Since 1959, the propaganda power con-

glomerate has accomplished much. Anderosity. In the early '30s we as a country tried to be decent to Stalinist Russia at a time when many other leading nations wouldn't recognize the Communist government. We helped defend the Soviet Union during World War II when we could have stood back and watched the Nazis and Communists chew each other to bits. We gave the Soviet Union a free hand in Eastern Europe. We offered to share our nuclear secrets with her.

It has pre-empted the Constitutional role of the President as the nation's voice in its foreign affairs. Challenged and influenced by indirection the President's powers and responsibilities as Commander-in-Chief. Systematically eroded the nation's will to defend its interests and its capability to wage modern warfare. Convinced our enemies as well as our allies that our Constitutional anarchy is an open invitation to calculated aggression or institutional subversion.

We have seen an effective, powerful and liberal President practically driven from office, the Truman Doctrine discredited as a basic American bipartisan policy, the credibility of the Kennedy doctrine of flexible response to communist-supported "wars of national liberation" undermined.

And once again we have a defense establishment with morale impaired, its competence, integrity and effectiveness challenged.

There are those who profess to believe that it is the government, particularly the Defense Department, which is trying to monopolize public information. Persons who believe this do not understand the real world of information. A government can only make information available to the news media. It cannot hide information. There are no secrets from a hard-working press. The government, day-in-day-out cannot even communicate directly with the public. It must do so through privately owned news media which transmit the information or ignore it or reshape it as it sees fit. In our society, the government cannot monopolize information; only a combination of news media can do that.

I base my opposition to the concentration of information power on the danger it poses in our kind of open society, but I also would like to point out that the record of the people who enjoy this great power today is very poor on the basic foreign-policy challenge of this century. Our great problem is to survive with our free institutions in the face of a Communist movement that wants to change our institutions. It has been well demonstrated that alert and firm American leaders can check the Communist, but it also has been well demonstrated that too many of the persons who dominate the information media today are neither alert nor firm. To put it bluntly, they are stary-eyed in a world that is tough and realistic about power.

I believe that with strength and skill we can indeed negate the aggressive Communist power and gradually arrive at live-and-let-live agreements so indispensable in a world of nuclear weapons. But it won't be easy and it won't be quick. And it won't come at all if we follow the lead of the writers, the professors and the politicians who seek us to disarm, be sweet, hope for the best.

What these people are really doing is assuring us that they can predict the future and that the future will pose no problems to us that cannot be handled with good will. No problems in our hemisphere, no problems in Europe or Africa or Asia which will threaten our interests and which cannot be handled with clever phrases.

That's just not the real world. The institutions of enlightened societies are all too often changed by the physical power of some group of men of ill-will. Often the power need not even be used. Its existence, its implied threat of use, can change the governments of other countries.

There is nothing in the record of the Communist countries to indicate that they are ready to bubble over with good will if only we will disarm ourselves and talk to them nicely.

The historic fact is that we have treated the Soviet Union with considerable gen-

undecared wars in which the propaganda front is as vital as the military front. But these struggles constitute a fact of life in our times. Perhaps (when American Forces are actively engaged in some undeclared conflict) it might be possible to have, say, a "State of Belligerency" proclaimed. When our men are asked to risk their lives on a foreign field of battle, can the rules at home be the same as in peacetime?

4. *Should there be a ceiling on the Defense Budget?* There may be ways of stabilizing the Defense budget. There is merit in the idea that the President place his prestige behind a determination that there be allocated a certain percentage of the Gross National Product to national defense under conditions of "normalcy." In conditions short of formally declared war or a Special State (such as Belligerency) the percentage of GNP could then more likely be held firm, regardless of what political party may be in office.

5. *Why not periodic review of our Commitments and Contingency Plans?* Some steps are already being undertaken by a subcommittee of the Senate Foreign Relations Committee under Senator Stuart Symington. It is a highly constructive idea, long overdue, and it can produce reasoned, dispassionate conclusions. After all, the level of our Defense expenditures is based primarily on the number and nature of our foreign commitments—not on the pie-in-the-sky desires of the generals and admirals.

6. *Why should not concerted effort be made to improve the military reality and thereby the Military Image?* Technology has changed the face of war. Propaganda has created a new dimension of war in a clash between our open society and a closed system. Our Armed Services should be encouraged to modernize their philosophy, doctrine and education curricula.

Perhaps impartial civilian review of procurement policies and practices on a periodic basis under any Administration would be a step forward in this direction. But, more important, starting with the Service Academies, the military services must make concerted effort to build leaders with an understanding of the separate and combined roles of all the Armed Services. The ability to communicate modern military values to men under their command should be encouraged and nurtured as an essential of military leadership.

7. *Rapport between the Business Community and the Intellectual Community.* In what remains of the century there will be a reengineering of the nation's social, economic, educational, military and political institutions. Industry—the productive core of the "complex" we've been talking about—must help solve the problem of achieving equitable distribution of abundance while preserving basic free institutions.

Like industry, our intellectual community is indispensable to this effect. There ought to be a cease-fire in the cold war between the intellectuals and business which has been going on for much too long. Each needs the other in the common cause.

I could go on, but these few agenda items will show that there is real need for a concerned public discussion.

Because this is a world where widespread unrest and conflict are manifest against the background of the unsolved and growing problems of nuclear weapons, I close with a note of warning sounded by the late President Kennedy in his first State of the Union Message. Listen:

"I speak today in an hour of national peril and national opportunity. Before my term has ended we shall have to test anew whether a nation organized and governed such as

1 This subject was considered in detail in my Stanford Business Conference speech of February, 1967.

ours can endure. The outcome is by no means certain."

That test of our survival is now upon us.

GUN CONTROLS WORK

Mr. TYDINGS. Mr. President, before, during, and after the enactment of the gun control bill in 1968, critics have persistently claimed that gun-control measures would have little or no effect upon crime. Proponents of these bills, on the other hand, have repeatedly pointed out that gun controls will provide a significant aid in the deterrence and apprehension of criminals.

Most gun-control laws are new; our Federal law is barely a year old. The empirical evidence is not finally proven either side correct yet. But there are strong indications, mostly from the result of local laws, that gun-control measures do have a significant impact upon the level of crime.

Last week's Wall Street Journal reported one such instance of the effectiveness of gun laws. Toledo, Ohio, enacted a gun ordinance in 1968 and violent crimes dropped 31.5 percent from the first half of 1968. Meanwhile the national violent crime average rose 9 percent. Here is what the Chief of Police in Toledo says:

The sale of cheap guns is down to nothing. The punk who walks down the street, buys a gun, and knocks off a gas station—that's all been eliminated.

The mayor of Toledo agrees—he credits a general police and court crackdown also, but adds:

You just know that the unavailability of guns has got to be a big factor.

Other cities are following Toledo's example: Wichita, Los Angeles, Dayton, Cleveland, Baltimore, and Cincinnati. I think the evidence is pretty clear: gun controls work.

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:

CURBING FIREARMS: VIOLENT CRIMES DROP IN TOLEDO AFTER IT GETS LAW CONTROLLING GUNS—TOTAL OFF 31.5 PERCENT IN FIRST HALF—RESULTS LESS ENCOURAGING IN OTHER CITIES WITH CURBS—CHEAP PISTOLS SALES SLASHED

(By Jerry Landauer)

TOLEDO.—This city of 400,000 on the western tip of Lake Erie was once known as the gun capital of the Midwest. Firearms of all kinds could be bought at jewelry stores, gasoline stations and pawn shops. Gun dealers hawking pistols for as little as \$4.95 vied for choice locations along roads leading in from Detroit, where controls were stricter. The crime rate soared.

The state legislature declined to restrict the trafficking in lethal weapons despite repeated appeals from Toledo officials. So in August 1968, the city council enacted an ordinance aimed especially at the sale of "Saturday-night specials"—cheap guns touted by holdup men to terrorize merchants on busy weekends. The ordinance prohibits anybody in the city from keeping or obtaining a pistol, revolver or other handgun without a license from the police.

At the time, few law officers believed the ordinance would reverse the city's mounting crime rate; unlicensed residents can still buy outside the city limits. But whether because

of the gun-control law or because of other anticrime measures or even mere chance, crime is abating here while still surging higher in most cities.

DRAMATIC STATISTICS

This development shows up most dramatically in statistics released late last month by the FBI. For the nation, the violent crimes of rape, murder, robbery and aggravated assault—armed or otherwise—rose 9% in the first six months of 1969 from the like period last year. But in Toledo these violent crimes dropped 31.5% from the first half of 1968. "We're the only major city which shows such a dramatic decrease," exults John J. Burkhardt, the city's chief counsel.

Indeed, crime in most other cities that have adopted gun controls, such as Washington, D.C., continues to move up pretty much in step with the national pattern. "Even if firearms were totally eliminated," contends a gun-control foe, "other weapons would be substituted."

However, crimes committed with a gun in Philadelphia have dropped since that city adopted a licensing law in 1965, even though the law exempts firearms owned at the time. In New York, Mayor John Lindsay credits gun laws with keeping murder rates low; despite its rising crime, New York often ranks lowest among the 10 largest U.S. cities in number of homicides per 100,000 population.

But Toledo's experience is unique. It may be traceable in part to special restrictions on gun dealers as well as owners, to a tough, well-publicized court crackdown on violators of the control law and to other city efforts against crime.

CRIME CATEGORIES ANALYZED

Whatever other factors may enter in, gun-control advocates insist that a close look at developments in major crime categories here supports their case:

In the year before the ordinance was adopted, Toledo's police counted 422 aggravated assaults, with guns and without; these include shootings, stabbings and other attacks intended to maim or kill. In the year after enactment, the number of such attacks dipped 9% to 385. But the assaults with guns dropped much more steeply—from 152 to 83, or 45%.

In the year before the ordinance, 36 people were murdered, 22 by handguns; in the following year, murders totaled 14, of which eight were by gun. (Because murders with other weapons dropped at roughly the same rate as murders with guns, it's possible that some factor other than the control law may be at work.)

Robberies both armed and unarmed dropped from 1,188 in the year before gun control to 798 in the next year, a decline of 33%. But gun robberies dropped even more sharply—from 350 to 160, or 54%.

RIFLE GROUP'S VIEW

Statistics can be tricky, of course. Woodson D. Scott, a New York attorney who is president of the National Rifle Association, an opponent of most gun control, says: "The statistics only prove that the statistics are down. In terms of cause and effect, it doesn't prove a thing."

The unexpected crime statistics have sent city counsel Burkhardt scrambling to recheck them. "I've gone over every possible angle to see whether there might have been a mistake. I can't find any," he reports.

"I'm as much puzzled as anybody," Mr. Burkhardt adds, noting that Toledo enacted its ordinance primarily to persuade the legislature that gun controls can be imposed with little inconvenience and minimum intrusion on citizens' rights. "It was really an effort to sell the General Assembly," says the city counsel. "I didn't think we'd be able to make an impact on crime in less than three or four years."

His caution in checking and interpreting the statistics arises partly from the gun law's relatively lenient licensing standards. Unlike New York's Sullivan Law, the Toledo plan doesn't require residents to show good cause for possessing a gun. Instead, the police must issue a numbered "handgun owner's identification card" costing \$3 and good for three years to all applicants except fugitives, minors under 21, certified mental cases, narcotics addicts, habitual drunks or people who have been convicted twice in the past year of crimes involving the use or threat of force.

So far the police have issued 16,000 ID cards; roughly 100 applications have been rejected. It also seems likely that some people have been deterred from buying guns because, for various reasons, they did not want to apply to the police for a license.

Police Chief Anthony Bosch reports the law has had a harsh effect on gun dealers who formerly sold to almost any cash customer. One such dealer ran Toledo's biggest gun store in a seedy neighborhood on Jackson Street just five minutes from Interstate Route 75 linking Toledo and Detroit. In one nine-month period, his register rang up sales of 16,000 guns, including 5,500 to residents of Michigan who couldn't legally buy at home without a police permit (the revolver used in the highly publicized 1966 synagog slaying of Detroit Rabbi Morris Adler came from Toledo). But now, along with perhaps half the other gun outlets in town, the big store stands abandoned.

Besides the Toledo gun law's licensing provision, it requires detailed monthly gun sales reports to the Toledo police. It also prohibits selling to out-of-towners who aren't armed with authorization from their local police chief or sheriff.

SEVERE SENTENCES

"The sale of cheap guns is down to nothing," Chief Bosch says. "The punk who walks down the street, buys a gun and knocks off a gas station—that's all been eliminated."

In municipal court, Judge George M. Glaser says severe sentencing of violators may be another reason for the gun law's apparent effectiveness. Already, court records show, city judges have packed 37 people off to jail (the average is 90 days), mainly for possessing a gun without a license. In addition, judges have imposed 27 fines ranging from \$25 to \$1,000.

"The word is out that you can't just carry a gun around here without doing days in the workhouse," says Chief Counsel Burkhardt, praising newspapers, radio and television for publicizing the court crackdown.

(In contrast to Toledo, crime-ridden Washington can impose penalties no harsher than 10 days in jail or a \$30 fine—the maximum allowed by Congress. So far there have been no prosecutions.)

In the mayor's office here, square-jawed ex-Marine William J. Ensign cites other measures that may have helped bring crime down. He points to improved street lighting; an expanded, improved police department; an active program to prevent juvenile crime; an ordinance making it a crime to harass or abuse school children or newsboys; more effective probation and parole procedures, and a 4,000-member citizens group that distributes cards pledging people to cooperate with the police whenever possible.

INQUIRIES FROM OTHER CITIES

Mayor Ensign also feels sure that the gun law helps a lot. "You just know that the unavailability of guns has got to be a big factor," he observes. Officials in other cities think so, too. The drop in crime here is drawing inquiries about the Toledo ordinance from Wichita, Los Angeles, Dayton, Cleveland, Baltimore and Cincinnati.

As these inquiries suggest, the gun-control controversy agitation in Washington and

in state capitals is losing steam. Last year, of course, Congress banned mail-order sales of all firearms across State lines except to licensed dealers and prohibited dealers from selling handguns over the counter to out-of-State customers. One hope was to encourage state and local governments to enact stricter controls.

One Federal official who has urged local authorities to act is FBI Director J. Edgar Hoover. He has said: "I see no great problem to the individual in requiring all guns to be registered, if the owner has nothing to hide and if he is a law-abiding citizen."

But some local policemen oppose municipal gun controls. Deputy Chief Lloyd Forbus of the Columbus, Ohio, police force, for example, asserts that the possible crime-curbing effects of local gun-control laws don't justify violating a cardinal principle of the National Rifle Association—that restrictions should be aimed only at those who misuse firearms. Mr. Forbus is an NRA member and serves as a sales manager for a gun wholesaler in his spare time.

Many hunters, marksmen and gun collectors remain convinced that ordinances such as Toledo's will eventually disarm the law-abiding citizenry.

DR. N. EDD MILLER, PRESIDENT, UNIVERSITY OF NEVADA

Mr. BIBLE. Mr. President, for many years I have been telling everyone who would listen that the young people of Nevada differ somewhat from the accepted image of youth nationwide. It is not that they are necessarily more liberal, or more conservative. They are simply more independent. And they are very special, indeed.

An excellent example was provided late last week when more than 2,000 students at the University of Nevada's Reno campus equipped themselves with bullhorns, picket signs, and fireworks to stage a mass demonstration on the lawn in front of the administration building.

There is nothing unusual about a campus demonstration, but this was different—perhaps even unique—in one respect: the students were demonstrating for the university president.

Dr. N. Edd Miller is one of the West's most respected educators. Since arriving on the Reno campus in 1965, he has earned the respect and admiration of the university for his imaginative, innovative approach to the educative process. And since assuming the presidency last year, he has demonstrated a remarkable ability to lead a large center of learning. He maintains open lines of communication with the student body. He listens well, and he is flexible.

So the students' desire to arrange an appropriate tribute was understandable. But this was no ordinary tribute. A mass rally, involving hundreds of participants, requires detailed organization and planning. Moreover, it was hoped the demonstration would come as a complete surprise to Dr. Miller.

It did indeed, and the result was both spontaneous and heartwarming. Dr. Miller, visibly moved, was treated to a 24-gun salute and a number of testimonial speeches from student leaders. Later, at a luncheon in his honor, he received a plaque and his wife was given a bracelet. Then a police escort took the

couple to the airport to begin a student-paid weekend in San Francisco.

Mr. President, I have never been prouder of my alma mater than when I learned of this splendid tribute to the university's president. The action by the student body represents an example of the high and affectionate regard in which he is held.

Saturday's editions of the Washington Post gave prominent feature to a United Press International story on the testimonial rally. I ask unanimous consent that it be printed in the RECORD.

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

RENO STUDENTS STUN PRESIDENT— DEMONSTRATION IS FOR HIM

RENO, Nev., October 17.—Dr. N. Edd Miller, president of the University of Nevada at Reno, works an 11-hour day that starts at 6:30 a.m.

As he drove to work in the pre-dawn darkness today, he sensed something amiss.

When he reached the main gate of the campus, he saw a crowd of 2,000 students massed on the lawn. They carried bullhorns and picket signs and banged on garbage can lids. Fireworks crackled in the gloom.

In the din Miller heard people cheering. As the crowd surged forward he was able to make out the signs:

"N. Edd Miller Day."

Chanting, "We want Edd," the students took him to the administration building, where he stood blinking back tears while student body president Jim Hardesty said, "We want you to know the appreciation we have for you."

The students had been working in secrecy on "Edd Miller Day" for days.

An ROTC squad fired off a 24-gun salute. A thousand helium-filled balloons sailed into the sky as Miller went to lunch, where he was presented a plaque and his wife was given a bracelet.

Student leaders read dozens of telegrams they had solicited from friends and educators around the country. Harold's Club sent over a cake big enough to serve 400—but it was far too small.

Miller is "a giant of a man to those who know and work with him," the student newspaper, Sagebrush, said in an editorial.

Miller, a 49-year-old former speech professor, came to the Reno campus in 1965 and became president in 1968. He has been a strong supporter of student government, which he feels helps prevent campus turmoil.

After the lunch, a police escort took Miller and his wife to the airport for a student-paid weekend in San Francisco.

"Aside from being married, this is the nicest thing that ever happened to me," he said.

TAX REFORM ACT OF 1969—ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, on Thursday, October 16, the Committee on Finance met in executive session and announced decisions with respect to the portions of the Tax Reform Act of 1969 which revise the tax treatment of financial institutions and which extend the income-tax surcharge at a 5-percent rate through June 30, 1970.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

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

COMMITTEE DECISIONS, TAX REFORM ACT 1969: 5 PERCENT SURTAX EXTENSION—FINANCIAL INSTITUTIONS

The Honorable Russell B. Long (D., La.), Chairman of the Senate Committee on Finance, announced today that the Committee was nearly a full day ahead of schedule in its effort to complete action on the Tax Reform Act of 1969 and ordered the bill reported to the Senate by October 31, 1969. By completing action on the portions of the bill which revise the tax treatment of financial institutions and by acting to extend the income tax surcharge at a 5 percent rate through June 30, 1970, the Chairman observed that some of the most difficult work of the Committee was now done. He expressed confidence that the Committee would finish its work in executive session and order the tax reform legislation reported by the agreed-upon date.

The full description of the Committee's decisions follows:

FIVE-PERCENT SURTAX

The Committee agreed with the House of Representatives and with the administration that the income tax surcharge should be extended for an additional 6-month period—through the first half of 1970—at a 5 percent rate. Provisions to accomplish this result are already contained in the House bill. The extension of this surtax through June 30, 1970 involves \$3.1 billion in additional revenue.

FINANCIAL INSTITUTIONS

The Committee agreed with the House of Representatives that the tax benefits presently available to banks, savings and loan associations and mutual savings banks should be scaled down. However, the Committee concluded that rather than fix permanent rules for the future, as the House bill would do, it would be preferable to scale down the tax advantages in such a way that the matter can be reviewed again in a few years in the light of conditions as they exist at that time.

COMMERCIAL BANKS

Under present law commercial banks are allowed to make tax-deductible additions to bad debt reserves up to 2.4 percent of their outstanding loans. The House bill would have substituted for this bad debt reserve treatment a new system under which future additions would have been based on the bank's actual loss experience calculated over a six-year period. The Committee on Finance decided that in lieu of the approach taken by the House it would be preferable to reduce the 2.4 percent ceiling on bad debt reserves to 1.8 percent. Banks with current reserves in excess of 1.8 percent would begin paying greater taxes in 1970 just as they would have under the House bill.

SAVINGS AND LOAN ASSOCIATIONS; MUTUAL SAVINGS BANKS

The Committee approved the provisions of the House bill repealing the so-called "three percent" method for computing additions to bad debt reserves of mutual thrift institutions.

It also agreed to reduce the special deduction of 60 percent of taxable income (for amounts added to bad debt reserves) to 50 percent over a four-year period. (The House bill would have reduced the 60 percent deduction to 30 percent over a ten-year period.) Under the Committee decision, the 60 percent limitation would be reduced to 57 percent in 1970, 54 percent in 1971, 51 percent in 1972 and finally to 50 percent in 1973.

The Committee also agreed that mutual savings banks and savings and loan associations in the future must allocate their dividend-received deduction between their tax-

able income and their additions to bad debt reserves. This action will reduce the incentive presently available to these institutions to invest in corporate stocks, report only 15 percent of their dividend income for tax purposes (since they are allowed an 85 percent deduction for the dividends they receive) and then deduct the entire amount either as interest paid to depositors or as additions to bad debt reserves.

BONDS HELD BY FINANCIAL INSTITUTIONS

The Committee agreed to the provisions of the House bill which subject the gain realized on the sale of securities held by financial institutions (banks and mutual thrift institutions alike) to ordinary income tax rather than to the more favorable capital gains treatment. Losses on these bonds are presently deductible from ordinary income. However, the Committee provided a special transitional rule under which gain from bonds owned by the institution on July 11, 1969 (the same effective date as provided by the House bill) may continue to receive capital gains treatment if the gain is realized within five years. The House bill would have applied ordinary income tax to gain on bonds disposed of in taxable years beginning after July 11, 1969.

FOREIGN DEPOSITS IN U.S. BANKS

The Committee agreed to the House provision extending until 1975 the period during which foreign persons may deposit non-business funds in U.S. banks without being taxed on the interest earned on these deposits. However, it also approved an amendment limiting the exemption where the foreign person deposits his money in a U.S. branch of a foreign bank to situations where the deposits were not "effectively connected" with a trade or business carried on in the U.S.

YOUTH INVOLVEMENT

Mr. HART. Mr. President, several weeks ago the National Conference on Citizenship held its annual convention at the Mayflower Hotel. Coupled with this conference were Citizenship Day ceremonies on September 17, 1969, honoring the signing of the Constitution on September 17, 1787.

The National Conference on Citizenship was founded in 1946 and chartered by the U.S. Congress in 1953. Among its purposes is to encourage more effective participation in citizenship activities and to promote a spirit of cooperation on the part of all American citizens. It is authorized by its charter to function as a nonpartisan, nonprofit organization for education and patriotic purposes.

It is at present giving major emphasis to the problems of the youth of our country. It is concerned not only because widespread youth unrest often erupts into violence, but also because this youth unrest is a reflection of disillusionment with our society.

During the 3 days of the convention a number of speeches were made that I believe would be of significance to Senators. They include the keynote address by the Honorable Brooks Hays, a former Member of the House of Representatives, and now executive director of National Conference; a luncheon address by Dr. Joseph Douglass, executive director of the 1970 White House Conference on Children and Youth; dinner addresses by Mr. Justice Tom C. Clark, president of the National Conference and by Dr. James E. Allen, Commissioner of Education, and Assistant Secretary for

Health, Education, and Welfare; as well as remarks by the distinguished Senator from Maine (Mr. MUSKIE) who gave the principal address at the Citizenship Day ceremonies on the Washington Monument Grounds. I ask unanimous consent that the speeches be printed in the RECORD.

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

PRODIGAL SONS OR PRODIGAL FATHERS?

(Address by the Honorable Brooks Hays)

Of major concern to most Americans today is the crisis confronting our country about what is commonly referred to as the "generation gap." At a period in our history when we are involved with major difficulties abroad and at home, our young people in many cases seem to feel that their country has either not lived up to its traditions and ethical principles or has not changed rapidly enough to deal effectively with new problems.

As we gather here tonight to undertake the formal opening of our Conference on "Youth Activism," I would like to pay tribute to Judge Carl B. Hyatt who recognized the serious nature of our growing polarization and warmly embraced the increased efforts of our Conference to do something about this polarization. We all mourn the loss of our dear friend but know that he would be delighted at this fine turnout of delegates to continue to work with youth as he so eagerly helped initiate. For it was Judge Hyatt who encouraged us to respond affirmatively to the righteous demands of our young people for reforms in America's society. As his successor, I hope that I can fulfill that promise.

At the National Conference on Citizenship, we have come to recognize that the concept of citizenship has vast and broad connotations. It, of course, means devotion to country and to the preservation of the legal processes of our system. It means welcoming newcomers to our shores and help making citizens of them, and it means urging all citizens to participate in the electoral process. But it also means a great obligation on the part of all citizens to guarantee that every segment of our society, white and black, brown and yellow, men and women, young and old, rich and poor, Protestant, Catholic and Jew, shall have the opportunity to share fully in both the rights and obligations of citizenship. For our democratic way of life cannot survive without ensuring that all of these groups share in the decision-making processes as applied to political, economic and social power.

Our Conference this week is designed to give primary attention to complaints of young people in general and young minority persons in particular that their rights and aspirations have been overlooked in the establishment of national priorities.

America is confronted with a very serious problem of alienation of young people. This alienation affects young people generally, especially college and high school students who oppose the Vietnam war among other things, and minority groups in particular. What we are faced with is the confrontation between the basic requirement for obedience to law for society to survive and moral and ethical considerations which compel young people to challenge what they believe to be unjust laws and to call for immediate change in existing discriminatory patterns.

In the 1960's we have been confronted with a revolt of young people on and off the campus that is a fairly new phenomenon for our country. Until this time, our young people have generally been either submissive or very practical-minded. While generally idealistic, they have not attempted to put their ideals into action. Even in the depths of

depression, very few young people were activists. What has happened with rather remarkable suddenness is a wide-spread refusal on the part of young people to accept the existing pattern of life and thought merely because it exists.

This does not mean that most of our young people are active conscious participants in the revolt. As is always the case, a relatively small minority of the group leads the way. But their leadership affects the destiny of all of those in the group. Even though most young people today are probably not in any overt way giving evidence of rebellion, most of them would likely subscribe to the existence of a special independent outlook and orientation of the youth generation. The present revolt is profoundly affecting the lives of all of them.

Those who are challenging society's conventional wisdom are following one of two paths: either the path of "opting out," the path that has produced the hippies, the psychedelic addicts, the flower children and others who have quietly divorced themselves from the mainstream of life, or the path of activism and militancy, the path of passionate devotion to the cause of the blacks and other minorities, and the poor, the path which has led to the drive for student domination of university management and to such causes as opposition to the war in Vietnam and to the draft. They participate vigorously in the life around them to advance those causes. It is people such as these who were significant participants in the Freedom March and earlier marches, and have a history of involvement in the struggle to end discrimination. They have developed considerable talent in the organization of mass activities to achieve their objectives.

To sum up, what then are the reasons for the revolt of many of our youth? They are many, and I will only try to catalog a few of the most important ones at this time:

(1) The great prosperity of our society with the accompanying disinterest of most young people in the process of economic survival and their shock at their discovery that this affluence does not extend to almost one-fifth of the American people, many of them of the minority groups who live in misery;

(2) Their concern over the long period of national involvement in the war in Vietnam with its accompanying growing casualty list, mostly of young men from 18 to 20;

(3) The existence of atomic weaponry with the growing capacity of mankind to obliterate itself, leading to accompanying uncertainties and fears;

(4) The related tensions and instabilities associated with the possibility of military service;

(5) Concern that their universities and their faculties are not being responsive to the demands of our time and are undertaking activities that are unrelated either to appropriate educational processes or the problems of their communities;

(6) General disillusion with the performance of the older generation in living up to the ideals of Western civilization or in failing to adapt to new moral and ethical requirements; and

(7) A growing awareness that there are techniques available which if utilized with conviction and sound organization can triumph over the weakness of the Establishment.

To turn to the minority revolt, among the basic causes of disillusionment with the American system on the part of young Blacks as spelled out in the Kerner Commission Report, are the following:

(1) Pervasive discrimination and segregation as evidenced by continued exclusion of great numbers of Negroes from the benefits of economic progress through discrimination in employment and education and their enforced confinement in segregated housing and schools. The corrosive effects of this con-

time and the attitudes that underlie it are the source of the deepest bitterness and at the center of the problem of alienation from American society.

(2) The massive and growing concentration of impoverished Negroes in major cities resulting from migration of Negroes from the rural South, rapid population growth and the continued migration of whites to the suburbs has created a growing crisis of segregated facilities and services.

(3) In these teeming racial ghettos, segregation and poverty have intersected to destroy opportunity and hope and to stress failure.

Adding to these three basic causes are three more recent developments:

(1) The expectations aroused by the great judicial and legislative victories of the civil rights movement have led to frustration, hostility and cynicism in the face of the persistent gap between promise and fulfillment.

(2) A climate of approval and encouragement of violence as a form of protest has been created by white terrorism directed against non-violent protest, by open defiance of law and Federal authority by State and local officials resisting desegregation, and by so-called civil disobedience by protest groups who do not abhor violence.

(3) Many blacks and especially the young have come to believe that they are being exploited politically and economically by the white power structure. The frustrations of powerlessness have led some to the conviction that there is no effective alternative to violence as a means of expression and redress. It is in this context that one can understand how volatile is a mixture in which the major confrontations between black and white are between the ghetto blacks and the white policeman.

What then has generally been the reaction of elder white America to the signs and symptoms of youth unrest? The picture is mixed. On the one hand, many older Americans are attempting to understand the motivations of our youth and to take corrective actions that will deal with the root causes of the problem.

On the college and high school scene, for example, while there have been some notable failures of administrations to cope satisfactorily with actual or budding disruptions, there have also been a number of instances when school officials have done an admirable job of either dealing with the crises once they have arisen or initiating major reforms in the operation of their institutions which are designed to meet the legitimate claims of young people involved. To date, the Congress has exercised admirable restraint in dealing with legislation to provide major support for our educational institutions without hamstringing the efforts of our educators to deal wisely with grave challenges. In the fields of business, religion and law, people of goodwill are struggling to develop means of bridging the generation gap that will help us achieve a new stability.

At the same time, however, there is considerable apprehension on the part of older persons about the behavior patterns of many young people. There is often a lack of understanding of exactly what young people are attempting to accomplish and some reservations about permitting young people to share in the decisions our society must make if it is to solve its problems.

It is for that exact reason we are devoting the full energies of this Conference at this time to the job of providing the older participants in our Conference with as full an understanding as possible of the steps that need to be taken to avoid the dangerous trends towards polarization.

I must say at this time, however, that it is my firm belief that the context in which change must take place is the context of the rule of law. This is the rule of law that is not arbitrary law but flexible law based on our Constitution.

To permit factions to resort to force when

they feel—however correctly—that a particular law or policy is wrong would be to renounce our own experience and that of the founding fathers. As Justice Frankfurter said: "Violent resistance to law cannot be made a legal reason for its suspension without loosening the fabric of our society."

Our system contemplates that there may be a moral right to "civil disobedience" that exists notwithstanding a "legal" duty to obey. This moral right should be exercised only after the most painful and introspective reflection and only when the firm conclusion is reached that obedience offends the fundamental personal values. If human society is to enjoy freedom, it cannot tolerate license. The ultimate legal success as well as the intrinsic moral quality of civil disobedience turns on the restraint with which it is exercised. Martin Luther King's performance of this matter will always be cited as the height of moral and responsible protest.

One might say that our Constitution provides for a "permanent peaceful alternative to revolution," and we should make use of this instrument for guaranteeing the rights of all to participate in our national decision-making. I call on the participants in this Conference, therefore, to devote their energies to the preparation of the blueprints for youth involvement in the American decision-making process. You will be hearing more about the details of what is involved in developing such blueprints from others who are providing direction for the Conference workshops. But I would like here simply to urge all of the delegates, both young and old, to work honestly with each other, to speak frankly of their agreements and disagreements and to feel free to air their grievances.

The history of human society is the history of conflict between the demands of ordered society and the desires and aspirations of the individual. The very individual liberty that those who struggle against the State are attempting to implement would be lost if the rule of law were subverted. We are in a period of enormous stress on the fabric of our society, while we attempt to carry out the enormously costly and disruptive task of the reforming of our system (caused by deeply ingrained patterns of discriminations) and restructuring the standards of our society to accommodate the drive of our youth for a greater share of social and economic and political power.

In many ways, the assertion of the youth generation of its claims for authority is a most difficult one for society to adjust to. We have yet to resolve the problem of maintaining considerable latitude for dissent and opposition while still minimizing the opportunities for violence and disorder. Almost forgotten in the assessment of the power struggle in our system is the fact that our Constitution provides that through its processes the development and exercise of power can be achieved peacefully.

If young people, black or white, are to regain their sense of identification with the mainstream of American society, that mainstream will have to show them that it is prepared to make the kind of commitment necessary to deal meaningfully with America's problems, both at home and abroad. Unless we can achieve that sense of commitment and national dedication to human values, America will be torn asunder from within and without, since we cannot survive four-fifths affluent and one-fifth wretched. If Americans continue to view this as someone else's problem, they will be struck down by the wrath of historical vengeance. We have almost sinned away a 100-year day of grace.

CITIZENSHIP: SOME NEW DYNAMICS

(By Joseph H. Douglass, Ph. D.)

I am deeply pleased and honored to be invited to say a few words to you on this occasion, and I am particularly gratified that

this conference is directly and fully involving a large segment of youth. A nation which places its children and youth at the center of its concerns is wise. Youth always are the bridge generation—the connecting link between the heritage of the past and the image a society holds of its future. Accordingly, to invest fully in our young, I believe, is to help assure that the best which we have produced will be preserved and strengthened.

Now as it always has in the past, however, the older generation can impart to the young only the best that they know and believe. Thus, the accumulated wisdom and experience of the ages can serve as a storehouse from which the young may select—or reject—as they move to shape and conquer new worlds in which they will be the leaders, the decision-makers, and, hopefully, the champions.

THE INTERGENERATIONAL DIALOGUE

The older generation in certain respects always has the advantage, however, in any inter-generational dialogue. Much of its life is behind it. Present problems and difficulties are seen by the old from the vantage points of both past and present. The old agree with Santayana in that those who do not learn from history are doomed to repeat it. The young, on the other hand, often regard history as an irrelevant chronicle of failures. They live in the present and shape their future within a constantly changing frame of reference. They look and dream ahead and want solutions. They are not afraid of change, and often they are impatient or radical in their pursuit of it. The young are eager to reform anything that is less than ideal; and in the process they are willing to discard very nearly any credo, social institution, or political system which seems to them poorly conceived or hypocritical.

Change is so rapid today that the young have a shortened expectation of the amount of time required for change. They have the feeling that ending poverty is surely no more difficult than flying to the moon and that eradication of poverty, like the moon landing, easily could be achieved if the goal were set, billions allocated, and the full determination of this country were turned to that end.

Older people, on the other hand, know that poverty has decreased in America during their lifetimes. They know too the relative dimensions of it. As examples, it is one thing for a recipient of welfare assistance to weigh two hundred pounds because he eats potatoes and cannot afford meat but quite another for a child to eat grasshoppers until he starves in Biafra or for a twenty-five-year-old mother to wheeze to death with tuberculosis in a hillside cardboard and tin shanty in Hong Kong. The older generation looks to the past, compares relative situations throughout the world, and takes courage in what they regard as progress in comparison with former times. They are grateful for social, political, and technological advances which the young largely assign to the very capacious category of irrelevance.

The inter-generational dialogue, however, does not have to be one in which there is conflict in attitudes, opinions, or points of view—especially in regard to a shared vision of the future. Life is much like the relay race where each runner takes his turn and passes the baton to the next one, who then, starting afresh, must run his race in his own way.

REAFFIRMATIONS: THE SPIRIT OF NATIONHOOD, THE POWER OF THE INDIVIDUAL, AND THE RELEVANCE OF JUSTICE

A national conference devoted to citizenship can imbue us with a fresh and revived spirit of nationhood and national unity. It can serve as a reminder that nations which have achieved the heights of greatness have been characterized by citizens who have been imbued with a sense and spirit of nationhood, who have been zealous in the preservation of their nation's cherished values and

institutions, and who have been mutually supportive of the total welfare of the body politic.

A conference such as this can reaffirm our national purpose and restate the basic principles of our way of life. Citizenship in a democracy necessarily implies equality and justice in all things public, shared concern and responsibility for the total welfare, and an obligation on the part of everyone to preserve, defend, and work for the ideas and ideals on which the nation is based and those toward which it collectively aspires. As Harlan Cleveland puts it, "We have quite deliberately built a nation on the proposition that no one will be fully in charge so that each . . . will have to be partly in charge." [*Outlook*, May, 1969]

A national conference on citizenship can do other things. It can recall the great power of the human will and the supreme importance, under God, of the individual. History is replete with illustrations of the power and prowess of the single person—the resolve of the single citizen—who in his imagination, courage, or faith if you will, stood against the tide or otherwise became the agent of monumental change. Many of the world's major religions can be attributed to the inspiration and thought of one human being. Columbus set out in little more than a rowboat by present standards and discovered a new world. One man invented the electric light bulb, and brought the world out of darkness for all time. In recent years, one little lady one day for some reason said, "I shall never again sit in the back of a bus because someone else wills that I do so." In accord with an old hymn of the Southland, she said simply, "I shall not be moved."

To me these are some of the examples and dimensions of what a national conference on citizenship means or ought to mean—a reaffirmation of the preamble to the constitution of our great nation: "We, the people, in order to form a more perfect union. . . ."

A national conference on citizenship—this national conference on citizenship—can serve another, if not the most important, useful purpose. It can diagnose our imperfections, our imbalances, our continuing absurdities, and our ills; and if it is worth the effort to come here, it can resolve individually and collectively to leave this place and do something about them in every town, hamlet, byway, and metropolis of our great land and throughout the world, while there is yet time.

This is what the so-called "youth thing" or the youthful protest is all about. In their language, too many of us continue to be "too uptight." Too many of us for some complex of strange reasons are afraid to be free, to stand up and be counted on the side of justice or right—and try as one will to negate it, everything does have a right and just side. It is reported that Thomas Jefferson once said, "I tremble for my country when I remember that God is just."

DRIVING FORCES IN THE NEW DYNAMICS OF CITIZENSHIP

I propose there are at least five or six major complexes of problem areas—none of which can be dissociated—presently confronting the citizens of America and in a larger sense the citizens of the world. These problems are driving forces which call for and are eliciting new dynamics in citizenship. They are central issues which we must confront.

First, there is the matter of war and peace. Second, there is technological scientism and its largely derogatory impact on humanistic social values. Third, there is urbanization and related dysgenic conditions of environmental pollution, overcrowding, squalor, and civil disruption. Fourth, there is the problem of human or inter-personal relations—the isolation of individuals and groups on the bases of race, national origin, religion,

and socioeconomic class—and the disadvantages, including poverty, which persistently accompany such isolation. Fifth, there is the youth revolution. And sixth, transecting all of the first five, there is the matter of the inter-relationship of government and private responsibility in ameliorating problems, in preventing unacceptable conditions from developing, and in curing the ills which have established themselves with such savage malignity throughout the body politic of the most affluent nation in the world.

THE THREAT OF WAR

The world is producing instruments of annihilation at a rate approaching three-quarters of a trillion dollars per year. There is no comparable expenditure on peace research or on any other work of non-annihilation. [W. H. Ferry, *The Center Magazine*, July, 1969.] Mr. C. C. Johnson, an Administrator of the Public Health Service, indicates further that "Accidents—many of them involving hazardous products—take the lives of 100,000 Americans every year and injure 52 million more. Some 3,000 deaths occur every year from accidental ingestion of poisons—most of these among children." There is cynical talk of a poor man's H-bomb for underdeveloped nations. Poison gas, defoliants, and viruses are already in such abundant supply that disposal of the excess threatens not only to poison the air we breathe but to pollute the seas, and spread from underground garbage dumps to poisoning the soil we mine, cultivate, and walk on. "Toxic matter," Mr. Johnson states, "is being released into the air over the United States at a rate of more than 142 million tons a year, or three-quarters of a ton for every American. It comes from 90 million motor vehicles, from factories, power plants, municipal dumps, and backyard incinerators." In the event of nuclear attack, the chemical and biological agents which could be released by accident from present military stores would probably be enough to wipe out any trace of human or other life that might survive the initial holocaust. If we imagine with some that World War III will in fact be Space War I, it seems feasible the earth itself could be destroyed. Doubtless we are on the threshold of developing technological capability to pulverize the planet.

SCIENTISM AND TECHNOLOGY

We are in thrall to fear of disaster and an increasing sense of helplessness in the face of science and technology which seem to be acquiring autonomous powers beyond the control of human beings. Science shakes our belief, and technology dwarfs our capabilities. Since we have made concrete accomplishment our goal and have placed pragmatism apparently at the apex of our value system, we continuously turn over to machines not only the execution of specific chores but frequently much of the decision-making process itself. Man cannot compete with machines in tasks performed at speeds measured in milli-seconds and at levels of accuracy incompatible with the magnitude—or more properly "minutude"—of the human senses. Further, since we have dedicated ourselves to an all-out search for demonstrable knowledge, we must swallow and queasily digest a relentless flow of quantitative data and revised theories emanating from our laboratories. Wisdom remains the province of man—it is not found in test tubes and it is not an attribute of machines—but we are easily confused in our attempts to decide, let alone assert, what is true, just, or desirable in the face of what is measurable, feasible, or cost-effective. The dilemma of scientism and technology involves international relations, domestic politics, social planning, and economic policy. The implications for citizenship reverberate through every aspect of the social and personal life of man.

It is impossible and undesirable to stem

the scientific and technological tide, but it is crucial to guide and channel it. The history of the last few decades shows that whatever can be done most often is done. Capability becomes an end in itself, and too often enthusiasm with new-found power is so great that moral and philosophical judgment are usurped by a compulsion to do whatever is possible. What is the relative importance of reaching Alpha Centuri which is millions of light years away beyond the sun as against abolishing pollution on earth? Science promises ultimately the power to determine the intelligence, character, and physical attributes of unborn generations—and that suggests the possibility of totalitarianism and an amorality more complete than any nightmare previously dreamed of. Meteorologists say we may one day control the weather—this poses questions about warfare as well as possibilities for heightened agricultural productivity. It is difficult for man to choose effectively the ends to which science and technology are applied. Especially since humanists are increasingly embarrassed to assert "unscientific" philosophies and defend the abstract values on which much socially meaningful progress must be based.

The answers this society is producing in greatest number are scientific and technical answers. For this reason, many of the most vital human questions remain unanswered. How should we live? What are or should be the aims of organized society? [John Wilkinson, *The Center Magazine*, July 1969.] How can we reconcile the conflicting frustrations of the majority and minority groups? It is in response to scientism and dehumanization that some of our young people reach into the grab-bag of psychedelia, mysticism, and drugs, reject all knowledge and all systems, and do "the soul thing." Many youth say that they want to feel, to love, to choose, to be. They want to feel fully human and count and recount the ineffable things which can't be counted—the things which science and technology tell us that if they can't be counted do not count. There is a religious revival going on, but many persons are of the opinion that the church is missing out on it. A youth at a recent conference felt that "The church, as it exists now, has to die . . . The Church has to die so that it will clear the path for a rebirth of a new form of organized or unorganized religion. It is too late to try and paste religion back together. We have been trying to do this since the turn of the century, and it has only decayed more." [Academy of Religion and Mental Health, *Academy Reporter*, Vol. 14, No. 6, September, 1969.]

URBANIZATION AND ASSOCIATED PROBLEMS

All this reflects a sort of latter day utopianism which is part of the longstanding American yearning for an environment that is manageable and small enough for citizens to influence the balance of decisions. Urbanization makes this increasingly impossible.

Consider the case of a small town which is geographically far removed from the closest urban center. Can that small community keep an eight-lane highway from crossing the land within its boundaries? Can it prevent jets from breaking the sound barrier overhead? Can it stop smog, radiation, or pollution from floating into its domain? Can it shut off the communications media which chatter at it constantly, urging it to buy and think and do as the rest of the country does? If small communities cannot meaningfully control and choose their destinies, what about big cities?

What about urban crime, overcrowding, ghettos, filth, traffic jams, hatred, poverty, and civil disorders? What about urban expansion? We are now in the incredible situation of being able to produce more food than we can possibly consume. Will the day come when we find we have paved farm lands we desperately need? An American is

born every eight seconds. In terms of numbers alone, how can we solve the problems which presently beset us, others which threaten our future—and how can be do it through the democratic process, which to deserve its name must involve millions of people from hundreds of socioeconomic, ethnic, racial and religious groups which constitute our society?

INTER-GROUP TENSIONS AND POLARIZATION

While at present America is producing more than enough for everyone, the gulf between the "haves" and "have-nots" widens as certain portions of our society continue to become more affluent while others selectively are left behind. One of the critical challenges to all citizens in the United States today is the increasing polarization of those who are *in* society versus those who are *out*. Racial problems reflect the mounting tensions and hostilities across group lines which are finding expression in violence and other forms of irrationality in this country and throughout the world.

As pointed out by the Institute of Race Relations in London, ideas about race play a part in every major confrontation in the world today. World poverty, world hunger, world population, and the operation of aid programs are all affected. Efforts for peace, the activities of the United Nations, and the working of international agencies are frustrated by the suspicions and resentments which arise from race. It is noted that failure to solve the domestic problem in the United States . . . failure to enforce the views of the United Nations in South West Africa . . . failure to achieve peace in Vietnam—all increase frustration among developing nations. The line between rich nations and poor and the line between white and non-white are dangerously near coinciding. There are people who speak of a "race war" on a world scale as inevitable if not already in progress. Surely there are more reasonable courses if men apply their minds to the possibilities. [Institute of Race Relations, London]

In America, many persons feel that the current state of affairs between whites and blacks is much more serious than ever before. At the heart of white racism is the "conviction" or doctrine that merely being Caucasian is preferable to any and all other states of existence and that all other racial or ethnic groups are inferior to whites. Black racism rejects values and white acceptance. The increasing danger of the present period is that it is now most difficult for blacks and whites to communicate. One militant black man suggests a very interesting exception to this however. He says, "There is in America today a generation of white youth that is truly worthy of a black man's respect." In the same vein, a white youth observed that "As an individual must learn to love himself, before he can truly love others, the black man must find his identity, and the white man must find his before the two can live together in harmony and understanding." [Academy of Religion and Mental Health, *Academy Reporter*, Vol. 14, No. 6, September, 1969] Young people—white and black—have evidently been talking to each other and profiting by it. [Congressional Digest, April 16, 1969]

YOUTH AND THE FUTURE

Mr. Archibald MacLeish points out that the younger generation is not perhaps as sophisticated politically as it or its activist spokesmen would have us think. Neither is its moral superiority to earlier generations in every instance as great as it apparently believes. But MacLeish stresses and I agree that this generation of youth possesses one virtue to a degree not equalled by any generation in this century: it believes in man. It is an angry generation, but its *resentment* is not *disgust for human life* but *resentment on behalf of human life*. It is indignation that we permit ourselves to exist in a sel-

fishness and wretchedness and squalor which we have the means to abolish. Resentment of this kind is founded on belief in man—and a return to the belief in man is, I believe, the reality and the sensibility on which a new age can be built.

Writing of the future of man, Pierre Bertaux suggests that for the first time in history man has reached the point where he can transform to reality whatever image of the future he adopts. Science and technology permit this. Though they appear at times as bogey men, they are in the last analysis man's very useful tools. Bertaux says, "If we admit that the image of the future can be effectively introduced as an efficient . . . element in the chain of causality; if we further admit that our image of the future is in some way and to some extent our own choice and responsibility; then we have here not only a way of reconciling our belief in determinism and our belief in freedom, but also a direct challenge."

It is this challenge I wish to place before this national conference on citizenship—the challenge of thinking positively of the future and of making that thought productive.

RESPONSE TO NEW DYNAMICS OF CITIZENSHIP

A whirligig is spinning us out of old habits and traditional complacencies. In many respects, we are now truly citizens of the world. Our political, cultural and personal involvements grow day by day under the influence of instantaneous global communication, supersonic global transit, conflicting ideologies, and the spectre of global war. We are no longer cushioned by separations in time and space which once limited so called "spheres of influence" and kept most of the world's peoples out of most of other peoples' affairs. Americans today see more of the big picture than ever before, but there is deep doubt that the sense of unity and wholeness which usually rewards broadened understanding is keeping pace. The global panorama is for the most part a morass of irrationality, injustice, and squalor. It is depressing and discouraging. Wise citizens can understand the anger and malaise of our times.

On the domestic scene, our social and political institutions are subjected to pressures from all sides. There is thunder on the right and thunder on the left. The nation is torn in its effort to maintain law and order and preserve the right of dissent in the midst of ferment. The "red flag of uproar" and "the clenched fist" go up throughout the land, calling forth accusations and counter-accusations, violence, panic, defeatism, radicalism, repression, and "pig" rhetoric.

WE NEED NOT FEAR CHANGE

In response to new situations, citizenship is acquiring new dynamics. New pressures can and must be accommodated *within* our socio-political framework—*within* our concept of "good citizenship." The nation's constitution was written specifically to facilitate orderly change in response to the people's desires and to sustain peace and freedom in the face of monumental stresses to which it was known, even in 1789, that our government would be subjected. Often we forget that radicalism and social protest were part of the genteel tradition in colonial times. The writers of the constitution expected that our government would be subjected to scrutiny and criticism, that it would be opposed in various contexts by its own citizens, all of whom would cite freedom, justice, patriotism and God for support.

The American constitution is dynamic and flexible. If we affirm it and apply it reasonably with imagination and fairness in light of present situations, we need not fear change. We need only be wary of our response to change. Most importantly, we must influence the direction of change to desirable ends.

We must provide alternatives to con-

frontation and encourage new types and sources of leadership in America. It is imperative that we broaden our definition of "a good citizen" to permit many stances and many modes of individual participation from all walks of life in this nation's everyday life. The people—all the people—must have outlets and widened options for expression and means of effectively influencing what happens in their lives and those of their children. This is a pluralistic nation. We must reaffirm our national pride in diversity and our national willingness to assure equal opportunity for everyone.

It is important to recognize that some things are so deplorable that they cannot be reformed. We must abolish racism—white and black—not reform it. We cannot reform injustice. We are either just or unjust. We must go beyond half-measures aimed at damping down explosive situations in the cities and symbolic gestures calculated to appease the rising voices of discontent on Indian reservations or the "barrios" and in the mines of Appalachia or the plains of the Ozarks.

Expectations are rising, and our understanding, compassion and vision must rise to meet them. We must mount programs of education to instill and bulwark pride in diverse life styles, occupations, skin colors, religions, and ethnic histories. We must decolonize the ghettos—white and black and transfer not only ownership and proprietorship but a fair and continuing share in the decision-making processes which shape national and local distribution of goods, services, wealth, and social status.

There must be new forms of cooperation between private and government sectors, between science and the humanities, between the technocrats and the sociologists. We must act to truly redistribute economic and political power so that submerged sectors of society are buoyed into the mainstream of American life. We must give full opportunity for citizenship and reach out to teach the full meaning of citizenship and its responsibility to those who have been and even now are largely excluded. It is along these dimensions that it is my earnest hope that the 1970 White House Conference on Children and Youth will be designed—as a vehicle or change for all our children and youth and for those who shall follow them.

THE VIABILITY OF CITIZENSHIP

Is the individual citizen impotent in today's world? If he is not—and I believe he is not—in what does his virility and viability rest? How can each of us cope with the new dynamics of citizenship—as teachers and students, as employers and employees, as consumers and purveyors—as professionals, amateurs, and volunteers? Each of us is at some level a policy-maker. Certainly we are policy-makers in personal matters and in our treatment of and relationship with others. Each of us has a responsibility to convey to others the rationale of our decisions and to seek the counsel and if possible the consent of others who are affected by the policies we set. We must impart knowledge and spread power. We must seek to give more people a "share of the action" and, even more important, understanding of the implications of alternative actions. Decisions increasingly are made by a few in behalf of many, and increasingly those who feel they have no influence are lashing out—right or wrong—against forces which seem to them impersonal and uncaring. What can citizens do, individually and collectively, to remedy this situation?

For one thing, as professionals in various fields of problem-solving, we can take time to follow-up in real life the good works we begin at our desks. Upward Bound may send a young black man from Harlem to an Ivy League school, but who counsels that one-time gang leader after he arrives on campus?

We cannot assume that goals will be achieved automatically if appropriate programs are set in motion. We must remember the human factor in dealing with all our fellow citizens, whom we hope to serve, teach, work with or help.

We must not only use specialized knowledge to work out feasible solutions; we must also use human understanding to follow through. A corporation may donate computer time and the services of an analyst to map out commercial development for a depressed area, but who explains to the neighborhood folk why the corner delicatessen it being torn down? Does some one communicate to those slum-dwellers the fact that technology cares about them? That the same types of machines which sent man to the moon are now being used to help them? That the redevelopment project will meet their needs and *does* deserve their support? A little interpretation for the man on the street, by professionals or informed laymen, can do much to enlist the good will of those who mistakenly feel thwarted, impotent or used by planners.

The new dynamics of citizenship require imaginative responses from us as specialists—they also demand of us at a very mundane, day-by-day level the thoughtful helpfulness toward others that always has been associated with good citizenship in America. Do you consider yourself a good troubleshooter? Go shoot some for a sanitation worker whose family is about to be evicted from a tenement. Are you good at making ends meet? Help an eighteen-year-old housewife learn to find bargains in food and clothing for her children. Do you read newspapers and magazines? When election time comes, go talk to some people who don't or can't—help them understand the issues they are expected to vote on. The successful, educated, upstanding citizens of this country—young and old—must turn their talents to teaching others to develop the qualities on which they pride themselves. Only if we share and teach our everyday talents for living can we expect the inept and the uneducated to learn the skills of good citizenship, achieve lifestyles which they have a stake in protecting, and join in the effort to improve and maintain this country as a place most worth living in.

We can respond to the new dynamics of citizenship institutionally as well as individually. In some universities, for instance, students are seated on the boards of trustees. In some high schools, pupils write and enforce codes of dress and conduct and draw up and administer their own bills of student rights. In some underdeveloped neighborhoods, banks and insurance companies have signed over to community action councils major financial interest in the branch offices and regional sales programs which operate there. In some business districts, housewives and merchants have formed councils to adjudicate consumer complaints and evolve credit, return, and billing policies which are fair to shopkeepers as well as the shoppers they serve. Similarly, some law schools offer courses in corporation law—courses, for instance, on legal ramifications of landlord-tenant disputes, loan-sharking, and credit gyms—courses, for instance, on how to fairly defend those accused of mugging, child-beating, loitering, drunkenness, assaulting an officer, and the multitude of other major and petty offenses which typically bring into our jails and court rooms that 25 percent of our nation which is poor. Innovations such as these reflect a promising rise in the level of tolerance and empathy shown by so-called "Establishment Figures" for so-called "Victims of the Establishment." They bode well for the viability of citizenship.

SUMMARY

To make citizenship viable—and to preserve and protect our political, economic, and

social institutions—I believe, in summary, that we must expand options and understanding of the rationales behind different options; that we must develop new leadership forms; that we must broaden the base of citizen participation and determinism in policy formulations; that we must build upon the positives of ethnocentric pluralism; that we must establish alternatives to disorderly confrontations; that we must evolve new forms of private-public ventures; that we must maximize the linkages of technological and social science insight; that we must reorder priorities and reexamine assumptions on which priorities are based; and, last and most important, that we must place and maintain the self-realization of the individual and personal freedom under God at the apex of national purpose.

OUR FUTURE COMMITMENT

(By Justice Tom C. Clark)

I am pleased to speak to you tonight about the new phase being entered into by the National Conference on Citizenship as a dynamic force in keeping the concept of citizenship a meaningful one to the American people.

Our Conference has played an historic role in providing national leadership in areas of major concern. We are, of course, proud of the leading part Judge Hyatt played in this effort. Going back to the First National Conference on Citizenship sponsored by the National Education Association, held in Philadelphia in 1946, we have brought a wide range of organizations together for a mutually beneficial discussion of the responsibilities of citizenship. By the Third National Conference, I am also proud to point out that the Justice Department acted as a co-sponsor with the NEA during my tenure as Attorney-General. We have, of course, continued to emphasize the principle of private leadership of the Conference with governmental support and assistance but not control.

I am especially pleased that the Congress in 1953 enacted legislation providing a National Charter for our organization. The law was signed by President Eisenhower on August 13, 1953. Many distinguished persons have since served on our board and many outstanding speakers have delivered major addresses here. We have been honored by a number of Presidents, by many other distinguished public officials and have had outstanding participants from the fields of business and industry, labor, law, religion, social welfare, etc.

It is only fitting and proper at this stage of the development of American society that our Conference should be giving major attention to the problems of young people. Anyone concerned about the national well-being must recognize that the difficulties our society is confronted with at this time cannot be ignored by a Conference on Citizenship. We have come full circle from the early days of the Conference when the National Education Association expressed a great interest in a program for community recognition of the youthful voter. We now recognize that the matters of concern to young people are not only voting, but the role of the University, the role of the high school, the concerns and aspirations of minority persons, the relevance of business, labor and agriculture to young people's lives, and the whole range of issues involved in the sharing of economic, political and social power.

Just as many other groups in the past have clamored for their rightful place in the American decision-making process, so also are our young people doing so today. Among previous examples are the women's suffragettes of the 'teens and the labor leaders of the thirties.

As various groups become accepted in the

power structure of American society, they often become identified with the term "Establishment." I would like to think that this Conference has not been an exercise of confrontation between the Establishment and young people. I would like to think that our young and older participants have not polarized in developing opposite viewpoints on the issues of our time. And I would like to think rather that we have bridged the generation gap through a full exploration of the issues confronting American society and free and frank exchange about their differences of opinion.

It is in the American tradition to have a free exchange of ideas which does not mean that we paper over our differences but simply that we bring them to the full light of day and then work constructively for meaningful solutions. That has been the guiding theme of this Conference this year. I am especially pleased at the large number of young people who have participated and have made a significant input into their elders' understanding of their own perspectives.

And now I would like to call on the representatives of the many organizations that have participated in this Conference to consider their participation as simply the beginning of a major involvement in the solution of the current American dilemma. I hope that each of you will go back to your organizational activities inspired to carry out specific programs of action that will make a major input to the national well-being. If at least a measurable number of those here today will follow through on their resolution to provide solutions rather than exacerbate present tensions, this Conference will have served as an outstanding catalyst in reversing the national trend toward polarization.

The Conference staff is prepared to provide followthrough and technical assistance on a year-round basis to all of those who are developing blueprints for action. It is only in this way that we can guarantee that this Conference has been a meaningful one. The staff is deeply committed to making the tentative plans evolved during these few days into firm ones that can be effectively implemented. We believe that no less than the fate of our American way of life is at stake. Your consideration of the proposals mentioned in the Business Session to provide for a formalized affiliation with this Conference would do much to ensure our success.

As a final message to the young people who have performed so admirably here these past few days, I would like to repeat what John W. Gardner, Chairman of the Urban Coalition and former Secretary of Health, Education and Welfare, has said: "You can remake this society. There are many ways that you can work to bring about the reforms that you feel so essential." As Mr. Gardner went on to say, "You can renew this society, but not in a fit of impatience and not without effort. You must be discriminating critics of your society seeking to identify, coolly and precisely, those things about it that thwart or limit human potentialities and therefore need modification." I call only for renewed dedication to the constitutional process of change which provides for the preservation of what is good and sound in our society as well as the reform of those elements in our society that have not withstood the test of time and morality. There could be no better time for young people to be alive to effectuate change. Do not lose the opportunity in pursuit of false goals. I hope that this Conference has at least partially served to convince you that many of your elders are sympathetic with your cause and anxious to participate with you in the creation of a better America.

EDUCATION IN ACTION

(By James E. Allen, Jr.)

"Citizenship" has been the subject of after-dinner speeches for so many years that one

might think there would be very little left to say about it. There is very little left to say about citizenship as people used to think of it. But citizenship takes new forms in the face of new problems. I believe that, in your discussions of citizenship in the past three days, you have been tackling one of the most critical issues of our times—how to give the Nation's young people a part in shaping the decisions which affect their lives.

Young people looking at their nation and their world have seen urbanization bring people together in greater and greater aggregations only to destroy their sense of community. They have seen the communications media confuse the meaning of events in its outpourings of information about them. They have seen technological growth produce material affluence at the cost of spiritual depletion.

Youth's response has been to question, and often to reject, the traditional values and goals of the United States. But young people are doing more than questioning and rejecting. They are actively seeking a new quality of life, new modes of expression, new avenues of communal participation, a new style of citizenship.

The energy and trained intelligence they represent is a force that can go far in transforming both education and the larger society. We should foster the development of self-help opportunities for students so that they can define their dissatisfactions and work out remedies for legitimate grievances—those connected with their own lives in an immediate sense, and those that reflect their concern about wrongs in the larger society. Actually, a number of such self-help projects have already gone into operation in various parts of the country.

Meanwhile, however, student dissatisfactions have been dramatized by the news media—sometimes excessively. As a result, student unrest has become an issue, a problem, and thus separated from the rest of society rather than being accepted as a lively and a necessary part of the community.

One of my assistants summed it up by saying, "If you feel student unrest is a problem rather than a manifestation of root problems within our society—then you are a part of the problem." I do not suggest here that violence and destruction can be condoned. It must be firmly dealt with in terms of the laws that apply. But a repressive approach is a simplistic approach, one that could do far more harm than good. We need instead, to look, to listen, and to learn more about what underlies the growing unrest.

There is a new breed of student on the nation's campuses today. According to a recent survey of private state-supported and denominational institutions of higher learning, today's students does more than agitate to change the world: he is willing to work to bring the change about. The majority of students polled had engaged in some type of community service. They not only want to talk about a better society; they want to help refashion it.

Each of you here has been struggling with the complex economic and cultural forces contributing to the nation's ills. You have more easily identified the problems than the solutions. The national issues that tear at the very fabric of our society—Vietnam, the draft, racial oppression, and the economic strain cannot be resolved so easily by you as individuals.

However, each of you has a more important role in carrying out the National Conference goals—to encourage more effective participation in citizenship activities and to promote a spirit of cooperation on the part of all American citizens.

Your role calls for greater involvement—to be more aware and sensitive, to your own environment, the community in which you live.

During the fall semester I expect student involvement to focus on reforms in tradi-

tional educational practices, the inclusion of students in the governing structure of schools and identifying the universities' role in servicing the needs of the surrounding community. If this is the direction for this year's student involvement then you have your work cut out for you. This is where you can make an impact.

As one who speaks from a background in the field of education, I like to think of education in its broadest sense; that is, with more emphasis on the totality of an experience than on mere vocational training, and more in terms of personal development than of the mere accumulation of knowledge. I want to share with you some of the ways young people are creating a new citizenship role for themselves while bringing about needed change in our society. These youth-conceived and youth-initiated projects represent "education in action." They serve as models for new citizen participation.

The activities through which students are attempting to reform education and educational institutions tell a great deal about what youth is advocating in the way of social change.

In New England, for example, an alliance has been formed by students who have been working toward reform on their particular colleges or universities. The main goal of their regional organization, called New England Community Toward Educational Reform (N.E.C.T.E.R.), is to allow students on different campuses to learn from and support each other.

Members of the Center Toward Student Community, a NECTER affiliate at the University of Massachusetts, have instituted a new course called Learning and Self-Evaluation Skills. Through what may be the focal point for the college experience of the future, this experimental course allows students to determine what they want to learn and how they want to absorb it. The students then evaluate the learning experience.

In the area of student-organized research, the Associated Students of the California Institute of Technology (ASCIT), after receiving a \$10,000 foundation grant last year, awarded small sums to students for research projects in such areas as off-shore oil pollution and policy-making for school systems. Individual professors have volunteered to give technical assistance to students involved in research. During the past year, students at the Research Center have raised \$225,000 for various research projects.

Student-initiated projects in community action have increased in number and sophistication during the past few years. Students seem to be working much closer with grassroots community organizations and in many cases are bringing much needed expertise to community-run programs.

In Detroit, for example, University of Michigan students from the urban and regional planning, landscape architecture, and general architecture programs are serving as Community planners in several ghetto neighborhoods. These students work with neighborhood groups in facilities development, program planning, and community organizations.

An excellent model that has helped foster student-initiated projects is New York's Urban Corps program. This project in three years has brought more than 6,000 students from over 150 colleges and universities into close contact with the problems and prospects of one of the nation's most troubled cities. Summer interns and part-time workers that participate through the school year represent a cross-section of the student population ranging from freshmen to doctoral candidates. They have been assigned to more than 75 agencies and departments of the City government, working in such diverse areas as community development, medical

technology, documentary film-making, legal assistance, and air pollution control.

The program has been so successful that last year the Ford Foundation issued a grant to promote the establishment of Urban Corps in other cities. More than 25 cities are now involved.

My concept of education-in-action is also reflected in the activities of many high school and non-college youth groups.

The Parkway program in Philadelphia has not only established a new framework for high-school education, but paved the way for student-initiated social action.

Students of Parkway grow through their own direct experience by finding out the "how" and "why" of society's processes and institutions from the people actively engaged with them.

One-hundred fifty Philadelphians of high school age are enrolled in this experimental project funded through a Ford Foundation grant.

It is a school without walls, its only physical plant a rented loft where students meet with their faculty each week to coordinate their activities. The rest of the time they may meet at the police department or the city hall, at a TV station, in the composing room of a newspaper, or in the offices of a local business firm. Here, from practicing professionals, they learn government, communications, and business procedures. Working in small groups with their own faculty, they continue to build knowledge and skills in such basics as English, mathematics, language, and history. With the city as their schoolroom students extend their school day through participation in community projects.

Unorthodox as this program is, it has won general community support. There were 2,000 applicants for places in it last year. Next year, 700 more than this year's 150 will be accepted. Other cities are interested in introducing the program in their educational systems.

The New York State Council on the Arts is sponsoring an experimental project in multi-media usage. Utilizing the arts as a language of communication, teenagers of ten New York State communities showcase their towns to each other, as well as members of their communities throughout the State.

Here in Washington, D.C., there are a number of projects developed by youth. With school board permission, students at predominantly Black Eastern High School established a "Freedom Annex" through which they created courses in Black History and Black Literature for academic credit. Participating students spent their afternoons at the Freedom School.

Many similar projects have been launched under the auspices of Youth Organizations United, a national confederation of more than 300 inner-city groups formed in 1968. Pooling their ideas through YOU, inner-city young people have learned from each other about the techniques of successful community action. They have also helped to bring national attention to the needs of minorities, and to give Black, Brown, Indian and Oriental youth and opportunity—often the first—to participate in the running of their society.

Projects are as varied as the problems of the disadvantaged. In Minneapolis, former gang members have established what is called Operation Chain Gang, a school for 75 problem children. Its guiding principle is "everyone a student, everyone a teacher." A child with sixth grade ability in arithmetic teaches another on the second grade level in this school and is paid for his teaching time.

In East Harlem, the Real Great Society, formed out of what was once a Puerto Rican gang structure, has created a community-run prep school. The school has already had

10 former dropouts and delinquents accepted by colleges.

In New Orleans, a consortium of gangs has established a dropout prevention center through which it offers, with private industry cooperation, a vocational orientation to dropouts. After tours of area corporations and whatever remedial education is necessary, the dropouts are encouraged to return to school to pursue whatever vocational goal they have set for themselves.

Of course, not all the groups undertaking constructive projects are new. Today we find new emphasis in old programs, as, for example, the Boy Scouts' redirection of their traditional activities to meet the needs of inner city and rural boys.

Another established youth-serving organization, the National 4-H Clubs, is bringing beneficial rural knowledge to the cities. Young members are now providing information about nutrition, food stamps, and gardening techniques to residents of the inner city.

The traditional structure and operations of our educational system have tended too often to direct programs at youth, rather than allowing young people to play a role in planning and administering programs that affect them. Certainly the Federal Government has done far too little in this area.

As a first step in changing that pattern I asked one of my special assistants in May to work with the Office of Education young employees and the 225 summer interns to prepare recommendations and to develop models for involving youth at the Office of Education.

Through their suggestions along with other student and youth group recommendations I have established an Office of Student and Youth, which will be headed by Toby Moffett, a young man who has worked on youth programs in the office of Education during the last year.

The new office will help the Office of Education develop structures for bringing young people into the planning of Federal education programs at all levels. Advisory committees made up of youth from all over the country will, we hope, keep us abreast of young people's thinking on crucial educational and social issues. The Office will convene problem-focused youth task forces when necessary to research and report on such issues.

The new office will also offer technical assistance to the kinds of projects which we have discussed this evening. This will include the dissemination to student or youth groups of information on programs through which they may be eligible to receive assistance.

Although the programs we have discussed this evening differ from one another in many respects, I believe that some valid generalizations can be made about them. First, it is clear that many young people are participating in the work of society in non-traditional ways. Old-style hierarchies and leadership patterns are conspicuously absent. Less and less is heard about heroes or older leaders.

Second, young people are working to improve their society, not only for themselves but for others who have been deprived of its benefits for so long. And they are demonstrating that, even though citizenship is hard work, they are equal to the challenge.

It appears, then, that in terms of the first goal of the National Conference of Citizenship, that of increased participation in citizenship activities, the youth movement is getting results.

As we examine the kinds of youth activities highlighted tonight, in terms of the second goal, that of cooperation between citizens, again we find young people making their influence felt. Young people are restating and revitalizing the time-honored ethic of cooperation. They are cooperating

within homogeneous youth groups. More significantly they are reaching out to extend the same kind of cooperation to relationships between young people from drastically different backgrounds.

I believe in this. I also believe that cooperation between the generations should increase. In spite of what we hear about the generation gap, I find it hard, as an adult, to oppose the goals of young people who preach love rather than hate, peace instead of war, and closer relationships between human beings rather than the impersonal organization of human life.

The future must be our primary concern and one of the most significant factors in determining the shape of the future will be the continuing citizenship attitudes of our youth. The character of these attitudes will rest in large measure on how the "over thirties" react to the "new citizenship" of youth. Treated with respect this new youth concept of citizenship can be the stirring force that will bring the strength and the renewal of vitality necessary to correct the ills of society and at the same time protect and preserve the basic values of a democratic society. Derided and unheeded, it can become a negative force as our young people, in their disillusionment, cease to believe either in the ability or the promise of their Nation to promote basic human values. I cannot urge too strongly that we listen to what our young people are saying and heed what they are doing.

Alfred North Whitehead once observed that much of the greatest progress made in society comes about through processes that all but wreck it. Our task is to contain the forces of change so that they will achieve their purposes without tearing down the good with the bad in the existing social framework. This means encouraging the proliferation of projects like the ones that are already proving themselves in action.

The Office of Education is committed to do this. We do not mean merely to react to challenges from youth. We mean to be active in seeking out young people's ideas so that the generations may join forces in moving toward goals which are, after all, as old as they are perennially new.

REMARKS BY SENATOR EDMUND S. MUSKIE

In a nation occupied with disagreement, dissent and disorder, the recollection of the signing of the Constitution should be an occasion of hope.

In the midst of turmoil—as all of us are caught up in the fury of a social revolution—we should take some time to recall what was in the minds of the men who felt it necessary to declare themselves free, to sever the political ties which bound them to their government, to fight a revolution, and to write the Constitution. It was their dream that the principles of the Declaration of Independence could be the basis of the new nation and that armed revolution would never be necessary again.

Deprived of meaningful participation in an absentee government, the colonists had exhausted the available opportunities of political dissent. They reluctantly chose revolution as the only course left. They knew the price of the citizenship that had been effectively denied to them by the British.

The preservation of the elements of citizenship for themselves and their children was a problem which no society before them had been able to solve. There was no proven answer, no form of self-government, nor democratic theory that they could be sure would work.

The Constitution has developed as no more than an incredibly durable product of their experiences, their values, and the traditions of British law. It is an experiment in representative, democratic government that has survived and evolved only through the con-

tinuous reaffirmation of liberty, freedom, and justice.

The Constitution has never been a magic wand of meaningful self-government. It is a human institution, dependent on people to make it work.

The Constitution has never guaranteed peace, tranquility, and happiness. It only offers the opportunity for the citizens to pursue those human goals without recourse to armed revolution.

As long as there was plenty of room in America for men to grow and fulfill their potential, this experiment was a great success. For Americans who controlled their own destinies, shaped their own social and political institutions, and enjoyed unmatched economic opportunity, our Constitutional principles were easily applied. Change came slowly, and the future was bright.

Suddenly this has changed, and the application of the Constitution is less sure and less steady.

"Whether or not the bombs go off," says Paul Goodman, "human beings are becoming useless. Old people are shunted out of sight at an increasingly earlier age, young people are kept on ice till an increasingly late age. Small farmers and other technologically unemployed are dispossessed or left to rot . . . Racial minorities that cannot shape up are treated as a nuisance . . . Since labor will not be needed much longer, there is vague talk of a future society of 'leisure,' but there is no thought of a kind of community in which all human beings would be necessary and valued."

So we ask if the Constitution can keep up with an America where scientific achievement has become a cult, where technology thrives on itself at an inhuman pace, and where social and political institutions have become centralized and removed from the communities and neighborhoods.

This feeling of loss of identity and lack of control is shared by the young, the Blacks, the Mexican-Americans, and the poor whites, and it is spreading. A new foreign policy, significant tax reform, and the protection of the environment—substantive reforms which we all know we need—are not alone going to awaken the citizenship that is missing.

What many Americans have lost to modern society consists of much more basic human needs—needs recognized by the men who wrote the Constitution. These needs are the opportunities which enable citizens to assert effective control over their own lives.

As time has passed in America, the distance between the people and their government has increased as fast as our population. And that ever-widening separation has made it more and more difficult for people to get together to solve their problems—to eliminate the gaps between generations and races.

The concepts of citizenship and self-government have come to have little meaning to a man who cannot find a job, adequate medical care, or a decent home. They have little meaning to a man whose taxes buy a freeway when he needs a subway to commute to work, or whose taxes pay a farmer not to grow crops when he cannot get enough food for his family.

The ideals of citizenship are scorned by a younger generation asked to fight in a war of dubious origin and uncertain purpose, facing a future in a world dehumanized by technology, and then told to wait for their turn to participate in the decision-making process.

The guarantees of the Constitution are questioned by the hundreds of thousands of District of Columbia residents whose relationship to their government is that of tenants to an absentee landlord.

This is the most serious problem that faces America: How can we get some life back into the democratic experiment?

The only answer is to see that the tools of the democratic experiment—the Constitu-

tional guarantees of freedom, liberty, justice, and social economic and political participation—be fully available to all Americans.

This equality was missing in America before 1776, was the premise of the Constitution, and is comprised too seriously in 1969.

Together we must humanize and decentralize our public and private institutions—remaking them to respond to all Americans.

Almost 200 years after the Revolutionary War, Washington, D.C. is a colony of absentee rule, the American people lack a direct voice in the election of their President, millions of citizens are disenfranchised, and some Americans are more equal than others.

We cannot afford to widen the gap between promise and performance any more. When life for some Americans becomes this intolerable, our lack of action is no more acceptable than an over-reaction which widens the gap.

Our only choice is to work together on equal terms—not as parts of the "problem" on the one hand and as parts of the "solution" on the other, but as partners in an effort to restore the most basic concepts of the Constitution to the life of each citizen.

This is the challenge of citizenship today. Walter Lippmann recently put it this way:

"This is not the first time that human affairs have been chaotic and seemed ungovernable. But never before, I think, have the stakes been so high. I am not talking about, nor do I expect, a catastrophe like nuclear war. What is really pressing upon us is that the number of people who need to be governed and are involved in governing threatens to exceed man's capacity to govern. This furious multiplication of the masses of mankind coincides with the ever-more-imminent threat that, because we are so un-governed, we are polluting and destroying the environment in which the human race must live.

The supreme question before mankind—to which I shall not live to know the answer—is how men will be able to make themselves willing and able to save themselves."

FAMILY PLANNING: PUBLIC PRIORITY AND PRIVATE RIGHT—III

Mr. TYDINGS, Mr. President, Dr. Ansley J. Coale is director of the office of population research at Princeton University, professor of economics at Princeton, and U.S. Representative to the United Nations Population Commission. At the 1968 annual meeting of the Population Association of America, Dr. Coale delivered an excellent presidential address entitled "Should the United States Start a Campaign for Fewer Births?"

As a part of this series of RECORD insertions, I have been offering as background material for the hearings on family planning legislation of which the Senator from Missouri (Mr. EAGLETON) will be chairman shortly, I believe Dr. Coale's address would be a valuable addition. Therefore, I ask that 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:

SHOULD THE UNITED STATES START A CAMPAIGN FOR FEWER BIRTHS?

(By Ansley J. Coale)

(NOTE.—This paper, presented at the 1968 Annual Meeting of the Population Association of America as Professor Coale's presidential address, will be published in the October, 1968, issue of the Population Index, publication of the Office of Population Research, Princeton University.

(Ansley J. Coale, Ph. D., Director of the

Office of Population Research at Princeton University, is Professor of Economics at Princeton. He serves as U.S. Representative to the UN Population Commission.)

Each generation seems to assume that the demographic circumstances it is experiencing will persist and tries to formulate population policies to insure that they won't. During the 1930's social scientists, noting that fertility had been declining for more than a century in the United States and for 50 or 60 years or more in most of the wealthier European countries, and observing that although natural increase was still positive for most of these populations, current fertility was below replacement and the intrinsic rate of increase was negative, foresaw a declining population in the near future. The economic and social implications of a declining population were expected to be unfavorable. In fact, according to some economists, slow population growth in the 1930's was one of the major reasons for the worldwide depression. These circumstances and trends led some alarmists to speak of incipient race suicide, and others to deplore the supposed dysgenic effects of especially low fertility among the educated and the wealthy.

There was much discussion of the need for pro-natalist policies. A number of countries, some authoritarian governments and others quite democratic, started a pro-natalist program of one kind or another. Today, after some 20 years of fertility well above the pre-World War II levels, it has become fashionable to explain almost every national failure or shortcoming by rapid population growth—the ugliness and hopelessness of slum life, wasteful and irritating traffic jams, unemployment and delinquency among the disturbingly large fraction of adolescents who drop out of school, the pollution of air and water, and the disappearance of the natural beauty of our country behind a curtain of billboards and under a blanket of Kleenex and beer cans. The most dramatic example of blaming population for our problems was a full-page ad that appeared recently in New York and Washington papers showing an older man being assaulted, his glasses falling off, one hand of his assailant around his neck and the other holding a knife. The caption asked, "When were you last mugged?" and ended with a plea for funds for an anti-natalist organization.

Here, I am taking the opportunity of expressing my own opinion, in large part an uncertain and tentative one, on what policy on population might be appropriate in the United States. My subject is not population policy within the less developed countries nor the appropriate policy of the United States with regard to population problems in these countries. Within the national context, I shall consider only policies directed towards influencing the growth of the population (not its location or quality) and shall indeed confine myself to policy designed to influence natality, not touching on migration, and assuming that the general policy with respect to mortality will be a continued effort to reduce it. I shall discuss, in other words, the considerations that might underlie a national policy designed to influence the future of American natality.

VOLUNTARISM AND POPULATION GROWTH

One policy towards natality that has very widespread, though of course not universal, support is to seek to make available to every couple and indeed to every woman the means of insuring that no pregnancy should occur except as the result of a deliberate decision to become pregnant. Opposition to this policy is on primarily religious grounds, and this does not seem an appropriate time or place to discuss moral or religious issues.

Recently, the movement to insure that each pregnancy is a planned one has been criticized as inadequate population policy since, if every woman in the United States

were to experience the number of births that she seems to want, the result would be an increase in the population of some 40% per generation, or an average annual growth of more than one per cent. In the long run a continued growth at such a rate would be disastrous, leading to such well known absurdities as one person per square foot in six to eight centuries and a mass of Americans outweighing the earth after a few more centuries. The continued achievement of recently expressed family size targets would yield a population of over 300 million before the end of this century and over a billion before the end of the next. Thus, if preferences for the number of children remain fixed and the supposed association between traffic congestion, air and water pollution, juvenile delinquency and the like on the one hand and population growth on the other is accepted, it appears that a policy of just extending planned parenthood might be wholly inadequate even during the next few decades.

THE DEMOCRATIC TRADITION

One reason the policy of seeking to make voluntary fertility universal is appealing—whether adequate or not—is that it is a natural extension of traditional democratic values: of providing each individual with the information he needs to make wise choices, and allowing the greatest freedom for each to work out his own destiny. The underlying rationale is that if every individual knowledgeably pursues his self-interest, the social interest will best be served. Indeed, I am confident that in America universal and completely effective birth control would cause population growth to cease before the Malthusian positive checks of famine and disease reassert themselves.

If the cost of living space became high enough relative to other costs, people with a free choice would come to prefer a smaller number of children. But it is clearly fallacious to accept as optimal a growth that continues until overcrowding makes additional births, intolerably expensive. In fact, this is a classic example of the fallacy of composition: the fallacy of assuming that in social affairs the whole is the sum of the parts. There are many instances where the individually advantageous choice is not socially desirable. For example, in a period of incipient inflation, the most advantageous action for each individual is to get rid of his money as quickly as he acquires it and obtain and hoard real assets—an action which, generally followed, naturally makes the inflation worse.

THE RISK OF GROWTH

In other words, to fulfill the stated preferences for numbers of children of American couples today would lead to a rate of increase well above zero, a rate that would in the long run be catastrophic. We cannot count on the automatic effect of self-interest to reduce the growth rate soon enough, even if contraception were universal and virtually perfect. In fact, we cannot be sure what the future growth of population will be with or without explicit measures to influence desired family size. We must recall that fertility was low and rapidly falling in the prosperous 1920's, that it rose to unexpected heights in the postwar period and has been falling steadily for the past decade. Not all of the fluctuations are caused by changes in completed size of family. We know that a large part of the "baby boom" was a change in the tempo of childbearing and so is some of the decline. Nevertheless, no one—not even Professor Ryder—can confidently predict the average number of children that will be born by today's adolescents. [Norman Ryder, Univ. of Wisconsin sociologist, is co-director of the 1965 National Fertility Survey.]

However, the possibility must be taken seriously that fertility in America, even when wholly subject to voluntary control, may re-

sult in persistent growth at a rate of perhaps one per cent annually. Since this possibility implies that a policy aimed merely at improving the means and extending the availability of contraception might permit a socially undesirable growth in population, ways to affect the number of children people want must be examined.

GOALS OF POPULATION POLICY

The design of policies to influence the number of children people want raises two questions. The first is the specific content of the policies, i.e., by what means are couples to be induced to alter the number of children they want, and what are the associated side effects, so to speak, of these specifics on social and political goals other than population growth itself? Secondly, leaving aside the means of influencing desired family size, what should the target of policy be in terms of the socially desired number of births? I shall discuss the second question first. Assuming that natality could be influenced with no adverse social or individual costs, what should the target be?

A few years ago, the answer to this question would be sought by trying to estimate the optimum population. If the optimum were larger than the current population, the target should be a positive rate of growth until the optimum was reached. The rate of growth should be zero if the optimum were approximately the same as the current population, and so on. More recently, the emphasis has shifted from attempting to choose the best population size, to choosing the best rate of increase. Lincoln and Alice Day in their book *Too Many Americans* proposed the target of a zero rate of increase at an early date. This goal was vigorously endorsed by Kingsley Davis in his provocative article in *Science* in November, 1967.

A MODEST TARGET

In the long run, an average rate of increase of zero is not only desirable but inevitable. The population of the world in 8000 B.C., prior to the appearance of the earliest known farming communities, has been estimated as 5 million. Today—10,000 years later—it is nearly 1,000 times larger at 3.5 billion, yet the intervening average rate of increase has been less than 1 per 1,000 per year, a very precise balance indeed between births and death. If we agree that the earth will have at least 5 million inhabitants and at most 5 trillion 10,000 years hence, the average rate of increase (positive or negative) must be within 1 per 1,000 of zero. In other words, a long-range average growth of zero will be the inevitable consequence of inevitable limits—on the one hand of standing room only or on the other extinction. The question is really when is it desirable to attain zero rate of increase? We can rule out a target of zero growth beginning this year since to achieve it would require reducing the birth rate to about nine per thousand, i.e., to equality with the death rate, and the consequence would be such a precipitous decline in the number of children and such an irregular subsequent age distribution that a large number of unnecessary social burdens would be incurred. A more acceptable goal would be the achievement of mere replacement for the cohort of women now entering child-bearing, i.e., women 15-19. This more modest target would bring an increase to over 250 million by the year 2000 and a stabilization a few years later at about 290 million, in the absence of further immigration.

INCOME, NOT RACE, DECISIVE

If population growth is accepted as the cause of overcrowding, poverty in the slums, daily traffic jams and pollution of air and water, then the early achievement of a zero growth rate is clearly desirable and it might even seem worthwhile to contemplate a shrinking population to diminish these problems. However, it seems to me that the association between the overall size and growth

of the U.S. population and these problems is really rather indirect. For example, high fertility is one of the factors helping to perpetuate the deprivation suffered by racial minorities in this country. However, it is a particularly flagrant error to attribute their deprivation primarily to this cause, and a very dangerous doctrine with overtones of prejudice to advocate special measures to reduce their fertility.

The fact is that Negroes with a northern urban background have no higher fertility than whites with equivalent education and income. Negro women married to men with college education, with professional or related occupations, and with incomes of about the \$7,000 level have lower fertility than comparable white groups. Nearly half of the Negro urban population 20 to 30 years old in 1960 had been rural residents in 1950. Rural southern residents did not overcome the effects of meagre education and the other shortcomings of the environment in which they had been raised when they moved to urban areas, but took the effects of their upbringing, including high fertility, with them. Fertility in the urban ghettos will fall if discrimination is alleviated, if educational and employment opportunities are equalized.

SMOG IN AUSTRALIA

Pollution is caused by internal combustion engines as operated at present and by the unrestricted discharge of noxious fumes from other sources into the atmosphere. Similarly water pollution is caused by the discharge of noxious effluents into rivers, lakes and oceans. A population half or three-quarters the current one in the United States could ruin the potability of our fresh water supplies and poison our atmosphere by the unrestricted discharge of waste. Australia has a population of less than 12 million in an area more than 80% that of the United States. Yet Sydney has problems of smog, water pollution and traffic jams. In fact, most of the social and economic problems ascribed to our excessive population in the United States or to its excessive rate of growth are affected more by how our population has chosen to distribute itself than by its size. The problems arise from excessive concentration in the metropolitan areas, not from excessive total numbers.

MOST COUNTIES DECLINED

More than half the counties in the United States have lost population in each of the last two inter-censal decades. The density of population is 4.5 times greater in France, 10 times greater in the United Kingdom, and 30 times greater in the Netherlands than in the United States; yet pollution, traffic jams, and delinquency are no worse in those countries than here. Even if our population rose to a billion, its average density would not be very high by European standards. It seems to me that we must attack the problems of pollution, urban deterioration, juvenile delinquency and the like directly; and if sensible programs are evolved, continued population growth in the order of one per cent annually would not make the programs tangibly less effective.

A POPULATION OF THE AGED

But what reason, if any, is there to postpone the target of zero growth? One reason is that a stationary population has unfavorable as well as advantageous effects. The most conspicuous disadvantage is the age composition implied by a stationary population, especially at the low mortality that has been achieved in advanced countries. A stationary population with an expectation of life of 70 years has as many people over 60 as under 15. The distribution is essentially vertical up to age 50 or 55. The median age is about 37 years. A society with such an age structure is not likely to be receptive to change and indeed would have strong tendency towards nostalgia and conservatism. A French writer has characterized a stationary population as, "a population of old people

ruminating over old ideas in old houses." As Myrdal pointed out years ago, in a stationary population there is no longer the consonance that there is in a growing population between the pyramid of responsibility and the age pyramid.

When the population is stationary, there is no longer a reasonable expectation of advancement in authority with age, since the number of 50 year olds is little different from the number of 20 year olds. I repeat that zero growth rate is inevitable in the long run and desirable before overcrowding becomes painful. However, it is not clear that this generation would choose wisely to accept during its lifetime the costs of a stationary society rather than to pay during its lifetime the costs of continuing growth. To put the point in different terms: the logical argument that the population must become stationary could have been made in 1920 or in 1900 or in 1850. It might have been wiser (indeed, I think it would) to have encouraged slower population growth than the United States experienced in the late 19th Century. However, it does not seem obvious that it would have been to the advantage of Americans then or now had a stationary population been chosen at some earlier time. Nor does it seem certain to me that the earliest possible stationary population is the best choice today.

CITIZENS VERSUS DESCENDENTS

The question is one of balance between the disadvantages of further growth and greater population size on the one hand, and the disadvantages of a stationary population on the other. The problem is complicated by the fact that the choice is inevitably not only for ourselves but also for future generations. Many of the burdens of allowing the population to grow during the next 100 years will be borne by descendants who will live after the middle of the next century.

However, not only is it difficult to visualize these burdens (and also difficult for many of us to be concerned about them); it is also uncertain as to how the burdens will be viewed by the future citizens themselves. It is my observation that the disadvantages of a larger population are seen most vividly by those who were born in an earlier era. Often the current inhabitants see nothing wrong with many of the changes that the older citizens decry. I feel deprived by the disappearance of open land around Princeton. My children never miss it. People raised in Manhattan not only find life there tolerable, but preferable. In other words, to pay the price of an early achievement of a stationary population in order to spare our descendants from a higher population density may be to do them a favor that they will never appreciate.

METHODS OF INFLUENCING POPULATION GROWTH

I have doubtless taken longer than I should to say, on the one hand, that the case for the immediate achievement of zero growth is inconclusive and, on the other, that we cannot count on universal planned parenthood to achieve zero growth at the best possible moment. In other words, whether or not we need programs right now to affect people's preferences for more or fewer babies, we may need them in a generation or two and must face the question of what sorts of programs would be suitable.

One can begin by describing some of the properties a good program should have and some of the pitfalls that it must avoid. A major consideration is the effects the program might have other than on the birth rate. Preoccupation with population growth should not serve to justify measures more dangerous or of higher social cost than population growth itself. At the end of a working day during the construction of the Brooklyn Bridge, an Irishman was returning to the ground from work high on one of the towers. He was sliding down a rope and was still more than 30 feet above the ground when he fell. One of his friends came up as Pat was waiting for the ambulance and asked "What happened, Pat? Did you lose your

grip?" "No," he said. "I let go of the rope." "Why in heavens name? "Because I thought it was going to break."

THE QUESTION OF CHOICE

An ideal policy would permit a maximum of individual freedom and diversity. It would not prescribe a precise number of children for each category of married couples, nor lay down a universal norm to which all couples should conform. Some people have a stronger preference for children than others within any overall social context and the ideal policy would permit the expression of this diversity of individual values.

Some of the changes that contributed to the post-war baby boom seem to me desirable from the point of view of the individual family. The changes to which I refer include a substantial decline in the proportion remaining single, a very large decrease in childlessness, and a marked diminution in the proportion of couples having only one child. Nor do I think we should view it as individually reprehensible if some couples desire to have three, four, or more children. After all, the psychological burden of being an only child is well known, and in a two-child family sibling rivalry is at a maximum, and when there are three children, two are likely to gang up on one. Thus, when the extra burden of the fourth child does not worsen parental dispositions or health, four does not seem an undesirable number from the point of view of the children in the family.

It would be clearly inconsistent to argue that four should be the norm when discussing a policy intended to produce a zero rate of increase, since to achieve replacement the average number born to married couples must be about 2.3. However, the ideal policy would permit a minority of families (families in which the parents are prepared to substitute expenditures on more children for expenditures on luxury goods and in which the housewife is prepared to devote her talents and energy to child-raising rather than to some alternative career) to choose an above-average number of children without being viewed with scorn or disapproval.

A POLICY OF INCENTIVES

An ideal program designed to affect the number of children people want would help promote other goals that are worth supporting on their own merits, or at least not conflict with such goals. Specifically, the program should not have the inequitable effect of adding to the burdens of the underprivileged, and ideally should reduce inequity by easing their burdens. A program for increasing the number of children people want is more readily reconciled with humane goals than a program for diminishing the number they want. In the 1930's, when the Swedish birth rate was well below the level required for long-range replacement, the liberal Swedish government proposed a number of measures intended to increase fertility. The Swedes were opposed to the cash benefits then being introduced in totalitarian Germany and Italy. They felt that financial inducements might appeal to the persons least equipped to provide a good home environment for the next generation. The Swedish policies were designed to remove or to reduce the restraints that were then preventing responsible parents from having more children. They provided free pre-natal care and lying-in hospitals to minimize the danger and cost of childbirth. They offered to large families lower rates of rental per room in government housing, so that the cost of extra space would not serve as a deterrent to having more children. They increased the number of state scholarships in Swedish universities, so that parents could hope that they could afford to educate an extra child.

No one would advocate the converse of these proposals as an ideal program for reducing fertility when it is too high. The reason that there is an instinctive negative

reaction to deliberately increasing medical charges for pre-natal care and delivery, purposefully raising rents for large families and reducing scholarships at the universities, is that such measures and others that have sometimes been proposed, such as tax scales that increase with size of family, would all have the effect of imposing hardships on those who are already deprived. Measures to discourage fertility by imposing additional burdens on those who bear children will almost inevitably be unfair so long as a substantial proportion of births, especially to those with high fertility, result from accidental pregnancies. If another unwanted child is added to a large family, his lot will scarcely be improved if his parents face some kind of financial or other penalty as a result of his birth.

MEETING HUMAN NEED

The planned parenthood program of making people aware of the possibility that the number of children born can be regulated consciously and of making readily accessible truly effective means of contraception that do not interfere with sexual pleasure meets these criteria. To eliminate unwanted child-birth clearly increases freedom of choice. Since the burden of unwanted pregnancies is greater for the underprivileged, as is the incidence of such pregnancies, extension of effective fertility control contributes slightly at least to a narrowed difference between the privileged and the deprived. The proportion of most recent births characterized as not wanted is especially high among Negroes at the lower end of the scales of income and education. However—we must repeat—a planned parenthood program is not necessarily adequate to achieve the growth that public interest requires.

AN EXERCISE IN FICTION

Economists at the University of Chicago are famous for judging a public policy as desirable to the extent that it operates through the mechanism of a free market. I have heard it facetiously suggested as the ideal form of fertility regulation to introduce a highly effective anti-fertility agent in the water supply and then to sell the antidote at a controlled price, allowing market forces to do the rest. When the birth rate is too high, the price of the antidote can be raised, and vice-versa. People who place an especially high value on children can have as many as they can afford. The less doctrinaire economists of this school might be willing to complicate such a method of regulation by a scale of prices to allow for the different economic circumstances of different purchasers. The system could be extended to cover fertility below replacement even when the price of the antidote is zero by offering a subsidy under these circumstances to persons willing to take the antidote. The feature of an approach like this that I find most appealing is the fact that it does not attempt to enforce a limitation of two births or three births per couple, as has been recommended for example by Lincoln Day.

Of course, the solution I have attributed to the Chicago school of economics is an exercise in science fiction. It is probably more unrealistic politically than technologically. I describe it only to characterize, even if in an unrealistic fashion, features that one would like to find in a program for regulating fertility. There are more feasible measures that might be implemented, such as reducing the remaining discriminatory rules and attitudes about the employment of women, further equalizing educational opportunities at both the undergraduate and professional level, and in general opening further career opportunities as an attractive alternative to motherhood. A liberalization of laws on abortion would be a useful supplement to the "planned parenthood" program outlined earlier.

A set of measures of this sort does not add up, of course, to a tidy and logical but un-

realistic Chicago economists' program. Perhaps the greatest weakness of such measures is that their effect on fertility is uncertain and occurs after a substantial lag in time. Also, the measures are irreversible—it would hardly be feasible to increase discrimination against women if the birth rate fell too low. Fortunately, as was stated in the first part of these remarks, I do not think that we need to rush into a program of special inducements for lower family size targets. After all, the gross reproduction rate in 1967 was only about 1.30, some 28% below its peak in 1957. The birth rate of January 1968, moreover, shows an especially sharp additional drop, even after seasonal adjustment. It is possible that by the time a feasible program is ready for formulation in the form of legislative proposals, we shall be seeking ways of increasing fertility in order to avoid a declining population.

PROPOSED REPEAL OF EMERGENCY DETENTION PROVISIONS OF INTERNAL SECURITY ACT OF 1950

Mr. INOUE. Mr. President, I was most pleased to read an editorial published in yesterday's Washington Post, urging the speedy consideration of S. 1872, a bill I introduced, with 26 cosponsors, to repeal the emergency detention provision of the Internal Security Act of 1950. I believe the editorial gets to the heart of the matter by stating:

It is idle to say that the law will never be put into effect by an American President. If it will never be put into effect, it should be repealed.

Therefore, I am urging again, that hearings be conducted by the Committee on the Judiciary and that speedy and favorable consideration be given to S. 1872. I ask unanimous consent that the editorial be printed in the RECORD.

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

A SLUR ON AMERICA

Most Americans, if told by some foreigner that the Government of the United States was contemplating the construction of concentration camps, would respond either with derision or with indignation. Concentration camps are the ugliest symbol of totalitarianism; they are as "un-American" as gas chambers. Yet the sad truth is that in the hysteria of 20 years ago over communism, Congress passed a law—the Internal Security Act of 1950 more commonly referred to as the McCarran Act—giving the government authority, in a period of national emergency, to put into concentration camps, called "detention centers", persons deemed likely to commit espionage or sabotage. That evil law remains on the statute books today, a legacy of the panic that prompted it.

It is idle to say that the law will never be put into effect by an American President. If it will never be put into effect, it should be repealed; but the Department of Justice, Columnists Evans and Novak report, flatly opposes repeal. It is idle to say that Negroes are absurd to be fearful these camps are intended, at some period of crisis, to confine any of their leaders who may become too militant from a white point of view. Negroes cannot forget that they were once treated as chattels in this free country simply because their skin was black; and they remember that native-born American citizens were penned into detention centers during World War II simply because their skin was yellow. It is idle to say that political nonconformists need have no fear these camps will be employed to silence them. Silencing opposition is the very point and purpose of a concentration camp.

It is a reproach to the United States that its Congress should fail to repudiate so strange a statute. Several bills have been introduced to repeal Title II of the McCarran Act. They ought to be passed by acclamation, regardless of the Department of Justice. It will not diminish the security of this country to restore the ancient pride of Americans that they cannot be imprisoned save in accordance with due process of law.

TAX REFORM ACT OF 1969—ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, on Friday, October 17, the Committee on Finance met in executive session and reached decisions on many important sections contained in the Tax Reform Act of 1969. These sections include the tax treatment of farm cooperatives and rural electric cooperatives; Federal land banks; farm losses and hobby losses; holding period for livestock; and livestock depreciation recapture. Additionally, the committee added to the bill two amendments relating to, first, crop insurance proceeds, and, second, health insurance and medicare and Medicaid.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

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

[A press release from the Committee on Finance, U.S. Senate, Oct. 17, 1969]

TAX REFORM ACT OF 1969—ACTIONS IN EXECUTIVE SESSION

Honorable Russell B. Long (D., La.), Chairman of the Senate Finance Committee, announced today that the Committee had reached further major decisions with respect to the Tax Reform Act of 1969. The important subjects before the Committee at today's executive session concerned the treatment of farm cooperatives and farm losses.

A complete explanation of the actions taken by the Committee follows:

FARM COOPERATIVES

The Committee deleted from the House bill the provisions which would have required farm cooperatives (1) to pay out in cash 50 percent (instead of 20 percent, as provided by existing law) of patronage dividends if they are to qualify for deduction, and (2) to redeem the patronage dividend within 15 years. The Committee noted that the House provisions would not have produced any additional revenue for the Federal Treasury.

However, in a related move, the Committee directed the staff to explore the possibility of taxing cooperative organizations on their income which is not related to the purpose for which the cooperative was created. This would enable the Committee to determine whether the competitive advantage available to cooperatives which engage in a profit-making business enterprise can be removed without jeopardizing the purposes for which cooperatives were granted a tax advantage.

A technical amendment was also approved to allow cooperatives 8½ months after the close of the year to make cash payments of per-unit retain allocations and deduct them, thus conforming to the period presently allowable in the case of non-cash allocations.

In addition the Committee agreed to provide a 10-year carryback with respect to bad debts of the banks for cooperatives.

RURAL ELECTRIC COOPERATIVES

The Committee also added to the bill an amendment which would require rural electric cooperatives to pay tax on the interest income they receive on Federal government obligations they own if they also have bor-

rowed from the Federal government loans bearing a special low rate of interest.

FEDERAL LAND BANKS

The Committee approved an amendment to terminate the Federal income tax exemption (first enacted in 1916) for Federal Land Banks over a 5-year transition period. This action should add approximately \$12 million to Federal reserves.

FARM LOSSES

The Committee agreed with the House that the tax treatment of farm losses should be brought under greater control. However, it felt that the approach taken by the House was unnecessarily complicated. Accordingly, the Committee agreed to a substitute for the House provision. Under this substitute, an individual who has more than \$50,000 of non-farm income and who incurs a loss from his farm operation of more than \$25,000 (these are the same tests provided in the House bill) will be allowed to deduct currently only one-half of his farm losses in excess of \$25,000 against his non-farm income. The remaining portion of his farm loss which would not be allowed as a deduction in the year it is incurred could be carried over for an indefinite period but could be used only to offset future farm income.

Under the Committee substitute, farm losses up to \$25,000 could continue to be deducted in full against non-farm income but deductions in excess of \$25,000 (where the taxpayer has non-farm income of more than \$50,000) could be subject to an initial 50% disallowance.

Initially, the Committee substitute would produce more revenue for the Federal government than the House bill. This is so because the House bill allowed a full current deduction of farm losses but then recaptured at ordinary income tax rates the amount previously deducted when the farm property is sold at a capital gain.

CROP INSURANCE PROCEEDS

The Committee added an amendment to the bill (Amendment No. 243, Senator Miller (R., Iowa)) to provide that at his election a farmer whose crops have been destroyed and who receives crop insurance proceeds in compensation for his loss may elect to defer the immediate reporting of these proceeds for Federal income tax purposes until the year following the year of destruction, provided that is the year in which he would normally have reported the income from the sale of the crop if it had not been destroyed.

HOLDING PERIODS FOR LIVESTOCK

Under existing law livestock must be held for one year in order for the gain on its sale to qualify for favorable capital gains treatment. The House bill would have changed the holding period so that livestock must be held for at least one year after the animal would ordinarily have been used for draft breeding and dairy purposes. Because this test was difficult to apply in the case of many types of livestock the Committee approved an amendment under which horses and cattle must be held for at least two years in order to qualify for capital gains treatment. Other types of livestock would remain subject to the one-year holding period presently in existing law.

LIVESTOCK DEPRECIATION RECAPTURE

The Committee adopted the House bill provision which provides for the recapture of ordinary income tax rates of gain on the sale of livestock to the extent depreciation deductions had previously been taken with respect to purchase livestock and deduct it against ordinary income. Under present law, all the gain on the sale of livestock is treated as a capital gain.

HOBBY LOSSES

Under the House bill, the hobby loss provision in existing law would be replaced with

a rule that disallows the deduction of losses from an activity which is not carried on with a "reasonable expectation of profit."

The House bill presumed the activity to be carried on without an expectation of profit where the losses from the activity were greater than \$25,000 in three out of five years. The Committee agreed with the House as to the desirability of tightening up on the deduction for hobby losses. However, testimony presented at the hearings indicated considerable difficulty could be expected from the subjective nature of the test applied by the House bill. For this reason, the Committee modified the House bill in such a way as to disallow losses with respect to an activity which the taxpayer is "not engaged in for profit."

The Committee also provided that if the taxpayer has profits in two out of five years from the activity in which he is engaged, he would be presumed to have engaged in that activity for profit and the Internal Revenue Service would be under a burden to rebut this presumption.

The Committee also approved technical amendments, the most important of which would assure the continued deductibility for items which would be deductible without regard to a trade or business. Items referred to include deductions for interest, State and local taxes, and long-term capital gains. In this same vein, the Committee agreed that even in the case of a hobby loss the expenses involved would be deductible to the extent of the income received from the activity.

Because concern has been expressed as to whether there would be a reasonable administration of this provision, the Committee expressed its intent that the Treasury should establish two advisory groups drawn from the cattle and horse industries to assist the Commissioner of Internal Revenue by examining the reasonableness of cases which agents would contemplate bringing under the new hobby loss provision. One advisory-agreed group would be concerned with livestock operations and the other with horse raising, breeding and racing operations. These advisory groups would be composed of industry experts and would examine and recommend action to the Service with respect to cases involving their industries. This action would precede the disallowance by the Internal Revenue Service of deductions of losses under this provision. This would assure taxpayers of a high level review of their cases by responsible representatives of their industry. This intent will be repeated in the Committee reports and the tax reform bill.

MEDICAL INSURANCE; MEDICARE

The Committee approved an amendment which will be added to the bill to require that payments made under the Medicare and Medicaid programs and payments made by private medical insurance carriers must be reported to the Federal tax collector if they aggregate \$600 or more during the year. This amendment would also require that the Department of Health, Education, and Welfare record transactions with respect to these programs on the basis of the individual's social security number. The payments which must be reported include those made directly to the health care practitioner who accepts an assignment from his patient and those for which a patient submits bills and is paid for services rendered by the health care practitioner. The amendment also requires that the Secretary of Health, Education, and Welfare submit an annual report to the Finance Committee and to the Ways and Means Committee, identifying each person paying a total of \$25,000 or more under Medicare and Medicaid.

MINNESOTA CITY

Mr. MONDALE. Mr. President, one of the concerns for the future of the Nation is how and where to accommodate a pop-

ulation which will increase by some 100 million by the year 2000 and double to 400 million Americans within 50 years.

One answer lies in the creation of new communities. In my State of Minnesota we are moving ahead on two fronts. The new city of Jonathan, near Chaska, is working closely with the Department of Housing and Urban Development, under its New Communities Act created by the historic Housing and Urban Development Act of 1968, to create a new city in relation to the infrastructure of a small town.

Since mid-1966, the energies of the University of Minnesota, the State and Federal Governments, and our business community have joined to probe the creation of an entirely new kind of city.

I believe this latter effort, which is moving from the initial phase of theory to the second phase of experiment and development, is of extreme interest to Members of Congress and others who are concerned with the future urbanization of this country.

I ask unanimous consent that the text of the remarks by Otto A. Silha, chairman of the experimental city steering committee, be printed in the RECORD. Mr. Silha, who is also executive vice president and publisher of the Minneapolis Star and Tribune Co., spoke at a new towns developers conference.

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

THE EXPERIMENTAL CITY AND THE FUTURE OF URBAN AMERICA

This has been a year of significant milestones for what many now consider one of the most important and far-reaching undertakings ever launched in America . . . the planning and eventual building of an experimental city for the United States.

I hope that I may be able to leave with you a greater appreciation for the project and—especially—for what it can mean for Minnesota, the Midwest, and indeed for our entire nation as a partial but vital solution to many of our rural and urban problems.

Since mid-1966, when an experimental city was initially proposed, the energies of the University of Minnesota, the State and Federal governments, and our business community have been harnessed in developing, during Phase I, the theoretical foundations of this entirely new kind of city.

The project has maintained from the beginning, a certain magnetic quality, attracting the brainpower, experience, and talent of more than 170 workshop participants from all over America and symbolized by our Steering Committee. Let me quickly review the Committee's membership:

Gaylord W. Anderson, Director, School of Public Health, University of Minnesota.

Dr. James C. Cain, Professor of Clinical Medicine, Mayo Clinic, Rochester, Minnesota.

Max L. Feldman, Products Planning Associates, Santa Barbara, California.

Mrs. Rita E. Hauser, U.S. Representative, Human Rights Commission of the United Nations, New York, N.Y.

Walter W. Heller, Regents' Professor, Department of Economics, University of Minnesota.

Martin E. Marty, Professor, Divinity School, University of Chicago.

Malcolm C. Moos, President, University of Minnesota.

Joseph A. Pechman, Director, Economic Studies, Brookings Institution, Washington, D.C.

Roger Revelle, Head, Center for Population Studies, Harvard University, Cambridge.

General B. A. Schriever, U.S.A.F. (ret.), B. A. Schriever Associates, Arlington, Virginia.

Mrs. Muriel S. Snowden, Associate Director, Freedom House, Inc., Roxbury, Massachusetts.

Wayne E. Thompson, Vice President, Dayton-Hudson Corporation, Minneapolis.

Walter K. Vivrett, Professor, Architecture and Planning, University of Minnesota.

William L. C. Wheaton, Dean, College of Environmental Design, University of California, Berkeley.

Walter M. Beattie, Jr., Dean, School of Social Work, Syracuse University.

Harrison Brown, Professor, Geo-Chemistry, California Institute of Technology, Pasadena.

Arthur S. Fleming, President, Macalester College, St. Paul.

R. Buckminster Fuller, Engineer and Professor, Southern Illinois University, Carbondale.

Harvey S. Perloff, Dean, School of Architecture and Urban Planning, University of California, Los Angeles.

Athelstan Spilhaus, President-Elect, American Assn. for the Advancement of Science.

O. Meredith Wilson, Director, Center for Advanced Study in Behavioral Sciences, Stanford University, Palo Alto.

Paul N. Ylvisaker, Commissioner, Department of Community Affairs, Trenton, New Jersey.

Whitney M. Young, Jr., Executive Director, National Urban League, Inc., New York.

As a result of nearly three years of counsel and direction by these prominent Americans, and the work of a competent staff at the University, the State of Minnesota is in the forefront of an effort to find workable alternatives to the solution of our national urban crisis. No other large scale study of the potential of a new kind of city is currently under way in the United States. The importance of this effort is further underscored by the fact that the Minnesota Experimental City is the first research project in our nation's history to receive joint funding from three departments of the Federal government—the Department of Commerce, the Department of Health, Education and Welfare, and the Department of Housing and Urban Development. In addition, twelve private corporations, nine of which are headquartered in Minnesota, demonstrated their commitment to the City by contributing more than 25% of the \$320,000 required to complete the first phase of the project, which ended with the publishing of our Phase I Progress Report in June of this year.

At the outset, to give greater focus to the project, let me briefly review with you the 1969 nomenclature of "the cities."

The Minnesota Experimental City is frequently confused with the Model City program, which is essentially a much-needed extension of what we have come to know in previous years as urban renewal, a super coordination effort involving the many departments of government which deal with the problems of the city.

Let me emphasize that the Model Cities program basically involves the replacing of slum areas with new construction, along with attempting to deal simultaneously with the overwhelming "people problems" in these dense urban settings.

A second designation for urban development which has come into the vocabulary recently is the "New Town." There are now in construction or on drawing boards, more than 250 "New Towns" in the United States. The two with which you are probably most familiar are Reston and Columbia, both of them in the greater Washington, D.C., areas. Jonathan in Carver County is the nearest counterpart in this part of the country.

Actually, in oversimplified terms, the New Town is a real estate development. They are all primarily in the private sector and many of them are spearheaded by large corporations.

Interestingly enough, almost all of these

planned "New Towns" are located around the "rims" of the United States. You can trace the concentration starting from the Boston area in New England down along the East Coast into Florida, across the Gulf Coast into Texas, through Arizona and then up to the West Coast of California. Very few of them are mapped out for the Midwest.

I want to make the distinction now between the Model Cities, the New Cities and the Conference subject—the Experimental City. The key phrase which I prefer to use in describing the Experimental City is that it will comprise an *overleap* in research and in seeking more alternatives in dealing with the problems of the city.

This experimental overlap would offer an opportunity to start anew rather than dealing with the entangling restrictions of every sort—power, transportation, sewer lines, to name a few—which are ever present when we attack the problems of the established city or even the environs of an established metropolitan area.

The Minnesota Experimental City has been conceived as a totally new city in which innovations—technological, social, economic, and physical—could be developed, experimented with, and evaluated. Such a city currently could lead the way to a more humanized order of urban living. In short, the objective of the Minnesota City is to improve dramatically the quality of life by providing a major advance in man's ability to shape his environment.

We know that today's urban systems are complex and interacting; thus only through a new city is a total systems experiment possible. The Minnesota Experimental City, located some 100 to 150 miles from any existing urban center and housing eventually some 250,000 people, will provide that opportunity.

The fragmented experiments possible in existing urban settings are no substitute for what we envision here. Tradition and the status quo can be—and frequently are—deadly enemies of human progress but, in a new city, it will be possible to experiment in a coordinated way with a wide myriad of human and environmental factors.

Thus, we look upon the Experimental City as a national proving ground for demonstrating our social, economic and physical capabilities for building cities that can be truly responsive to man's changing needs. The real premise of the City, then, is that 1) man can creatively mold his environment; 2) that we can uniquely unite the technological resources of the private sector with the authority of the public sector; and, finally, that we can do much more to serve people by harnessing an reorienting the social, economic and physical forces about us.

And, what is the great force compelling us to forge ahead . . . people. Dr. Patrick Moynihan, President Nixon's urban adviser, has repeatedly spoken of the need to deal boldly and imaginatively with the American population explosion. America's population trend is irreversible—despite a birthrate of only one per cent, the United States will grow by 100 million people in the next thirty years.

We must find the means to locate these Americans in other than existing urban centers. In short, as Dr. Moynihan says, we need to build in the United States one city the size of Tulsa, Oklahoma each month for the next thirty years just to keep pace with our population explosion.

The question of numbers aside, we are also rightfully concerned with the "quality of life" for our people.

The MXC project proposes to create near the geographic center of the North American continent a new city which can serve in 1976 as a symbol of the progress of two hundred years of an evolving democratic society—its people, institutions, and technology.

In several of our MXC workshops, participants stressed the importance of the City

subscribing to a set of community and human values consistent with the following principles:

- (1) That citizen participation in evaluation and change be encouraged so as to develop mechanisms for achieving further progress.
- (2) That social interaction within and among age, religious, racial and ethnic groups and subgroups be fostered.
- (3) That personal integrity, individuality and freedom of choice be upheld.
- (4) That protection and security be assured; and
- (5) That the City will provide for creative and renewing experiences for its inhabitants.

Hence, the search for innovation will not be limited to physical hardware and physical arrangements; equal significance will be given to the need for genuinely new and progressive social institutions and social arrangements.

The Minnesota Experimental City, by its very nature, would have a number of inherent advantages, including:

- (1) Lower land costs, particularly if the ultimately selected site is removed from an area currently under development or if it were already in the public domain.
- (2) Housing of diverse types and sizes could be built into the communities to accommodate the full life cycle, and to experiment with intermixes of different income, age, and ethnic groups.
- (3) Fewer legal and regulatory restrictions would deter innovation in construction technology; and
- (4) Community attitudes would be more conducive to change and experimentation; far fewer economic or socio-psychological commitments would manifest themselves as barriers to change.

As an instant city, defined to mean a ten-year development effort from the beginning to substantial completion, the Experimental City would permit a coordinated application of social and physical know-how in a working, demonstration of what man can achieve if he so desires.

For the first time in the history of man, we are advancing the concept of building a complete city from an ecological base. Past Steering Committee deliberations and MXC workshops have generated some exciting concepts for intensive investigation, research and/or development during Phase II. Here are but a few of the ideas:

The feasibility of free public mass transportation being built into The City the way an elevator is built into a building.

The possibility exists for co-ordinated testing and experimentation with MXC ideas in the near-term future. We find an emerging interest in conducting experiments wherever possible in existing communities, including our central cities. For example, certain experimental ideas may be suggested for the Model City area of Minneapolis.

The whole concept of research on "the new" and people's capacity to absorb new ideas and new things. The "marketing" aspects of new ideas constitute a whole new field for concentrated research.

A "situation room" or an "information transfer" room may be constructed for use in the planning and design stages of The City, but also as an experiment for early application in existing cities.

Development of the first air world transportation center for the United States.

The educational possibilities of the project itself. Can a new kind of university "without walls" be built into the project as it unfolds? We believe so.

What new horizons can be explored in supplying food to a city?

Again, these are only some of the interesting thoughts which have developed in the first planning stage of MXC. Many more are discussed in the formal report.

Minnesota has demonstrated a traditional concern for the quality of life. Thus it is

fitting that we should be instrumental in leading the way toward a new and better environment. However, the tasks ahead are enormous. Only through a level of cooperation unique in our nation's history can the Minnesota City come into fruition. The cornerstone of this cooperation has already been set in the project's unique tripartite partnership of private enterprise, the academic community, and government evidenced during the first phase.

Many major companies joined the University and the Federal agencies in providing the funding needed to complete Phase I. The following contributed \$10,000 or more toward the initial research:

Dayton-Hudson Corporation; the H. B. Fuller Company; Honeywell, Inc.; IBM; Minneapolis Banks' Clearing House Association; Minneapolis Star and Tribune Company; Northern Natural Gas Company; Northern States Power Company; Northwestern Bell Telephone Company; Polaroid Corporation; Boise-Cascade Corporation; Control Data Corporation.

Even greater support and cooperation is necessary now in Phase II which encompasses actual experimental and development work . . . work designed to evaluate untried concepts and systems in a laboratory environment, to experiment with small scale models, and to investigate anticipated operational problems. Phase II is roughly estimated to cost some four million dollars and the Steering Committee is rightfully encouraged by the continuing high level of interest in both the public and private sectors and by the financial commitments already secured from private industry.

We have every reason to be encouraged. In recent weeks Minnesota City project has received grants from the private sector totaling \$500,000 for Phase II work—including a \$100,000 cash grant from the American Gas Association in conjunction with an additional AGA grant of \$250,000 in stipulated research. Most of the companies mentioned previously have already contributed \$25,000 each for this second phase.

As you can see, the private sector has played and will continue to play a major role in the conception and development of the Minnesota City. But, more than that, our business community is demonstrating a steadfast commitment to a better life for all our people in the years to come.

In addition, the Ford Foundation has made a grant to the University of \$46,000 to conduct an on-site research evaluation of the evolution of the new town of Jonathan in Carver County. Surely such research efforts there will provide many insights and improve our capability to deal with the manifold problems to be encountered in building the Minnesota City.

Turning to the public sector, developments there also have been impressive and encouraging. Before adjourning, the 1969 Minnesota Legislature, by concurrent resolution of the House and Senate, authorized an interim legislative study of the Minnesota Experimental City, its needs and requirements, to be undertaken by a special Joint Committee. Such a study, to be underwritten by legislative funds, will be the first of its kind in the nation and will be instrumental in getting positive legislative action in the 1971 session. Important areas such as the formation of a semi-public corporation—with both public and private financing—to actually build the city, the granting of condemnation and bonding powers to the corporation, insurance ratings, building codes, school aid payments and taxation, and innumerable questions affecting the public health and safety need to be researched with recommendations made. The Joint Committee has now been appointed under the chairmanship of Senator Stanley Holmquist and Representative John Johnson, and its work program will be under way shortly.

Thus, in directing this committee to report back legislative recommendations by

January of 1971, the Legislature has taken a major stride in advancing the feasibility of the Minnesota City. Only through a positive legislative response can we ultimately succeed and this 1969 action is a significant breakthrough with far-reaching ramifications.

We are gratified by this interest and cooperation shown by the Legislature and by the considerable assistance given to us by Minnesota's Executive Branch. The Governor, the Attorney General and the operating departments have been most helpful and we are assured of their continuing support during Phase II.

At the Federal level prospects are equally bright. Since taking office, Vice President Agnew—the President's liaison with the cities of America—has held two sessions with the nation's leading urban experts on the topic of "new towns." I was privileged to have been invited to the May session and it appears to me that we are witnessing in Washington a greater awareness than ever before that the new cities concept can be a viable solution to many of our current ills.

In Washington the MXC project enjoys the support of the Minnesota congressional delegation. And, in addition, we have visited with several cabinet-level officials, White House staff members, and with the Vice President as well to discuss the City and our plans for Phase II. We are now completing our Federal grant applications and, hopefully, we can look forward to broadened Federal support in the immediate months ahead.

From this brief overview I hope you will conclude with me that we are well on the way toward the day when people will live in the Minnesota City. To our supporters, we are most appreciative; to the "doubters" we also express a certain gratitude for, throughout history, they have impelled man to think the unthinkable and conquer the unconquerable. And, so it is with the Experimental City.

Less than two months ago, Americans witnessed the culmination of our multi-billion dollar lunar program with the landing of our astronauts on the moon. Once again, man achieved the impossible.

If American technology and know-how can overcome this incredibly complex and difficult challenge, surely we can grapple more successfully with our people-problems here on earth. What we so desperately need is the resolve to do so . . . and that means we must re-examine our priorities.

Vice President Agnew, writing in the forward of *The New City*—recently published for urban America by the National Committee on Urban Growth Policy—commented: ". . . the problems faced by American cities seem an unending chain of crises. Not only are suggested solutions few, but the general ability to think through the intricate maze of political, technical and geographic relationships is almost totally lacking."

"Everyone concerned knows that something must be done. Without cities of a new kind, cities which exist to serve human life and not detract from it, our complex civilization cannot survive . . ."

Let me conclude by observing that we have begun to cut through this intricate maze and we are proposing, by the creation of the Experimental City, one real alternative to the decay of urban America and the decline of our civilization.

Thank you.

BEN ROSENZWEIG AND THE GREENBELT CONSUMER SERVICES, INC.

Mr. TYDINGS. Mr. President, the rise of the consumer cooperative has been an exciting and productive development in our society. I am proud to have one of the most progressive, successful consumer cooperatives located in my State in Greenbelt, Md. The Greenbelt Con-

sumer Cooperative has not only provided quality service to the consumer in many areas, but has served as a valuable information resource to those of us in public life who are concerned with the welfare of the consumer.

Ben Rosenzweig, who has just retired from the governing board of Greenbelt Consumer Service, deserves special recognition for the contribution he has made to the cooperative movement. His life has been devoted to this worthwhile cause, and it is with great pleasure that I ask unanimous consent that the article in his honor be printed in the RECORD.

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

**BEN ROSENZWEIG RETIRES FROM GCS BOARD
BUT . . .**

(By Penny Dressel)

While some people may think that to retire, means to withdraw from active duty or business, that is not the way Ben Rosenzweig, immediate past president and now retiring member of GCS Board, looks at it. His recent acceptance of chairman of a task force on "Possible Alternatives to the Patronage Refund" is enough to indicate that Ben will be no passive commentator on events he helped to shape in GCS.

A long-time resident of Greenbelt, Maryland, he began his association with GCS thirty years ago when he rang doorbells to solicit individual membership fees of fifty cents. He was a member of the Greenbelt delegation for fourteen years and was one of the principal founders of the Cooperative Institute Association. For the past twelve years, at CIA's annual summer rally, he has conducted a course on the responsibilities of a co-op director. He has been active in Group Health Association, Navy and Pentagon Federal Credit Unions.

More recently he was president of GCS for six years and had been vice president for five years before moving to the presidency. He has been a GCS board member for eighteen years.

At present, he is a member of the Greenbelt congress area council, assistant secretary and board member of the Greenbelt Federal Credit Union.

Two years ago he retired from the Office of the Secretary of Defense where he worked as a supervising engineer for technical data and scientific information since 1945.

He is continuing to teach in the technology department of the Department of Agriculture's graduate school, as he has done for the past eighteen years. In September he will also conduct a five-week course for one hundred and fifty Navy department engineers at the Munitions Building, Washington, D.C.

A firm believer in the democratic application of co-op philosophy, Ben's eyes were bright and alert behind hornrimmed spectacles when he spoke of his hopes for GCS's future at the dinner given at Blair Mansion Inn, Maryland, to honor his retirement from the Board. Although he tried to keep his comments light and amusing and sprinkled with typical Rosenzweigsms, his voice edged from time to time more from irony than humor. He stressed the importance of trained leadership in successful cooperative enterprise.

Of conflicting character, his cautious conservatism is offset by an unquenchable idealism that sees social purpose in cooperatives, too, and would like greater participation in inner city ongoing projects.

His wife, Ethel, understands and supports her man in his cooperative endeavors. She herself has given dedicated effort to many programs. She recalls when Ben, a young man, full of dreams and talent and ideals came to Washington, D.C. in 1936, while she and

their first-born, Martin, remained in New York City until Ben himself could establish and provide a home for them.

In proof of how effective he was, Ben and Ethel celebrate their fortieth year of marriage September 15. They have five children: Martin, 34, assistant professor and statistician at the University of Pennsylvania's Wharton's School; Richard, 31, a Maryland salesman in food distribution; Ira, 27, in the same line of business; Michael, 26, associate professor and mathematician at Annapolis Naval Academy; and Phyllis, 19, sophomore at Maryland University, who plans to major in mathematics and computer science.

Their three older boys are married and have made them grandparents to six grandchildren. Ben and Ethel hope the seventh will arrive to be present at the family celebration of their anniversary.

Never above hard work on the real problems threatening the Co-op's survival and growth, a chronological review of excerpts, from Ben's comments in GCS annual reports to members during his six years as president, would appear to carry through to a projection of the future.

1962

A year which has tested this organization to its core. After this severe trial I believe we are in the process of emerging leaner, harder, tougher.

1963

While 1963 was a year of trials, tribulations and drastic changes, we reversed the downward trend.

1964

A year of achievement and I am more enthusiastic and confident than ever about our Co-op.

1965

Expansion of our charter flights to Europe, the initiation of an auto leasing program, and successful group activities for homemakers, folk dancers and single people are all part of our broadened program to meet needs strongly felt and to respond with service to satisfy these needs.

1966

We are now big enough and efficient enough to save many thousands of dollars for shoppers who use our stores.

1967

The year caused us to review our objectives, to examine our performance, and to really appreciate the importance of detailed training of personnel at every level in our fast-growing operation.

Though Ben is not in the job market his long experience with GCS has deepened his interest in many co-op questions, and his current assignments show that he is willing to accept new challenges. Indeed, he shows willingness to face problems of the present and future head-on—an intrepid cooperator who will neither die, fade away or retire.

**NATIONAL BUSINESSWOMEN'S
WEEK**

Mr. DOLE, Mr. President, this week, October 19-25, has been designated National Business Women's Week. It is fitting that such recognition be given the role of American women in our commercial and professional communities.

This year marks the 50th anniversary of an organization which has enjoyed a long reputation as one of the foremost women's organizations in this country. I am speaking of the National Federation of Business and Professional Women's Clubs, Inc. The ladies in this organization have set an outstanding example of sustained devotion to the

causes of women's rights and civic improvement. Their efforts to examine issues in all areas of citizen concern have earned them a well-deserved reputation as invaluable contributors to the public good.

I am proud that the business and professional women of Kansas have taken a leading role in the affairs of their communities and exert a positive and constructive influence in our State's political and civic life. Their numerous programs to inform the public on important issues and to stimulate voter registration and participation are an invaluable contribution to the political process and excellence in government. This year the program of Kansas business and professional women's clubs are emphasizing the heritage of our flag, safety and utilization of the talents and abilities of our handicapped citizens.

Mr. President, I commend the business and professional women of America for their services to our Nation and wish them continued success in their endeavors.

**THE INSTITUTE FOR POLICY
STUDIES**

Mr. THURMOND, Mr. President, among the groups participating in the demonstrations here in Washington, October 15, was an outfit known as the Institute for Policy Studies. On past occasions, I have called attention to this group whose avowed purpose is to study ways of promoting and developing the concept of revolution. The Institute for Policy Studies is concerned with developing broad changes in our social structure without reference to the political structure upon which our Nation is based. Its members seek to override the republican form of government and to institute those changes which they, as an elite, feel will be beneficial without reference to the desires of the American people or the Federal and State governments.

I am sorry to say that the Institute for Policy Studies has received substantial support from tax-free institutions. In effect, our tax policy is subsidizing the revolutionary theory of the Institute for Policy Studies. The taxpayers are paying for attacks upon themselves whether they like it or not.

Mr. President, I do not know whether or not the program of the Institute for Policy Studies includes violence, but it is evident that they are studying ways of promoting widespread disruptions in our social fabric.

The activities of this group were admirably exposed in a recent pair of articles in Barron's Weekly by Mrs. Shirley Scheibla. Mrs. Scheibla is well-known for her extensive and penetrating studies of agencies which attempt to use public money or public privileges to introduce changes into our Nation without reference to the desires of the people of our Nation. A current series on the Institute for Policy Studies is no exception. She shows, for example, how the institute participated in the recent attack upon the administration's military procurement authorization bill. She shows how this group is functioning as its own con-

gressional committee and seeking to circumvent the committee system in Congress and she shows how the group is inter-connected with other organizations supporting sweeping changes in our society.

In her second article, Mrs. Scheibla discusses the institute's theory of "creative disorder" which is nothing but a euphemism for inducing anarchy and destroying authority in order to impose the will of the minority upon the people. Mrs. Scheibla points out that the head of the institute, Mrs. Arthur Waskow, helped plan the demonstrations at the Democratic National Convention in Chicago. She says, and I quote:

The subsequent need to call up the police to enable an institution of government to operate, and the resulting cries of police brutality, ran true to IPS theory espoused by Mr. Waskow and other exponents of the New Left affiliated with the Institute.

Mrs. Scheibla, of course, is referring to the riots which led to the indictment of eight of the leaders under the Thurmond anti-riot amendment to the 1968 Civil Rights Act and to the trial in Chicago which is now in progress before Judge Hoffman.

Mrs. Scheibla also shows how the theories of the Institute for Policy Studies have been extended in the Government programs, such as the Office of Economic Opportunity. She shows how Mr. Waskow and the institute have been advocating so-called community control of schools, public health services and police departments. I think it is clear from her articles that this so-called "community control" is euphemism for rendering the police, the health offices and the school system helpless as agents of the highly organized radical minorities developed and fostered by the Institute for Policy Studies and its graduates.

Mr. President, I urge all Members of this body to read these articles carefully, keeping in mind the nature of the facts revealed and Mrs. Scheibla's excellent reputation for reporting.

Mr. President, I ask unanimous consent that these two articles entitled "Radical Think-Tank" from the October 6 issue of Barron's and "Ivory Tower Activists" from the October 13 issue of Barron's be printed in the RECORD.

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

[From Barron's, Oct. 6, 1969]

RADICAL THINK-TANK—THE INSTITUTE FOR POLICY STUDIES AIMS TO DISARM THE UNITED STATES

Senator STROM THURMOND, Republican of South Carolina: By giving a tax exemption to an organization like the Institute for Policy Studies, our government is allowing tax exemption to support revolution. (CONGRESSIONAL RECORD, December 4, 1967)

(By Shirley Scheibla)

WASHINGTON.—The vicious attack, in and outside of Congress, on the so-called military-industrial complex has enlisted the support of an ally as powerful in and around the nation's capital as it is unknown to the U.S. at large, an organization called the Institute for Policy Studies (IPS).

For example, IPS is represented on the staff of the Joint Economic Committee, which under the leadership of Senator William W. Proxmire (D., Wis.), has spearheaded the assault on the Pentagon's proposed

budget. An economist with the committee, Richard Kaufman, is in charge of his staff work; Mr. Kaufman also happens to be an associate fellow of IPS. IPS defines associate fellows as "part-time faculty who have led seminars, participated in social inventions, or have engaged in individual research projects supported by the Institute." It says associate fellows sometimes, but not always, receive honorariums for their work. Mr. Kaufman told Barron's he did not care to comment on whether he has received pay for his work for IPS.

Until 1967, when Mr. Kaufman went to work for the committee, it had left the military budget to the Armed Services and Appropriations Committees. Now the staff economist, undismayed by Senator Proxmire's recent failure to win major Senate cutbacks on military spending, including a halt to purchases of the C5A aircraft, says he is planning a five-year campaign against military spending.

OFF-THE-RECORD BRIEFINGS

Mr. Kaufman wears his two hats with careless ease. Earlier this year, in his official capacity, he invited 27 Congressional assistants to off-the-record briefings on military spending under the auspices—and at the expense—of the Institute. They lasted several hours each, included dinner, and were held once a week for several months at the Congressional Hotel.

The Institute has arranged similar conferences for other interested groups, including the National Conference on Military Priorities; IPS officials also have worked with the Council for a Livable World (which now ranks as the third-biggest spender among U.S. lobbyists), the members of Congress for Peace Through Law, and the New National Mobilization Committee to End the War in Vietnam.

What is the Institute, and why is it so concerned with the military-industrial complex? It characterizes itself as a "think tank"; calls most of its officials "fellows," and enjoys tax exemption as an educational institution. It is supported by tax-exempt contributions from foundations, universities, colleges and individuals. And, as will be seen, it is directed by leaders of the New Left, a movement which J. Edgar Hoover, in testimony before the House Subcommittee on Appropriations, recently called "clearly subversive . . . an ever-increasing danger to our national welfare and security."

Organized six years ago, the Institute has an annual budget which currently runs to \$400,000 a year. Financing has come from the Ford Foundation, Edgar Stern Family Fund, Samuel Ruben Foundation, Irving Lauck, the Institute for International Order, Milbank Foundation, "the Fontaney Corp., through the generosity of James P. Warburg," Society for the Psychological Study of Social Issues, National Board of Missions of the Presbyterian Church, Field Foundation, Cudahy Fund, Edwin Janss Foundation, Jennifer Cafritz, Walter E. Meyer and Michael Gellert.

ACTIVE FELLOWS

Support for the Institute also comes from publishers, who, according to IPS Co-Director Marcus Raskin, have printed about two dozen books and several thousand articles by its personnel. Mr. Raskin explained to Barron's that IPS furnishes an office and a salary for the fellows who perform such work, and fees and royalties go directly to them. Moreover, IPS principals serve on a number of university faculties, including those at Harvard, Duke, the University of Maryland and the University of Chicago.

IPS had its genesis in the Peace Research Institute, which began operations in Washington on April 5, 1961, with an announcement that it would serve as a private agency to undertake and stimulate research in all fields relevant to peace, security, disarmament and international order. Shortly after-

ward it obtained a \$20,000 contract for a study for the Arms Control and Disarmament Agency.

Signed by Arthur I. Waskow, now the senior fellow of IPS, the document called for an international police force to keep world peace and see that nations disarmed. The author also suggested that disputes in a disarmed world could "be settled by reference to the International Court of Justice, to various mediation services, to various organs of the United Nations, etc." A relative unknown at the time, he had come to IPS from his job as legislative assistant to Representative Robert Kastenmeier (D., Wis.); Mr. Waskow now has become a public figure because of his active role in demonstrations, including those at the Pentagon and the Democratic National Convention in Chicago.

JOINING FORCES

Late in 1963, the Peace Research Institute merged with the Institute for Policy Studies, which had just been founded by Marcus Raskin and Richard Barnet, who once served as deputy director of political research for the U.S. Arms Control and Disarmament Agency (Barron's, April 29, 1968). Mr. Waskow then went to work for IPS as its senior fellow.

In August of 1965, Mr. Waskow represented IPS at a meeting in Santa Barbara, Calif., at the Center for the Study of Democratic Institutions, which produced a "Call for a New Politics," a hope for a united Left in the U.S. A year later, a National Conference for a New Politics (NCNP) was held in Chicago.

Over the Labor Day weekend in 1967, Mr. Waskow attended the first NCNP convention in Chicago; subsequently he was identified on the floor of the U.S. House of Representatives as "one of the founders and leaders of the NCNP."

Mr. Raskin's Washington career began in 1960, when he served as clerk and free lance writer to several Congressmen, including Representatives Kastenmeier, Herman Toll (D., Pa.), James Roosevelt (D., Calif.) and William S. Moorhead (D., Pa). Mr. Raskin soon co-authored a report with Mr. Waskow for Representative Kastenmeier. Copyrighted in 1961, it was titled "Deterrence and Reality," and, so far as can be determined, constituted the first advocacy of U.S. unilateral disarmament on Capitol Hill. Mr. Waskow subsequently expanded the report into a book, *The Limits of Defense*.

THE LIBERAL PAPERS

According to a press release by Representative Kastenmeier, Mr. Raskin also served as group secretary for the Liberal Papers, a collection of essays written by more than a dozen professors for a number of Democratic Congressmen, made public early in 1962. Among other things, the essays urged the U.S. to allow Russia to plug in to this country's warning defense system (DEW); recognize and admit to the United Nations Communist East Germany, Red China, North Korea and North Vietnam, unilaterally abandon nuclear tests; break up NATO; abandon Berlin and neutralize central Europe under terms proposed by Communist Poland.

With the advent of the New Frontier, Mr. Raskin was called to the White House to join the special staff of the National Security Council as an aide to McGeorge Bundy, who now heads the Ford Foundation. Mr. Raskin also served as a member of the American delegation to the 18-nation disarmament conference at Geneva.

Mr. Raskin subsequently became chairman of the Committee for the Formation of a New Party. On August 1, 1968, the Committee issued a statement by the chairman in which he said the New Party "will stand for the dismantling of an obsolete, dangerous military establishment that is over-extended and over-reaching. It will insist that there be an arms control and disarmament

law in the U.S. applicable to citizen and police as well. . . . It will insist that revolution in other nations or insurgencies therein should not cause interventions and suppressions by the American military."

IN THE HEADLINES

Last January, the New Party announced it had elected Dick Gregory and James P. Dixon, president of Antioch College, as co-chairmen to succeed Mr. Raskin. Mr. Dixon is an IPS trustee, and Antioch is one of the colleges associated with the Institute. Nevertheless, Mr. Raskin remains in the headlines, primarily because of his indictment (and subsequent acquittal) on a charge of conspiring to advise draft evasion, along with Dr. Benjamin Spock and the Reverend William Sloan Coffin, Jr.

Since its inception, the Institute has fought military defense through "seminars," chiefly for members of Congress and their assistants. In 1967-68 (it operates on a school year), IPS held a series of conferences for Congressional assistants on "The Impact of the War on American Society." Besides Co-Director Barnet, one of the speakers was Michael Tigar, whose subject was "The War and the Draft."

Mr. Tigar is well known as a student leader of the 1964 disturbances at the University of California at Berkeley. He is a former member of the executive board of the National Capital Area Civil Liberties Union and served as attorney for members of the Students for a Democratic Society charged with seizing and occupying George Washington University's Sino-Soviet Institute in April. Last month he was jailed in Chicago on a charge of contempt of court in connection with his defense of "the Chicago eight," charged with conspiring to incite a riot during the 1968 Democratic National Convention. (The charge against Mr. Tigar has been dropped.)

STUDY ASSIGNMENTS

IPS' 1968-69 schedule for "seminars" describes the aforementioned Mr. Kaufman's assignment as "a work study project to analyze the war machine as a public-private corporate structure. Topics covered will include cost, benefits, public relations and distribution of profits." The project assignment for Mr. Kaufman in the IPS 1969-70 budget is "Defense Procurement."

Senator Proxmire told Barron's he had heard that Mr. Kaufman is associated with the Institute, but that he is not familiar with it. However, Proxmire's Committee has published two essays by Milton Kotler, who the Committee itself has identified as a "Resident Fellow, Institute for Policy Studies, Washington, D.C." Senator Proxmire said "further that he considers what Mr. Kaufman does with his time after working hours is his own business."

"IPS principals seem to be very busy men. Co-Director Barnet and Trustee Hans Morgenthau, professor of history, government and international relations at the University of Chicago, are advisers to the Council for a Livable World. IPS Fellows Waskow and Leonard Rodberg, former bureau chief with the Arms Control and Disarmament Agency, have done work for it.

"A Senate report has described the Council's goals as unilateral disarmament and 'turning this country into a fourth-rate power at the mercy of the international wolf-pack.' The Council is the third highest spender of the lobbying organizations which filed reports for 1968. With outlays of \$154,022 (up from \$77,470 for 1967), it topped even such famous lobbying groups as the American Legion and the American Medical Association, and was outranked only by the United Federation of Postal Clerks (AFL-CIO) and the AFL-CIO.

"LEADING PEACENIK

"According to the same Senate document, the Council takes credit for assuring the original election victory of one of the Sen-

ate's leading peaceniks, George McGovern (D., S.D.), by having its membership put \$22,000 into his campaign, enough to win a close contest in a sparsely populated state.

"Senator McGovern, in turn, is vice-chairman of a group called Members of Congress for Peace Through Law. Its chairman is Representative Bradford Morse (R., Mass.), and its members include Representatives Rosenthal and Kastenmeier (Mr. Waskow's former employer), all three of whom have attended 'seminars' at IPS headquarters.

"Last July that group issued a report, labeled 'personal and confidential,' which said that the recommendations of the Joint Economic Committee can serve as guidelines for positive reform in military procurement. Among other things, the report called for moratoria on the construction of aircraft carriers, F-14A planes, advanced manned bombers and chemical and biological warfare centers. It also urged drastic curtailment in Sentinel-Safeguard deployment and the ABM research and development program."

[From Barron's Oct. 13, 1969]

IVORY-TOWER ACTIVISTS—IPS FELLOWS LEAD THE RADICAL THRUST FOR SOCIAL CHANGE

(By Shirley Scheibla)

WASHINGTON.—To judge by their public pronouncements, leaders of the Institute for Policy Studies (IPS) hold the view that demonstrations, boycotts and similar disruptive tactics are acceptable means of effecting revolutionary change in government; moreover, attempts by duly constituted authority to quell such activities, even when they prevent federal institutions from functioning effectively, constitute "repression."

No ivory-tower scholars, some of the principals of IPS have been as good as their word. Several have organized and participated in unruly demonstrations, while seven belong to the Committee to Defend the Conspiracy, organized in connection with the current trial of "the Chicago 8" on charges of conspiring to incite a riot during the 1968 Democratic National Convention. The Committee members, according to the September 1 issue of the newsletter *Combat*, included Marcus Raskin, IPS co-director; Arthur Waskow, senior fellow; Gar Alperovitz, Paul Goodman and Christopher Jencks, fellows; I. F. Stone, associate fellow; and Harold Taylor, an incorporator of the Peace Research Institute, now merged with IPS.

CREATIVE DISORDER

Writing in *New University Thought* last year, Mr. Waskow declared that the Institute is committed to the view that to develop social theory, one must be involved in social action and experiment. Toward this end, he advocated "creative disorder," which, he said, means "to simply keep experimenting and to discover at what point one is neither smashed nor ignored, but creates enough change to move the society." Admitting a "gut preference for disorder," Mr. Waskow said IPS "stands on the bare edge of custom in the United States as to what an education research institution is."

In short, it not only develops and promulgates theories but also seeks to implement them. Aside from its failure so far in unilaterally disarming the U.S. (discussed last week in the first article in this series), IPS has enjoyed considerable success, even to the extent of Mr. Waskow being asked to give his expert advice on police problems in a project partially funded by the Justice Department.

The Institute actually has set up communes and neighborhood corporations with the ultimate aim of taking over important functions of municipal government, including the control of police, schools, housing for the poor and health services. According to at least one IPS book, *Neighborhood Government*, the message of the riots is that the poor want such community control, and civil war will result unless they get it. Nothing

less will suffice, it maintains. The ultimate aim is to establish such control through a network of federally funded ghetto corporations.

HOLD GOVERNMENT POSTS

At least two IPS associate fellows hold government posts in which they are able to apply such theories. Other fellows, once having held such posts, apparently continue to influence the executive and legislative branches of government.

Anyone studying IPS and the turmoil plaguing the nation might be tempted to conclude that the Institute had written the scenario. According to *The Washington Post*, Mr. Waskow helped plan the demonstrations at the Democratic National Convention in Chicago. The subsequent need to call out the police to enable an institution of government to operate, and the resulting cries of police brutality, ran true to IPS theory espoused by Mr. Waskow and other exponents of the New Left affiliated with the Institute. Back in 1965, Mr. Waskow wrote in the *Saturday Review* that as revolutionists force tyranny to stop them, they will gain increasing acceptance.

According to the *Daily World*, Mr. Waskow also masterminded the counter inauguration of a pig for president at the time of President Nixon's inauguration.

The Institute goes far beyond demonstrations in exercising influence. Its theory of community control through the device of neighborhood corporations has been set forth repeatedly by fellow Milton Kotler. A couple of years ago, the Urban Affairs Subcommittee of the Joint Economic Committee of Congress published two of his essays on the subject as part of a compendium by 22 urban specialists.

ENJOYS TAX EXEMPTION

A footnote identified Mr. Kotler as an IPS resident fellow. His opening sentences read: "At the outset, let me say that this paper is not a study. It is an argument . . . intending to persuade you toward a course in urban legislation. . . ." (Nevertheless IPS has not registered as a lobbyist, and enjoys tax exemption as an educational institution.)

"Riots," wrote Mr. Kotler, "reflect the formation of a new local community power in combat with the established power. . . . Unless existing established federal, state and municipal governments transfer a proper portion of their authority in Negro communities, today's domestic warfare will grow."

(At about the time the essays were published, black employees of the Library of Congress began receiving cards. One side was headed, "Committee for Emergency Support," and bore the address of the Institute. It read, "We are in sympathy with the despair of the black people in America. We share their sense of powerlessness to relieve repressive conditions by conventional political means. We are frustrated in our attempts to control the decisions which affect our lives in the capital city. We are all victims. We are ready in an emergency to assist the black community of Washington with food, housing, medical care and legal aid. We are committed to act to remove repressive military and political intervention."

(The other side of the card advised calling the IPS phone number "in a riot or rebellion to obtain information, for legal assistance, for medical aid, for food and housing, to report police brutality." Shortly thereafter, Mr. Waskow began calling for the collection of bail funds in advance of violence.)

TRANSFER OF AUTHORITY

In his essays for the Committee, Mr. Kotler suggested a transfer of authority through "creative federalism." He explained, "The federal government must first assist the organization of legal neighborhood corporations with some initial funding. . . . Funding from the government is more important for legitimizing the development of neighborhood self-government as a unit of local rule

in the society than for the money itself. . . . This proposal is already before the Senate in the form of Senate bill 1433. . . . It deserves your consideration and support."

S1433 expired in 1967. But on July 11, 1968, Roy Innis, Acting National Director of CORE, and Representatives Charles E. Goodell (R., N.Y., now a Senator), William B. Widnall (R., N.J.) and Robert Taft, Jr. (R., Ohio) jointly introduced legislation to create community development corporations "to finance, acquire, own and manage productive business enterprise located in the community, and to use the profit from such enterprise to finance its own education and social service programs in the community."

Financing for the corporations, they explained, would come from community development banks (CDBs) "analogous to Federal Land Bank Associations and Production Credit Associations, under the supervision of the Comptroller of the Currency." They estimated that federal capitalization of the CDBs initially would involve annual federal spending of \$1 billion.

Last December the measure was discussed at a "self determination symposium" at the Washington Hilton Hotel. According to The New York Times, Senator Charles H. Percy (R., Ill.) told the gathering, which included black militants, that "Mr. Nixon had expressed approval of the concepts in the bill and that Nixon aides had informed him that the President-elect 'strongly supports the bipartisan concept.'"

PENDING BILL

That bill, of course, expired with the 90th Congress. Senator Goodell, however, now is revising a similar one he introduced this year which is pending before the Senate Finance Committee.

The impetus for all this began four years ago, according to an IPS booklet called "The First Three Years," when "after long discussions with Kotler, a number of residents and organizational leaders in a poor neighborhood decided to organize the East Columbus Citizens Organization (ECCO)." To date, the Office of Economic Opportunity has approved grants of \$432,219 for ECCO and expects funding eventually to total \$757,113. The agency calls it a demonstration of community self-government through a corporation.

OEO also has announced what it calls its "Community Capitalism Program"; under it, the agency plans to make grants of \$10 million this year to community corporations. (Mr. Kotler says there now are 70 of them.) Grants already made public include \$1 million to the Inner-City Business Improvement Forum (Detroit), \$900,000 to the Human Development Corp. (St. Louis), \$1.1 million to the North Lawndale Economic Development Corp. (Chicago), \$600,000 to the Harlem Commonwealth Council (New York) and \$1.5 million to the Hough Area Development Corp. (Cleveland).

All this ties in too with the Model Cities program; by happenstance, Stanley L. Newman, an IPS associate fellow, is Chief of the Planning and Relocation and Public Administration Branch of the Division of Program Development and Evaluation in the Office of the Assistant Secretary of Housing and Urban Development for Model Cities and Governmental Relations.

EMINENT DOMAIN

Now Mr. Kotler is elaborating on his theory. In a book titled *Neighborhood Government*, just published by Bobbs-Merrill Co., he demands regulatory power for the community corporations to assure that money earned in the community will stay there. He also writes: "It is necessary for the corporation both to have the power to tax its residents and to be able to dispose of its territory. This means the governmental power of eminent domain." He says it also would be reasonable for the corporation "to control prices, rents, licensing and banking." Further, he would like communities to govern

themselves based on custom rather than outside laws.

Calling the community "the action unit of this emerging revolutionary class," Mr. Kotler says, "The neighborhood organization . . . must be prepared to defend gains in jurisdiction by the threat of war to any who would endeavor to deny these gains."

Meanwhile, Mr. Waskow has pursued the IPS idea of community control of schools. Some years ago he became secretary of a community anti-poverty group here. The Adams-Morgan Community Council, just as federal policy-makers insisted that the D.C. Board of Education allow the Council to run the Morgan Elementary school as an experiment in community control.

Shortly thereafter, John R. Immer, president of the Federation of Citizens Association of the District of Columbia, wrote President Johnson that the children at the school were being cheated out of a good education. He declared: "The teachers maintain no discipline, are hippies, use vile language, have had little or no teaching experience and have and are using untried teaching methods."

CAMELOT PATRONS

Nevertheless, President Johnson's cabinet officers and their wives worked with Mr. Waskow in the presentation of the movie, "Camelot," at the Warner theater in Washington, as a benefit for the Morgan school. Among the patrons listed by Mr. Waskow were (then) Justice & Mrs. Abe Fortas (IPS lists his former law partner, Thurman Arnold, as one of its original trustees), Secretary of Defense Robert S. McNamara, Attorney General Ramsey Clark, Secretary of the Interior Stewart L. Udall, Secretary of Commerce Alexander B. Trowbridge and Secretary of Agriculture Orville Freeman.

Federal support also has been forthcoming for a new venture in higher education in which Mr. Waskow will play a significant role. The Justice Department recently agreed to underwrite loans and grants to students pursuing programs at a new Center for the Administration of Justice at American University in Washington. According to AU President George H. Williams, "The initial award (from Justice) exceeds \$200,000, and anticipated funding for the academic year may exceed \$500,000."

William M. McDowell, AU information officer, told Barron's that Mr. Waskow has been asked to serve as an expert consultant to the Center on how it can best serve the Washington community and that he may occasionally lecture on police problems.

Writing in a local underground newspaper, the *Quicksilver Times*, last July, Mr. Waskow advocated: "(1) Neighborhood control of police through citizen-elected commissions. (2) Creation of countervailing organizations such as unions of those policed. (3) Changing the role of the professional, tough cop to one of a more everyday civil servant doing his job, keeping the peace, rather than enforcing the law." A year ago, according to press reports, Mr. Waskow headed a rally here in front of the 13th police precinct station to demand immediate community control of the police.

To develop ways of establishing community control of health services, IPS held a seminar three years ago under the direction of Dr. William Kissick, associate fellow and then Chief of the Division of Public Health Methods in the Office of the Surgeon General of the U.S. (Dr. Kissick now is teaching at the University of Pennsylvania.)

BACKGROUND MATERIAL

According to Pierce Rollins, Acting Director of Information for the Office of Community Health Service of the Public Health Service (PHS), the material resulting from the conferences in that seminar has been compiled in two volumes by the Milbank Memorial Foundation. Mr. Rollins says the Department of Health, Education, and Welfare, parent agency of PHS, uses the volumes

as background material prepared by experts to help it set health policy.

The official explains that PHS now is funding the planning of health services at state, area, city and that the various entities are free to subcontract with IPS experts to help in the planning.

The general idea, Mr. Rollins adds, is to fund community health services only after area-wide planning. But because of the desperate need, PHS is making funds available without area planning. It has financed, he says, 22 community health centers and others for rat control and the treatment of venereal disease. So far PHS has made 2,500 health planning grants, Mr. Rollins reports.

Tangible results also have emanated from a 1968-69 IPS seminar conducted by Rick Margolies, an associate fellow. According to the Institute, it aimed "at developing a theory of social change based upon the possibility of a movement of small groups living communally and acting as agents of change in their larger environment. It is assumed that the small group will begin to live in the manner it wishes the society at large to adopt. . . . Some individual seminars will be theoretical and historical, while others will be more specifically programmatic. The first section, 'Toward a New Life Style' will include discussions of human communion and human need, the extended family and child rearing. . . . 'The History of Intentional Communities' will include American 'utopian' experiments, communist collectives and communes, the Kibbutzim; 'Toward a Praxis of Community' will synthesize lessons learned in the above sections and work toward a plan for a communitarian movement."

INSURGENT ACTIVITIES

Mr. Margolies told Barron's that he now has communes in operation in the Adams-Morgan area of Washington. After starting with money from the Stern Family Foundation, commune members now support themselves by working part-time at the *Quicksilver Times* and the *Washington Free Press*, another underground newspaper, Mr. Margolies explained. Among other things, the *Free Press* has printed detailed instructions on how to conduct "insurgent activities." Now Mr. Margolies is preparing a new magazine, to be called *The People in the Streets*.

In view of the success of IPS in developing and implementing theories, its present studies and projects for the future take on added significance. One plan is to set up a network of institutes like IPS all over the country to serve as counter-institutions to established ones. Gar Alperovitz, IPS fellow and former legislative assistant to Senator Gaylord A. Nelson (D., Wis.), already has launched one at Cambridge, Mass., with the help of Christopher Jencks, IPS fellow and Harvard professor.

According to Tina Smith, IPS administrative assistant, Alan Haber and Barry Weisberg are setting up a Bay Area Institute in San Francisco. Gerry Hunnius, having just completed an IPS study of "the possibility of workers' control of factories based on Yugoslav model," now is in Toronto exploring the possibility of setting up an institute. Miss Smith says IPS also is discussing the possibility of setting up one in the South.

Also on the agenda for IPS is "investigations of operations of foreign aid." Handily, Jack Heller, an associate fellow, is director of the Office of Development Programs for the Bureau for Latin America of the Agency for International Development.

A project listed in the IPS 1969-70 budget is a "Middle-East Peace Mission," under the direction of Cherif Guellal, IPS fellow, and Algerian Ambassador to the U.S. until his country broke off diplomatic relations.

WENT TO AFRICA

About a year ago, Ivanhoe Donaldson, IPS fellow and member of SNCC, went to Africa for IPS to study self-government there and to contact members of the African National

Congress and Pan African Congress. Now his assignment is to set up liaison with both groups, "in order to make accurate information available to American educational institutions on both secondary and college levels."

The IPS assignment for fellow Frank Smith is "to set up a chain of cooperative food markets in an effort to bolster the concept of community control by trying to develop viable and democratic models for community control of food, shelter and clothing businesses." Mr. Smith, who formerly served as Coordinator of the Community Staff of the notorious Child Development Group of Mississippi (Barron's, September 26 and October 24, 1966), is a member of SNCC, CORE and the Mississippi Freedom Democrat Party.

All last summer, IPS had several students interviewing the members and staff of the Federal Communications Commission and studying public records. As a result, the Institute now has elaborate plans for challenging the licenses of broadcasting stations, particularly when it doesn't consider them responsive enough to the views of the New Left.

MORE MATERIAL REGARDING LACK OF LEGAL SERVICES PROGRAM IN CALIFORNIA

Mr. CRANSTON. Mr. President, on October 14, in a statement on the floor of the Senate, I referred to the outstanding work being done by the legal services program in California. I received unanimous consent to place in the RECORD reports from three such programs. Inadvertently, I did not at that time discuss the extremely diversified and important work being done by the San Mateo County legal services program. I have received copies of reports about that program, indicating that its attorneys have represented poor clients in 39 cases in the first 6 months of this year; participated in a substantial number of activities in community education regarding the available services of the program; represented and worked with neighborhood groups and associations on, among others, an economic development program and a housing program; and instituted a release on own recognizance bail program.

Mr. President, I ask unanimous consent that reports regarding these vital legal assistance activities by the San Mateo Legal Aid Society be printed in the RECORD.

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

NARRATIVE REPORT FOR SAN MATEO COUNTY LEGAL SERVICES PROGRAM JANUARY 1-MARCH 31, 1969

The Legal Aid Society of San Mateo County is a delegate agency of the San Mateo County Economic Opportunities Commission.

INTERESTING CASES

(1) Matter of Yang, et al (immigration law). Request to Exchange Visitor Waiver Review Board, Washington, D.C., for reconsideration rewaiver of foreign residence requirement on visa for foreign student here under National Defense Education Act. Congressman McCloskey has acted to introduce a private bill for permanent residency.

(2) Rivas & Ramirez (farm workers wage standards). Horticultural employers in Daly City—Colma area have kept transient and other field workers in a state of peonage. Legal Aid is seeking enforcement of minimum wage standards through Labor Commissioner.

(3) Merchants Collection v. Austin (garnishment). Appeal from Oakland Municipal Court ruling denying claim of exemption on basis that petroleum products are a common necessary of life.

(4) J. Chargin vs. Daniels; Santa Clara Valley Adjustment Service v. Mullins. Regarding the matter of Claims of Exemptions, it appears that we have raised a new defense. That is, if the debt is for furniture, but is not for an item which is exempt from execution under provisions of CCP 690.2, we have, on two occasions, successfully argued that the debt is not for a common necessary of life.

(5) Carpenter vs. Trujillo. We are pursuing an appeal, arguing that where on a claim of exemption the debts consist of both the necessities and non-necessaries of life, the entire claim of exemption should be granted.

(6) Household Finance vs. Banks. We are contemplating a suit against a finance company (Household Finance Company) which called one of our clients' employer re a debt. The debtor was not delinquent, but as a result of the call to client's superior, he was dismissed from his position as a CHP cadet for a period of six months.

COMMUNITY EDUCATION

Law reform staff, supplemented by neighborhood office attorneys, continue to arrange speaking engagements before social workers, high schools, community groups, etc., on such topics of interest or concern as welfare rights, WIN program, draft law, etc.

Representatives of the Conference on Race, Religion and Social Concern were addressed on the availability and feasibility of non-profit sponsorship of low-income housing under Federal housing laws.

Law Reform also participates in a consultative and resource capacity on the Technical Advisory Committee, to the countywide Citizens' Advisory Committee for a Workable Program.

Continued attendance at Board of Health and Welfare (Advisory); various proposals presented.

Neighborhood Councils are attended and advised regarding legal and organizational matters.

Law Reform continues to prepare flyers and brochures for distribution in the community on welfare, landlord-tenant, etc.

Present plans include speaking engagements in North county on legal aspects of abortion to social workers, and on consumer law to WIN participants.

STAFF TRAINING

Staff meetings continue to be conducted on at least a monthly basis, with Law Reform scheduling speakers and discussion on topics of interest or concern to Legal Aid.

Law Reform and staff attorneys have attended Continuing Education of the Bar courses in subjects pertinent to Legal Aid problems.

Law Reform continues to consult with staff attorneys in the various neighborhood offices on legal questions, and improved techniques of practice and procedure, and to furnish memos to staff on welfare law, consumer protection, and other subjects of interest.

TEST CASES

(1) Percy v. Montgomery (Welfare Law). Case pending before 3-judge Federal Court in San Francisco, challenging the constitutionality of state welfare statute and regulations concerning the so-called "man-in-the-house" situation, and depriving needy child of welfare benefits. The court was asked to vacate its earlier memorandum opinion which invalidated HEW regulations on which the case was based. HEW also moved to intervene because of the significance of the rulings. The Law Reform unit is preparing an appeal directly to the United States Supreme Court.

(2) Furitani v. Ewigleben (student unrest). Suit filed in U.S. District Court in San Francisco on behalf of five students at College of San Mateo to enjoin college adminis-

trations from refusing to allow students to resume their standing following expulsion but before trial on criminal charges arising out of student demonstrations. Trial court denied relief on ground of prematurity, and stated students could block admission of evidence from the expulsion hearings if offered for introduction at the criminal trials. Law Reform Unit did not appeal.

(3) Oliver, McClanahan, Pelaez, et al (Welfare Recipient Tax Relief). Welfare recipients have requested and been denied homeowner's property tax relief (both refund and exemption). Complaint is being prepared for filing to test the constitutionality of statutory provisions, excluding welfare recipients from class of property-owners held exempt.

(4) Miller (Senior Citizens Property Tax). Administrative appeal to State Board of Equalization from denial by Franchise Tax Board of tax rebate to senior citizen property owner.

(5) Roman v. John Robert Powers (consumer fraud). Plaintiff, induced by false representations and coercive tactics to sign up for overpriced modeling course, seeks affirmative relief and damages against collection agency and assignor school. Demurrers filed, to be argued.

(6) Perez (auto consumer fraud). Complaint being prepared to hold assignor seller and assignee holder, plus third party lender which financed down payment, on grounds of fraud, misrepresentation, duress, and violation of Rees-Levering Act (auto installment sales)—also involving unjust enrichment theory for punitive damages.

(7) Budget Finance v. Spears (auto consumer fraud). We are currently defending a suit by a finance company to collect on a note. One of our defenses is that the note was actually a side note in an automobile sale contract and thus is an illegal contract.

(8) Woodberry (Welfare Fair Hearing). Favorable administrative decision by hearing officer in AFDC case, involving regulations concerning assumed income in unmarried father case situation.

(9) Jordan (Welfare Law). Favorable decision by SDSW approving arrangement proposed by Law Reform for compliance with fair hearing decision to repay county and to receive retroactive benefits.

(10) Garvey (Welfare fair hearing). Law Reform challenged county welfare fraud policy and application of "man-in-the-house" regulations. Fair Hearing requested.

(11) Alexander v. Merchants Collection Agency (Unruh Act—jurisdiction). On the issue of whether CCP 1810.12 of the Unruh Act is jurisdictional, we had our first contested case. In this action, the San Francisco Muni. Court held that the statute is jurisdictional, but our motion for dismissal with prejudice was denied. However, the ruling is still significant in that parties against whom a deficiency judgment has been taken are not limited by CCP 473 in moving to set aside the default.

(12) Empire Credit v. Kody (Unruh Act—jurisdiction). Motion to dismiss on jurisdictional grounds, a L.A. Muni. Court collection case, involving an Unruh Act (retail installment contract) where defendant sued in wrong county. Pending.

(13) Sequoia Apts. vs. Chestnut (Waiver of appeal costs). Favorable decision by judge Edson—order permitting appeal from Small Claims judgment without requiring appeal bond.

(14) Manganiello v. San Mateo Junior College (mandamus). Appeal pending from Superior Court order denying Petition for Writ of Mandate, etc., asking order to CSM administration to permit client to enroll as a student for spring semester. Board of Trustees of CSM had upheld the denial by the Admissions Committee based on client's allegedly disruptive role in the College Readiness Program; Petition for Writ of Mandate asserted

client met all statutory qualifications for admission.

NEIGHBORHOOD GROUPS AND ASSOCIATIONS

Law Reform continues to meet regularly with and advise neighborhood improvement groups, welfare rights groups, and tenants' union groups; Housing and Welfare are the predominant problem areas.

Preparation of articles of incorporation and by-laws for Neighborhood Information and Referral Centers, and for a youth center on drug abuse. Outreach through San Mateo Information Center—Law Reform services clients.

(a) Mission Rebels. We are representing the Mission Rebels, a Youth organization, in their effort to secure a permit to sell candy in the City of Menlo Park.

NARRATIVE REPORT FOR SAN MATEO COUNTY LEGAL SERVICES PROGRAM FOR APRIL, MAY, AND JUNE 1969 (FIRST QUARTER OF VISTA—1969-70)

I. INTERESTING CASES

A. *Russell v. Peninsula Chevrolet*

Our client, Mrs. Russell, a welfare mother, left her ten year old automobile with Peninsula Chevrolet to enable them to look at the car and provide her with an estimate as to the amount of money necessary for repairs. The payment for the repairs turned out to be about \$70.00 which was too much for Mrs. Russell. She told the auto company that she would not be able to have the car repaired there and asked to have the car returned. They refused, claiming \$20.00 involved in looking at the car and estimating the repairs. They refused to give the car to Mrs. Russell until she paid the \$20.00.

Negotiations were attempted and our attorney asked the auto company to simply return the car. Our request was refused. The auto company at this point demanded not only \$20.00 for repairs but also \$5.00 per day as storage for the car and claimed a mechanic's lien. The total market value of the car was under \$100.00.

Our attorney filed suit against Peninsula Chevrolet, seeking damages for loss of the use of the car and punitive damages. Discovery procedures including interrogatories and depositions were employed. Upon Peninsula's refusal to answer certain interrogatories relevant to their financial status and ability to respond in punitive damages, Peninsula was required to post a \$5,000.00 bond. Despite this extensive litigation, Peninsula continued to refuse to turn the car over to Mrs. Russell without being paid the \$20.00.

The case was tried and the judgment awarded Mrs. Russell \$300.00 compensatory damages and \$700.00 punitive damages. Peninsula Chevrolet has complied with the judgment and made the payment of \$1,000.00 to Mrs. Russell.

B. *Arreola v. Hershey, unfiled*

Raul B. Arreola, age 21, a Mexican-American student was reclassified I-A and ordered to report for induction by his local draft board. The action by the draft board was taken in spite of the clear entitlement of Arreola to a high school student deferment. In part because of Arreola's lack of fluency with the English language, there had been some communication difficulties with the draft board. When the draft board and the state director of the Selective Service Program refused to withdraw the order to report for induction as a delinquent, we prepared a lawsuit to enjoin his induction and failed to file the suit only because the state director rescinded the order on the afternoon before the case was to be presented in Federal District Court.

Because many other members of the Mexican-American and Black communities in our county lack an understanding of their rights and obligations under the Selective

Service Laws, we intend to be in contact with several local high schools through the counseling programs to advise student assemblies of potential draft problems.

COMMUNITY EDUCATION

1. Our attorneys have continued working with the Neighborhood Councils from the various target areas. In addition, the neighborhood attorneys maintain close contact with the Information and Referral Centers located in the target areas.

2. Attorneys have been actively involved in meeting with welfare rights groups in the county. During the past eight months, three newly organized WRO chapters have been formed. Some attempt has been made at coordinating these efforts on a countywide basis. Representatives from these groups have commenced attending the Board of Health and Welfare meetings, and they have begun articulating their feelings to the Board members.

3. Attorneys have met with the WIN program training sessions. One of the prime areas of activity in those sessions has been the trainees' rights as welfare recipients.

4. Attorneys have continued attending local high schools when invited. Most recently, several classes at Sequoia High School invited our attorneys to come to discuss general legal problems they would meet as members of the community. Our attorneys have also talked with classes at Ravenswood, Jefferson, Burlingame and Mills High Schools.

5. One of our attorneys has been meeting with the California Social Workers Organization. In part, his activity has centered on informing that organization of pending legislation related to social welfare matters. Also, he has stressed the importance of the involvement of welfare recipients in projects such as CSWO is interested. Subsequently, representatives from the local WRO's have been invited to attend CSWO meetings with the result that a new alliance is emerging and a new base of lobbying has developed.

6. The County Welfare Department has invited our attorneys to attend their training and orientation sessions in which incoming social workers become acquainted with welfare policy. It is anticipated that this opportunity to meet with social workers at the outset of their careers may provide us with an opportunity to establish better lines of communication and understanding.

7. *Housing Authority Advisory Committee.* A group of representatives from various low-income communities in the county formed a committee and approached the Housing Authority regarding inadequacies in the existing rent supplemental program. Several of our attorneys were involved in advising the committee on tactics and procedures. Following several meetings with the Housing Authority, a formal, low-income advisory committee to the Housing Authority Board was created. Several sessions of picketing at the Housing Authority and various other localities has resulted in significant alterations in the Housing Authority's orientation toward poor people. In one instance, a landlord who had approximately thirty units in the rent supplement program was persuaded not to resign from the Housing Authority in large part because of the publicity focused on his action by this low-income group. More recently, the group dramatized the lack of housing in the county by picketing and demonstrations. The result was an increase in the number of units applied for by the Housing Authority from 750 to 2000. A VISTA worker attached to the Legal Aid Society has played a major role in advising this tenant's group.

STAFF TRAINING

1. An attorney from this program is attending the National Institute for Education on Law and Poverty Colloquium for Legal Services Attorneys in Vall, Colorado, in August. The subject of the Colloquium is "Equal Access to Public Benefits."

2. Three staff attorneys from the Economic Development unit, Nairobi Development Co., attended the Western Center Program on Economic Development in San Diego.

3. One attorney and one VISTA law graduate attended the Beverly Hills Housing Conference.

4. All of the staff attorneys in the program, with the exception of the one attorney in the Economic Development unit, attended the continuing education of the bar courses and the program on "Truth in Lending" and the Rees-Levering Act held in San Francisco.

5. Weekly or bi-weekly staff meetings are used to provide presentations or discussions on specialty areas.

6. Staff attorneys are asked to write memorandums on specialty areas, a case of law which might be of general interest, or a case of litigation which may be of use or interest to other attorneys. Memorandums prepared and distributed to all the staff attorneys include the following titles:

- A. Increased housing allowance for welfare recipients.
- B. Suspension of driving privilege where uninsured operator fails to post security (VC 1600 et seq.).
- C. New cost schedule for AFDC budget.
- D. Commencement of divorce action to qualify for AFDC assistance.
- E. Special provision for meeting unmet costs of housing and AFDC recipients.
- F. Special needs allowance for welfare recipients.
- G. Truth in Lending Act—Civil enforcement.
- H. Welfare and Institutions Code, Section 11254.
- I. Educational trust funds for welfare recipients.

TEST CASES

1. *Lewis v. Montgomery* (formerly *Percy v. Montgomery*), jurisdictional statement filed in United States Supreme Court, July 7, 1969, Docket No. 560 Misc. The *Lewis* case is a challenge to Section 11351 of the California Welfare and Institutions Code and regulations promulgated thereunder which establish budgetary rules when an AFDC family lives with a "man-in-the house." The lawsuit, initially filed in United States District Court as two actions, contended that California's rules conflicted with various federal statutory, regulatory and constitutional standards. A three-judge court denied plaintiff's relief. The case is on direct appeal to the Supreme Court. We expect the Department of Health, Education and Welfare, through the Department of Justice, to submit an *amicus curiae* brief in support of our case. The action is being prosecuted by our program in conjunction with attorneys from the Berkeley Neighborhood Legal Services and the San Francisco Neighborhood Legal Assistance Foundation.

2. *Mazine Betts v. San Mateo County Housing Authority*, Superior Court, San Mateo County.

This action seeks to invalidate a barrier erected by the town of Menlo Park against further implementation of the rent supplement program in that area. The suit contends that the provisions of Section 23 of the Housing Act preclude from interfering with the operation of the program once they have begun participation. The motion for a temporary restraining order was denied, and the case was set for hearing on the preliminary injunction.

3. *Jordan v. Choppe*, Docket No. 144934, filed in the Superior Court of San Mateo County on May 5, 1969.

This Superior Court Writ of Mandate sought to secure compliance from the County Welfare Department with a fair hearing decision. The judge signed an alternative writ of mandate and the county paid the petitioner the retroactive monies she was seeking. The issue was significant because under a recently revised rule the receipt of retroactive benefits is conditioned upon the

claimant's repayment to the county of benefits received. Because such a condition may be a practical impossibility for a welfare client, we successfully devised a new method in repaying involving an escrow devise. The State Department of Social Welfare approved of this arrangement, as did the county subsequent to the issuance of the alternative writ.

The same technique has been used to secure further retroactive benefits for Mrs. Jordan from San Francisco County, the county to which she moved during the pendency of the above action.

4. *In the Matter of Barbara Gray* (Fair Hearing before the State Department of Social Welfare.)

Claimant contested the county's continuing practice of terminating assistance without a prior hearing as required by state regulations and a recent California court decision. A further issue involved the county's policy of withholding welfare checks at the request of the district attorney. The division is expected within a short time.

5. *In the Matter of Ellis Jean Barker* (Fair Hearing before the State Department of Social Welfare.)

Claimant sought enrollment under the ATD program because of combined emotional and physical disorders. A state regulation requiring an emotional impairment to have existed for at least three years prior to the date of application has been challenged as contrary to due process guarantees. The decisions has not yet been rendered.

6. *In the matter of Gloria McQuillan* (Fair Hearing before the State Department of Social Welfare.)

Claimant sought to establish an educational set-aside fund for the benefit of her minor children, who received child support from their absent father. Although this policy has been recently followed in other counties, San Mateo County resisted this trend. The principal issue concerns the interpretation of state regulations and whether this county will abide by such interpretation. The case is under submission.

7. A study of the County General Assistance Program has been undertaken by one of the staff attorneys in conjunction with several graduate students at Stanford University. It is expected that a substantial report will be the product of the survey and that recommendations for complete revision of the Program by the County Board of Supervisors.

8. Subsequent to the decisions of the United States Supreme Court regarding welfare residence requirements, our attorneys negotiated with the County Welfare Department regarding the continued application of the County's residence requirement in the General Assistance Program. The issue was presented to the Board of Health and Welfare to no avail, the County contending that litigation would be necessary to secure their compliance. Accordingly, we submitted materials to assist the San Francisco Neighborhood Legal Assistance Foundation in securing a summary judgment in the case of *Burns v. Montgomery*. Following that decision, our demand on our County Welfare Department was complied with without the need for further litigation.

CLAIM OF EXEMPTION CASES

In several cases, we have extended the scope of the Claim of Exemption application in the County Municipal Courts. In the case of *Ernestine Smith*, the plaintiff obtained a default judgment on a debt which Mrs. Smith had incurred on the purchase of pots and pans from a door-to-door salesman. We were successful on the Claim of Exemption on the ground that although pots and pans are necessities, these supposedly superior-grade waterless cookers were not necessities but luxuries. In *Credit Bureau v. Easley*, the

defendant had borrowed money to use as a down-payment on the purchase of a home insured by FHA. Housing is normally a necessary but we were successful on the argument that the Federal Law, which is the supreme law of the land, precludes the use of side loans as a part of the purchase money in federally assisted home loans. Therefore, since the loan in this case was against the public policy and the statutory law of the United States, the loan should not be enforceable in the State Courts. In a third Claim of Exemption case, the argument of our attorney was upheld that the use of the money was irrelevant, even if for a necessary, as long as the loan had been a straight loan of money.

10. In *Helen Strauter v. Joseph & Mary Carrere, Pacific Plan and Suburban Homes, Inc.*, we sought affirmative remedies against a landlord and his management company for violation of housing and building codes. In January, 1969, the ceiling of Mrs. Strauter's bedroom collapsed due to heavy rains, making the room entirely unfit for occupancy and destroying much of her personal property contained therein. Mrs. Strauter was forced to vacate the room and has ever since been living in the rest of the house, sharing the one remaining bedroom with her son. The building inspector from Menlo Park gave an extensive inspection report in which he cited some 15 code violations existing on the premises. After correspondence with the landlord and Suburban Homes, an action was filed on behalf of Mrs. Strauter praying for injunctions requiring immediate compliance with applicable building, health and safety codes, declaratory relief to the effect that no rent was due and owing during the continuance of the code violations and for damages for dispossession of the premises, loss of use, and recovery of all rent paid during the time that the code violations existed. The complaint alleged that the violations of the codes, coupled with dispossession of part of the premises constituted a nuisance, a breach of an implied warranty of tenantability, breach of an implied warranty of quiet possession, failure of consideration, and rendered the rental agreement void and illegal as contrary to public policy. The complaint also sought to enjoin the defendants from continuing to do business unlawfully and unfairly under Civil Code 3369. At this time the case is in negotiation between Mrs. Strauter and the landlord and appears to be headed toward a favorable settlement.

11. *Helen Thibeaux (Stanley Keiles vs.)* was an action in the Small Claims Court for back rent. Mrs. Thibeaux had vacated her house after Mr. Keiles had sold the premises and the new owners informed Mrs. Thibeaux that she must vacate over a weekend so that they could occupy the house the following Monday. She was never served any demand for rent due and owing. We cross-complained against Keiles for wrongful eviction, intentional infliction of mental distress and negligence. In the Small Claims Court, Keiles was awarded recovery and Mrs. Thibeaux was not allowed to present or argue her cross-complaint. Mrs. Thibeaux filed an immediate appeal and petitioned for leave to file in forma pauperis. The Municipal Court granted Mrs. Thibeaux's motion and allowed filing of the appeal without the necessity of any fees, and specifically waived the bond on appeal normally required by Small Claims Court procedures. Upon petition to Superior Court, Mrs. Thibeaux's motion to file her action in forma pauperis was similarly granted without the necessity of fees or bonds. Mrs. Thibeaux's petition was based on arguments that the bond was specifically waivable under the rule announced in *Roberts vs. Superior Court*, and a denial of the waiver of bond precluded in effect the appeal which was necessary to guarantee Mrs. Thibeaux's con-

stitutional rights to attorney and to a full, fair and complete trial. The case is to come on for hearing in the Superior Court on August 1, 1969.

V. GROUP PRESENTATION

1. *Welfare rights organizations.* Our Welfare specialist in the Law Reform unit has assisted in the formation of three more Welfare Rights Organizations in the county. This attorney works with these groups and assists individual clients in the groups in a number of ways. He has been appearing at the regular meetings of the San Mateo County Health and Welfare Board, a copy of one newspaper write-up is attached as Enclosure III.

2. All of our attorneys work closely with the Neighborhood Councils and have incorporated three of the info centers.

3. *Housing groups.* The Senior Law Reform counsel has been working with a number of housing groups, including the San Mateo Council of Churches, a Task Force of the Urban Coalition, the Redwood City Neighborhood Council, Consumers Mutual Housing, and the Hillcrest Development Group. The direction of these various groups is to organize and build low-cost housing. Because of the inactivity of the San Mateo County Housing Authority in this area, we feel it may be necessary for the Legal Aid Society to fill the gap and assist in the organization of low-cost housing.

4. *Tenants' association.* The Law Reform Unit drafted by-laws and otherwise assisted in the organization of the Tenants' Association. The Association recently picketed the Housing Authority and some of the apartment-house owners. The suit against the Housing Authority in the City of Menlo Park, referred to above, was instituted both at the request of the individual client and the Tenants' Association.

5. *Hermanos Latinos*, has been incorporated by the So. San Francisco Neighborhood Office and assisted in the formation of a Spanish-language group for county-wide representation of Spanish surname people.

6. *Ushiriki Development Co.* Ushiriki has been incorporated by the Law Reform unit. The organization began as a committee of the East Palo Alto Municipal Council formed for the purpose of encouraging and influencing economic development in the East Bay Shore area. The Law Reform unit and the VISTA project are working with Ushiriki to analyze the needed development and to encourage development in this area.

UNIQUE FACETS

1. Economic development program

The Nairobi Development Co. continues to work with small businesses in the East Palo Alto area. One of the four VISTA attorneys works primarily in this area and has set up five operating businesses. Some of the businesses which have been set up have not been successful. The ones presently in operation include an African print shop, a book store, a car wash, and a photography shop.

2. Political development program

The Nairobi Development continues to provide studies for the proposed incorporation of East Palo Alto into a municipal corporation. A feasibility study has been completed and circulated and is in the process of being revised and expanded.

If the people of East Palo Alto decide that they wish to incorporate, the time for placing the issue on the ballot would be in eleven months, next July, in order to accumulate states subventions during the fiscal year.

3. Release on own recognizance bail program

After various problems and reverses, the Release on Own Recognizance Program has become highly successful. One of several

recent newspaper articles concerning the project is enclosed as Enclosure IV.

The project was initiated about nine months ago with a proposal by the San Mateo County Legal Aid Society to VISTA for the sponsorship of Release on Own Recognizance project. Throughout the past nine months, VISTA has supplied between four and five VISTA volunteers and the Legal Aid Society has provided office space, secretarial, office equipment, and supplies, and has, in addition, provided a full-time director.

The Legal Aid Society originally sponsored and assumed the full burden of the R.O.R. project because no other County organization could be found which would take on this responsibility. Approaches were made to numerous County agencies, such as the Bar Association, the San Mateo Service League, and others, asking their sponsorship, with negative results. The Society, nevertheless, felt that in the interests of the poor of San Mateo County it was vital that a R.O.R. project be instituted in this county and authorized the expenditure of non-federal funds for this purpose.

After nine months' operation, the utility of this Program has been demonstrated and the judiciary of San Mateo County are virtually unanimous in approving the operation of the project. It should be added that additional impetus has been given the Program by overcrowded conditions in the San Mateo County Jail.

Because of the success of the project, the Bar Association is now willing to sponsor the program. The Bar, in San Mateo County, operates a quasi Public Defender Program in which the Bar contracts with the County for the provision of Criminal defense services. Members of the Bar are then paid on a case basis for providing these services. It has been realized by the Bar that the R.O.R. project works well with this Bar Public Defender program.

The County of San Mateo has come to realize the importance of a Release on Own Recognizance project for the administration of justice and has budgeted \$17,000.00 for the Program for the next year. This sum has not been formally appropriated as yet, however appropriation of the full amount is anticipated.

In view of the above, the Bar Association is now willing to assume completely the sponsorship of the Program. Accordingly, the Directors of the Legal Aid Society have voted to transfer sponsorship to the Bar Association who will assume the full administrative burden of carrying on the Program in a proper manner.

VISTA, in view of the success of the R.O.R. Program, has increased the allocation of VISTA's to eight and is providing, in addition, \$6,000.00 cash fund for a VISTA Supervisor.

An enormous amount of effort and a substantial amount of non-Federal funds have gone into the R.O.R. project over the last two years. The results, however, have justified the expenditures.

A progress report covering the period January 1 to June 15, 1969, follows:

SAN MATEO COUNTY BAIL PROJECT
"O.R."

PROGRESS REPORT (JANUARY 1-JUNE 15)

INTERVIEWS

Since the Beginning of January, the Project has interviewed 608 persons in the county jail; most of whom were arrested in the Southern Judicial District.

	Interviews
January	77
February	75
March	99
April	136
May	143

RECOMMENDATIONS FOR RELEASE

The Project has recommended that 253 persons be released on their own recognizance (O.R.). 147 of our recommendations for release on O.R. have been released by the courts. Of the remaining 106 persons, 65 were rejected. The remaining made bail before the recommendation could be noted, were dismissed or otherwise disposed of.

Total recommended for O.R.....	253
Bailed, dismissed, etc.....	41
Rejected by the courts.....	65
Granted O.R.....	147

It must be kept in mind that the Project makes its recommendations regardless of the seriousness of the offense.

PERCENTAGE RELEASED O.R.

24.3% of all those interviewed obtained release O.R. Defendants are disqualified because of inability to reach references, inability to meet objective criteria, prior criminal record or failure to keep court appearance dates. Our percentage of release is quite high in comparison to the San Francisco Project using a similar criteria. The San Francisco Project releases 10% of those interviewed. However their percentage of rejection by the courts of recommendations is somewhat lower.

COURT APPEARANCES AND SKIPS

In the Southern Municipal Court a total of 186 appearances have been made by persons O.R. by the recommendation of the Project. It has been necessary to issue seven bench warrants. Of these, four were withdrawn the next day because the defendants misunderstood court dates; in one instance, the case was dismissed. Another defendant voluntarily returned the following day. There have been only two actual failures to appear. Of these one person was apprehended and the other remains at large. Letters were written to this defendant by the Project, and phone calls made in an effort to get him in. Finally, the information we had was turned over to the Sheriff's Office.

In Superior Court a total of 23 appearances of our O.R.'s were made. There have been no failures to appear by those recommended by the Project. As of June 15:

Overall court appearances of the 147	
O.R.'s	212
Total actual skips.....	2
Percentage of actual skips.....	1.4%
San Francisco O.R. skips.....	3%-4%

4. *Housing program.* The housing situation for low-income families in San Mateo County continues to deteriorate. Overcrowding, dilapidated, substandard and unsanitary premises and jacked-up rents remain the rule. Over 2,000 eligible families are on the San Mateo County Housing Authority leased housing waiting list. This list could be expanded several times over because many more persons urgently needing housing with rent supplement are anxious to add their names.

Despite the shortage of leased housing units, the fact is that certain county officials have tended to discourage expansion of low-income housing development. The Law Reform Unit of the Legal Aid Society continues to work together with EOC organizers and other community workers toward getting the Housing Authority to act aggressively and positively and to utilize federal and state housing laws and programs in order to increase the inventory of safe, sanitary and adequate housing throughout the county but particularly in or near the target areas.

As a result of community pressure, the Housing Authority has increased its request to the Department of Housing and Urban Development (HUD) for certification and funding from 750 units to 2,500 units.

The Law Reform Unit of the Legal Aid Society also continues to counsel tenants associations, welfare rights groups and low-

income individuals in the legal means to community action in order to achieve prompt and satisfactory resolution of their housing needs.

Twenty-nine tenants in the La Selva Apartments in San Mateo were threatened with eviction. They were counseled by Legal Aid, a tenants group was formed and protests were organized. As a result, lease agreements between the manager and the Housing Authority were renewed instead of being terminated and tenants remained in occupancy.

In addition, the Legal Aid Society continues to service, on an individual basis, those clients who—usually for reasons of poverty—find themselves facing eviction by private landlords. A test case on the constitutionality of a law which allows a private landlord to seize and sell personal effects and furniture in order to satisfy a judgment for rent owed is presently on appeal. A lawsuit has been filed for a resident of Menlo Park, acting on behalf of herself "and all other persons similarly situated" against the Housing Authority to try to set aside as illegal and unconstitutional a housing moratorium which the Housing Authority imposed upon itself despite the serious housing need of Belhaven area residents. A temporary restraining order was obtained and the application for a federal injunction against the moratorium has been entered in San Mateo County Superior Court. A decision is awaited at the time of this writing.

Further lawsuits are contemplated to get the Housing Authority to correct long standing unsanitary and unsafe conditions existing in leased housing premises. More vigorous code enforcement is being sought.

Legal Aid Society Law Reform Unit has informed the Housing Authority that its one-year residential preference rule is unconstitutional and has requested that the Housing Authority eliminate this rule from its eligibility procedures. A test case will be filed if the Housing Authority fails to comply within a reasonable time.

The Legal Aid Society also stands ready to assist nonprofit sponsorship of low-income housing (both rental and home ownership) in securing approval by FHA under applicable federal housing laws, and to encourage development of new techniques and systems of home construction to help bring soaring building costs to within feasible low-income limits.

SAN MATEO COUNTY ECONOMIC DEVELOPMENT

For those professionals and others working in the fields of community and economic development as they pertain to the poverty areas of San Mateo County, it has become clear that the solutions to most of the socio-economic problems of low-income families and individuals require some sort of local political autonomy coupled with overall planning and programs for implementation of economic development, based on realistic goals and priorities.

The common problems of inadequate housing, poor educational achievement and bare subsistence levels of income besetting much of the population of such areas as East Palo Alto, East Menlo Park, Redwood City, East San Mateo, Daly City and South San Francisco have to be met with a concerted attack utilizing all available community resources and know-how, supported by governmental agencies and structures at local, state and federal levels.

Commencing in East Palo Alto, where the East Palo Alto Municipal Council—an elected advisory body established for the unincorporated area by the San Mateo County Board of Supervisors—noted the lack of central direction in the community with respect to the needs and priorities of economic and community development, a group of individuals active in the community and designating themselves the Economic Development Advisory Committee (EDAC) was

named to advise the Council on matters relating to the economic development of the East Palo Alto community, and also to plan and coordinate present and future efforts. Community participation was a key element in both planning and implementation.

The EDAC proposed first the formation of a non-profit corporation dedicated to community economic development, and run by the community, to be the officially recognized economic development agency for East Palo Alto. This non-profit corporation named "Ushirika Development Corporation" is in the process of formation at the present time, and it will seek tax exempt status in order that it may more readily be the locus of grants, contributions and other types of funding for its objectives.

These include: (1) developing a master plan for economic development in the community east of Bayshore Freeway roughly encompassing East Palo Alto and East Menlo and environs; (2) initiating and promoting efforts which will help fill the requirements of the master plan; (3) coordinating economic development activities in the defined community; (4) advising the Municipal Council on issues relating to economic and community development, and (5) providing a forum for community participation in developing a program for economic development, and for educating the community on the objectives of development and ways of achieving them.

A survey of existing business and commercial enterprises is on the list of projects, along with plans for inviting and encouraging industrial development—particularly in growth-type industries, so as to accomplish the two-fold purpose of increasing the tax base and of upgrading the skills and income levels of those persons unemployed or underemployed in the community.

Lastly, but not least, a feasibility study of the possibilities of incorporation of East Palo Alto was undertaken under the auspices of Legal Aid Society of San Mateo County. This study has been made available to the Municipal Council, which thereupon drafted a request to the San Mateo County Local Agencies Formation Commission (LAFCO) for approval of a so-called "Sphere of Influence" including certain areas now included within the boundaries of the City of Menlo Park, with a view toward ultimate annexation into an incorporated East Palo Alto.

At the request of EDAC, VISTA volunteers working in conjunction with the Legal Aid Society of San Mateo County have prepared and on August 25, 1969, submitted a carefully drafted report entitled "The Economic Implications of Annexing All or Part of East Menlo Park." This report attempts to analyze the economic effect of annexation of various alternative areas on the tax rate and on the revenue available for municipal services. This report is presently under study by the Municipal Council.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 451, 474, and 477.

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

EQUALIZATION OF RETIREMENT BENEFITS FOR COMMISSIONED OFFICERS OF THE PUBLIC HEALTH SERVICE

The Senate proceeded to consider bill (S. 2452) to amend section 211 of the Public Health Service Act to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-455), explaining the purposes of the measure.

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

NEED FOR LEGISLATION

At the present time, the Commissioned Corps of the Public Health Service is the only uniformed service whose members do not have available to them the same formula for computation of retired pay as do the other uniformed services. All other members of the uniformed services can use their years credited to them for basic pay purposes, before June 1, 1958 (not to exceed 30 years) in computing retired pay. This credit is only applicable after an officer becomes eligible for retirement—that is, after 20 years of active duty. Passage of this bill would correct a serious inequity by giving equal retirement benefits to commissioned officers of the Public Health Service.

PRINCIPAL PURPOSE OF THE BILL

The bill would equalize retirement benefits for members of the Commissioned Corps in the Public Health Service with the retirement benefits received by members of the uniformed services. The formula for computing retired pay of PHS officers, which would be authorized under the bill is identical to the formula which is provided for military personnel. The bill is supported by the Department of Health, Education, and Welfare, the Bureau of the Budget, and the Civil Service Commission.

COMMISSIONED CORPS

The Commissioned Corps of the Public Health Service is the oldest medical service in the Federal Government. It has a long and proud history and distinguished record of achievement. Its work of protecting and advancing national health, alleviating human suffering, guarding against the dangers of disease, and improving and prolonging human life started with the enactment of legislation to establish a Marine Hospital Service in 1798.

In 1889, Congress officially established the Commissioned Corps along military lines, with titles and pay corresponding to Army and Navy grades. It then became one of our country's uniformed services.

An officer of the Commissioned Corps may serve in clinical medicine, epidemiological field work, laboratory or clinical research, or public health administration. He could be assigned to Vietnam, to the Pribilof Islands in the Bering Sea, or to Africa, to a Coast Guard vessel, to Alaska, or to an Indian reservation. He is part of the Public Health Service team which has the ultimate responsibility of safeguarding the Nation's health.

Mr. YARBOROUGH. Mr. President, I wholeheartedly support the passage of this bill (S. 2452), which I introduced, to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services.

The Commissioned Corps of the Public Health Service is the oldest medical service of the Federal Government. It has a long and proud history and distinguished record of achievement. Its work of protecting and advancing national health, alleviating human suffering, guarding against the dangers of disease, and improving and prolonging human life, started with the enactment of legislation to establish a Marine Hospital Service in 1798. In 1889, Congress officially established the Commissioned Corps along military lines, with titles and pay corresponding to Army and Navy grades. It then became one of our country's uniformed services.

An officer of the Commissioned Corps may serve in clinical medicine, epidemiological fieldwork, laboratory or clinical research, or public health administration. He could be assigned to Vietnam, to the Pribilof Islands in the Bering Sea, or to Africa—to a Coast Guard vessel, to Alaska, or to an Indian reservation. He is part of the Public Health Service team which has the ultimate responsibility of safeguarding the Nation's health.

Mr. President, at the present time the Commissioned Corps of the Public Health Service is the only uniformed service whose members do not have available to them the same formula for computation of retired pay as do the other uniformed services. All other members of the uniformed services can use their years credited to them for basic pay purposes, before June 1, 1958—not to exceed 30 years—in computing retired pay. This credit is only applicable after an officer becomes eligible for retirement; that is, after 20 years of active duty. Passage of my proposal would correct a serious inequity and would accord commissioned officers of the Public Health Service a retirement benefit they rightfully deserve.

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

S. 2452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (4) of section 211(a) of the Public Health Service Act (42 U.S.C. 212(a)(4)) is amended by inserting the word "plus" after the semicolon at the end of clause (ii), and by adding after clause (ii) the following new clause:

"(iii) the number of years of service with which he was entitled to be credited for purposes of basic pay on May 31, 1958, or (if higher) on any date prior thereto, reduced by any such year included under clause (i) and further reduced by any such year with which he was entitled to be credited under paragraphs (7) and (8) of section 205 (a) of title 37, United States Code, on any date before June 1, 1958;"

SEC. 2. The amendments made by this Act shall apply in the case of retired pay for any period after the month in which this Act is enacted.

COMMUNICABLE DISEASE CONTROL
AND VACCINATION ASSISTANCE
AMENDMENTS OF 1969

The Senate proceeded to consider the bill (S. 2264) to amend the Public Health Service Act to provide authorization for grants for communicable disease control which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, line 4, after the word "Control", insert "and Vaccination Assistance"; in line 5, after the word "Control" insert "and Vaccination Assistance"; on page 2, at the beginning of line 3, strike out "and"; in line 4, after the word "and", strike out "for each fiscal year thereafter," and insert "\$75,000,000 for the fiscal year ending June 30, 1972,"; in line 11, after the word "disease", insert "and vaccination"; in line 13, after the word "controlling", strike out "such"; in the same line, after the word "diseases" insert "for which assistance is available under this subsection"; in line 15, after the word "control", insert "or vaccination"; in line 18, after the word "be", strike out "epidemiologically", in line 19, after the word "of", strike out "communicable" and insert "such"; in line 22, after the word "promotional," strike out "and other"; in the same line, after the word "epidemiologic," insert "and other"; at the beginning of line 25, insert "and immunization"; on page 3, line 4, after the word "control" insert "or vaccination"; in line 8, after the word "whooping", strike out "cough and other communicable diseases which are transmitted from State to State, are amenable to reduction, and which are determined by the Secretary on the recommendation of the National Advisory Health Council to be of national significance, and", and insert "cough, or Rh disease, or any other disease which the Secretary finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future, and"; on page 5, line 3, after the word "control" insert "or vaccination"; in line 8, after the word "controlling" strike out "communicable diseases." and insert "diseases covered by this subsection."; and after line 9, insert:

(7) Nothing in this subsection shall be construed to require any State or any political subdivision or instrumentality of a State to have a communicable disease control or vaccination program which would require any person who objects to such treatment to be treated, or to have any child or ward of his treated.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-478), explaining the purposes of the measure.

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

SUMMARY

This bill, the Communicable Disease Control and Vaccination Assistance Amendments of 1969, would authorize a 3-year program of project grants to continue our commitment to States and local governments for assist-

ance in eliminating diseases that are susceptible to vaccination or communicable disease control programs.

Contagious diseases such as tuberculosis, venereal disease, and measles know no geographic boundaries. Such diseases pose a threat to the health of not only the afflicted individual but also those with whom he is in contact. It is a needless threat when we have the medical knowledge to prevent or control illness due to these diseases.

S. 2264 would authorize \$60 million in appropriations for 1970, \$75 million for 1971, and \$75 million in 1972 to be awarded to States, and, with the approval of the State health authority, to political subdivisions or instrumentalities of the States by the Secretary of Health, Education, and Welfare. In making these awards the Secretary would be required to give consideration to the relative extent of the communicable disease and vaccination problems and to the levels of performance in preventing and controlling these diseases. The diseases to be combated include tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, and Rh disease.

This legislation was supported by testimony from the National Tuberculosis and Respiratory Disease Association, the National Foundation—March of Dimes, the American Social Health Association, and the Association of State and Territorial Health Officers.

BACKGROUND

When a polio vaccine became available, the Congress approved the Poliomyelitis Vaccine Assistance Act of 1955 and later extended it through June 30, 1957. This financial assistance was instrumental in dramatically reducing the incidence of polio in the United States. But the Federal aid was curtailed in 1957 and by 1960 it became apparent that polio would continue to take a needless toll in pockets of poverty. There were epidemics in Providence, Chicago, and Detroit. In May 1960, a special appropriation of \$1 million was approved for the purchase of oral polio vaccine to be used to control epidemics. It was not until 1962 that it became apparent that continuing financial assistance was required to combat polio and this led to the passage of the Vaccination Assistance Act of 1962. The act, which provided funds to combat measles, poliomyelitis, whooping cough, diphtheria, and tetanus, was extended for 3 additional years in 1965.

The Vaccination Assistance Act expired June 30, 1968. Funds appropriated under this legislation were exhausted earlier this year. The continuation of such financial assistance is essential if we are to eliminate the threat of epidemics, particularly in rural poverty and ghetto areas.

In the past, measles has been an almost universal childhood disease. Although many consider it to be rather benign, it sometimes has serious complications, such as encephalitis, otitis, and pneumonia.

Before vaccines were widely used, this disease represented a major public health problem in the United States; an estimated 4 million cases of measles, 4,000 cases of measles encephalitis, and 400 deaths occurred each year.

There is disturbing evidence, however, that the measles vaccine that is available is not being fully utilized. More cases of measles have been reported to the National Communicable Disease Center this year than last year. There were 20,875 cases of measles reported to the Center during the first 40 weeks of 1969 as compared to 20,000 during the same period in 1968.

Both the National Nutrition Survey and the Office of Economic Opportunity report that less than one-half of the preschool children in poverty areas are adequately immunized against polio, measles, and other preventable diseases. Consequently, the committee expects that programs for preschool vaccination will be continued and expanded.

German measles is another communicable disease that can be prevented with a vaccine. Each year about 50,000 cases of German measles are reported although the actual incidence is estimated to be approximately 2.5 million. This is a disease that brings mild discomfort to children. When transmitted to pregnant women, however, it carries with it the risk of death, physical disability, and mental disorder to the unborn child. Approximately 25 percent of the women who have German measles during the first trimester of pregnancy give birth to infants with severe congenital defects. These defects may be so severe as to cause stillbirth. The living birth may be a child with severe heart defects, deafness, blindness, or mental retardation. During the 1964 epidemic 20,000 children were born with congenital abnormalities. A major German measles epidemic is predicted for 1970-71. It is estimated that there are now some 50 million children who need protection against German measles. Each year approximately 4 million newborns are added to the susceptible population.

Still another communicable disease that can be controlled is tuberculosis. In 1963 the House Appropriations Committee expressed "real concern over the current degree of effectiveness of tuberculosis control efforts in the United States," and suggested that "serious thought should be given to a study of the tuberculosis problem similar to that made by the Surgeon General's Task Force on Eradication of Syphilis." About 10 years earlier drugs were discovered that made specific chemotherapy for the disease possible—therapy that has been proven to be highly effective for more than 95 percent of newly diagnosed cases. A task force of the Surgeon General of the Public Health Service in 1963 recommended a 10-year program for the control of tuberculosis that had as its goal a reduction in the number of new active cases from 54,000 per year to 22,000 per year. The number of new active cases was brought down from 54,000 in 1963 to 42,758 in 1968.

It is doubtful that this progress will continue if the 1970 budget amendments pertaining to tuberculosis control as submitted by the Department of Health, Education, and Welfare are approved by Congress. These budget amendments would eliminate \$18 million in project grants for the control of tuberculosis and add \$18 million in formula grants that States would be encouraged to use for the control of tuberculosis, venereal diseases, and alcoholism. To further complicate the picture, the project grants for tuberculosis control were concentrated in States with the highest incidence of tuberculosis, but the formula grants by law must be allocated only on the basis of population and financial need without regard to the extent of the tuberculosis problem. This revision in the allocation of funds will have a serious impact because the new active tuberculosis case rate ranges among the States from a low of 5.5 per 100,000 population to the high of 52 per 100,000. Many States with the most severe tuberculosis problem will lose substantial sums of money in the shift from tuberculosis project grants to formula or block grants.

The venereal diseases are another pressing public health problem. While it is true that there has been a gradual decline in the number of cases of syphilis, there has been a dramatic rise in the incidence of gonorrhea. As a nation, we should be doing much more to combat venereal diseases that now account for some 2,400 deaths each year and take a needless toll in disability. The steady increase in the number of cases of gonorrhea is evidence enough of the need for new legislation to control this communicable disease. Between 1958 and 1968 the number of newly reported cases of gonorrhea increased from 232,513 to 431,380.

Rh disease, or hemolytic disease of the newborn due to Rh incompatibility, is an

other disease that can be prevented. Rh disease can lead to death, severe anemia, and jaundice of the infant in the case of an Rh negative mother with an Rh positive baby. The National Foundation—March of Dimes estimates that one out of every four women who need the vaccine is not receiving it. About 8 percent of white maternity patients and 4 percent of black maternity patients are candidates for the vaccine.

The table below summarizes the toll taken by some of the diseases that could be prevented or controlled through the provisions of S. 2264:

Disease	Cases		Deaths	
	1965	1968	1965	1968
Diphtheria.....	164	243	18	32
Measles.....	261,904	22,527	276	81
Polio.....	72	57	16	16
Rubella.....	46,975	48,433	-----	-----
Tetanus.....	300	159	181	144
Tuberculosis.....	49,016	42,758	7,934	6,901
Syphilis.....	112,842	98,195	2,434	2,381
Gonorrhea.....	324,925	431,380	9	11

Source: Public Health Service.

EXPLANATION

This legislation would provide financial assistance to the States to prevent or control the introduction, transmission, or spread of diseases susceptible to vaccination or communicable disease control in the United States from foreign countries and from interstate and intrastate sources. Grants would be awarded by the Secretary of Health, Education, and Welfare to States and to political subdivisions of States with the approval of the State health authority to assist in financing disease control programs. The grants would finance the purchase of vaccines or other agents for those population groups determined to be important to the control of the disease as well as payments for personnel and other program expenses needed for organization, promotion, surveillance, and other epidemiologic activities. A most important feature of the legislation is the requirement that the project grants be awarded after consideration of performance standards. For example, in the case of vaccinations, the actual number performed would be considered. Similarly, the number of tuberculosis cases under control would also be a consideration in the award of funds.

A communicable disease control or vaccination program is defined as a program to contribute to the nationwide effort against tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, or Rh disease or any disease that the Secretary finds to be a major public health problem that is susceptible of practical elimination through vaccination or other preventive agents.

THE COST

This legislation provides for the following appropriation authorizations:

Fiscal year 1970.....	\$60,000,000
Fiscal year 1971.....	75,000,000
Fiscal year 1972.....	75,000,000

In relation to the needs for funds to prevent or control the diseases that would be combated through this legislation the authorizations for appropriations are modest. For several years there has been a total of \$18 million per year in project grants to combat tuberculosis. The annual authorization for appropriations under the Vaccination Assistance Act was \$11 million for 1968. The legislation did not provide for rubella. To prevent rubella will require at least \$30 million according to the National Foundation—March of Dimes. The American Social Health Association recommends that \$20 million per year is needed to control venereal diseases. Thus, an annual authorization for more than \$75 million in appropriations, can

be justified on the basis of actual experience plus recommendations of the appropriate voluntary health agencies, particularly if programs to eliminate such diseases as Rh disease are expanded. The committee believes such programs should be expanded.

HEARINGS

Hearings on S. 2264 were held by the Subcommittee on Health of the Committee on Labor and Public Welfare on June 30, 1969. Full support for the legislation was expressed by the National Tuberculosis and Respiratory Disease Association, the Association of State and Territorial Health Officers, the National Foundation—March of Dimes, and the American Social Health Association. The support of the American Medical Association was limited to the provisions of the legislation that would continue Federal financial assistance through vaccination programs against such infectious diseases as rubella, poliomyelitis, tetanus, diphtheria, whooping cough, and measles. The American Medical Association supports Federal financial assistance to control tuberculosis and venereal disease but not through the authority of section 361 of the Public Health Service Act.

Mr. YARBOROUGH. Mr. President, I offer my enthusiastic support for the passage of the Communicable Disease Control and Vaccination Assistance Amendments of 1969, S. 2264, which I introduced and which was cosponsored by the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Alaska (Mr. GRAVEL).

Senator KENNEDY, as a member of the Health Subcommittee of the Committee on Labor and Public Welfare, has had a vital role in its passage. Earlier this year he introduced the Vaccination Assistance Act of 1969, S. 1622. His bill was combined with S. 2264 by a series of amendments to S. 2264. I express my appreciation for his diligent work in this area.

The Vaccination Assistance Act expired June 30, 1968. Funds appropriated under this legislation were exhausted earlier this year. The continuation of such financial assistance is essential if we are to eliminate the threat of epidemics, particularly in low-economic and ghetto areas.

Both the National Nutrition Survey and the Office of Economic Opportunity report that less than one-half of the preschoolchildren in poverty areas are adequately immunized against polio, measles, and other preventable diseases.

Contagious diseases such as tuberculosis, venereal disease, and measles know no geographic boundaries. Such diseases pose a threat to the health of not only the afflicted individual, but also those with whom he is in contact. It is a needless threat when we have the medical knowledge to prevent or control illness due to these diseases.

S. 2264 would authorize \$60 million in appropriations for 1970, \$75 million for 1971, and \$75 million in 1972 to be awarded to States, and, with the approval of the State health authority, to political subdivisions or instrumentalities of the States by the Secretary of Health, Education, and Welfare. In making these awards, the Secretary would be required to give consideration to the relative extent of the communicable disease and vaccination problems and to the levels of performance in preventing and

controlling these diseases. The diseases to be combated include tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, and Rh disease.

The proposed legislation was fully supported by testimony from the National Tuberculosis and Respiratory Disease Association, the National Foundation—March of Dimes, the American Social Health Association, and the Association of State and Territorial Health Officers.

Mr. PROUTY. Mr. President, the measure now before us, S. 2264, the Communicable Disease Control Amendments of 1969, sets a national policy that communicable disease prevention and control is fundamental to public health. I concur in this policy.

This is not to say that we have overlooked the control of infectious and contagious disease in the past. On the contrary, the past 75 years have been marked by significant accomplishments in the diagnosis, treatment, and control of such diseases.

However, we cannot assume that because of these advances, tuberculosis, diphtheria, poliomyelitis, measles, and other diseases have been conquered. No communicable disease has been totally eradicated in this country. Our efforts must continue.

This measure responds with project grant funds to continue our efforts in controlling tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, and other communicable diseases.

While I consider the prevention and control of all infectious and contagious diseases to be vital to our Nation, I would like to call my colleagues' attention to the testimony of health experts that rubella epidemics occur every 6 or 7 years and that since our last rubella epidemic was in 1964-65, it may be anticipated that the cycle will reoccur in the next few years.

Rubella, or German measles, is a mild disease in children, but when it occurs in women in early pregnancy the disease is passed to the child, who suffers congenital defects. We are all aware of the tragic aftermath of the 1964-65 rubella epidemic and must take every possible step to prevent a reoccurrence of this tragedy in the next few years.

Placing communicable disease prevention and control programs on a categorical grant basis assures that our efforts to build a wall of rubella immunity around mothers will be increased. Likewise, our efforts against tuberculosis, venereal disease, and other infectious and contagious diseases will not slacken.

I urge my colleagues to support this measure.

Mr. MANSFIELD. Mr. President, I commend both the distinguished chairman of the Committee on Labor and Public Welfare and the assistant majority leader for their efforts on behalf of S. 2264, the Communicable Disease Control and Vaccination Assistance Amendments of 1969. Unfortunately, Senator KENNEDY is absent on official business today as a member of the Senate delegation to the 15th annual session

of the North Atlantic Assembly, now meeting in Brussels to consider the political, military and economic issues facing the Atlantic Alliance.

As Members are aware, Senator KENNEDY played a major role in the development of S. 2264 by the Subcommittee on Health. At the time of the hearings on the bill last June, Senator KENNEDY personally appeared before the subcommittee to urge reenactment and extension of the Vaccination Assistance Act of 1962. Senator KENNEDY's testimony continues to be a timely and detailed analysis of the need for this legislation, and I believe it will be of interest to Members of the Senate and to all those who are concerned with our continuing efforts to eradicate infectious disease from the Nation. I therefore ask unanimous consent that Senator KENNEDY's testimony be printed in the RECORD.

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

STATEMENT OF SENATOR EDWARD M. KENNEDY
ON THE VACCINATION ASSISTANCE ACT,
JUNE 30, 1969

Today, the Senate Subcommittee on Health opens hearings on a number of legislative proposals of major importance in our continuing efforts to eradicate infectious disease in America. The Vaccination Assistance Act has proved to be a measure of vital significance in these efforts, and I am hopeful that the Congress will extend its provisions for another five years.

In the few brief years of its existence, the Act has enabled the Federal Government to join in partnership with State and local governments throughout the nation in a wide variety of successful immunization programs. The cost of these programs has been modest. Yet, they have already saved millions of dollars in medical expenses that would otherwise have been paid by our citizens and the nation in providing health care for the victims of a broad range of infectious childhood and other diseases.

In February, 1962, when President Kennedy first proposed the Vaccination Assistance Act in his Special Message to the Congress on National Health, he said:

"There is no longer any reason why American children should suffer from polio, diphtheria, whooping cough, or tetanus—diseases which can cause death or serious consequences throughout a lifetime, which can be prevented, but which still prevail in too many cases."

When the Vaccination Assistance Act was signed into law in October 1962, the nation launched a massive immunization campaign against many of the infectious diseases that had plagued the nation for so long. In the past six years, the Act has brought immense protection to millions of America children threatened by the suffering, disability, and death brought by these diseases. It has brought continuing protection for children against tetanus, diphtheria, and whooping cough. It has helped to assure the virtual eradication of polio in the nation, and it has played a major role in the dramatic reduction of the incidence of measles.

In spite of the progress we have made, it is clear that we have not yet accomplished our goals. Therefore, the present hearings on the Vaccination Assistance Act are especially timely. I am convinced that its provisions deserve to be renewed, and I am hopeful that these hearings will help to illuminate the areas where special new efforts must be made.

For the purposes of illustration, I would like to place special attention in this statement on our efforts to eradicate measles. Between 1965 and the present time, the use of

measles vaccine has brought about the following dramatic results in the United States: 15 million children were spared from infection caused by measles.

The incidence of the disease dropped from 140 cases per 100,000 population to only 12 cases per 100,000 population.

91,000 children were spared from hospitalization with measles.

15,000 children were spared from encephalitis caused by measles.

5,000 children were spared mental retardation caused by measles.

1,500 children were spared from death.

The American medical profession deserves our highest commendation for this achievement, which has reduced the incidence of measles by over 90% since the vaccine first became available.

Through the efforts of our dedicated private practitioners and public health officers, our progress toward the eradication of measles has been faster than with diphtheria, tetanus, whooping cough, or even polio. I believe that the federal funding of State and local immunization projects through the Communicable Disease Center of the U.S. Public Health Service has made the difference, and has brought about the remarkable decline in the incidence of the disease. Unfortunately, however, the rate of decline halted abruptly at the end of 1968, and has recently begun to show a slight increase in the nation as a whole, with substantial increases in 17 states. To me, it is more than a coincidence that the three-year decline in the incidence of measles came to a halt just as funds for the Vaccination Assistance Act were depleted last year.

We know today that our efforts to eradicate measles have not been completely successful. The figure I have mentioned—12 cases per 100,000 population—translates into 24,000 cases of measles in the United States this year. According to information in the most recently available Morbidity and Mortality Report of the Public Health Service, the number of reported cases of measles for the first half of 1969 is 17,270 cases, or slightly more than for the same period in 1968.

For all practical purposes, diphtheria, tetanus, and polio have been eradicated in the United States, since they now number less than 200 cases per year for each disease. We cannot say the same thing about measles, when 22,500 cases were reported in 1968, and 24,000 cases are anticipated in 1969. The job simply is not finished.

Indeed, on the basis of our past experience, we know that the actual number of cases of measles in the nation is over ten times the number of reported cases. This means that in 1969, about 250,000 children will develop measles. As a result of the disease, in 1969 alone, 1,500 children will be hospitalized for a total of 14,250 hospital days; 250 will develop encephalitis; 80 will be permanently retarded; and 25 will die.

In addition, some 375,000 school days will be lost during 1969, because of measles, and the illness will cost our economy more than \$12 million in treating its effects.

In this brief statement, I have concentrated primarily on the disease of measles in an effort to highlight the long-range need for extension of the Vaccination Assistance Act. I would like to make clear, however, that I believe there are numerous other areas where the provisions of the Act could be vital in helping to control or eliminate disease. In closing I would like to discuss briefly two other examples:

First, in the case of Rh hemolytic disease, recent reports indicate that 25% of the pregnant women who should be protected are still not being reached by the new antibody vaccine recently developed by medical researchers. Yet we know that the vaccine has been totally effective in preventing the disease wherever it has been used.

Second, in the case of rubella, or German measles, numerous medical experts across the country have stated that we face the prospect of a severe epidemic in 1970 or 1971. Today in the United States, 50 million children and child-bearing women are unprotected against rubella. Unless adequate precautions are taken to prevent the disease, thousands of children will be born blind, deaf, or with heart defects or mental retardation because their mothers contracted this disease during pregnancy. At the recent International Conference on Rubella Immunization, it was estimated that the eventual cost of the epidemic to the United States economy would total over three billion dollars.

As in the case of common measles, German measles can be eliminated through an effective immunization campaign of the sort that could be mounted under the Vaccination Assistance Act. Indeed, the imminence of the approaching rubella epidemic offers what I believe may be the strongest immediate argument for extending the Act. We simply cannot afford to gamble with the health of millions of our nation's children by failing to protect them in the most effective possible way. The Vaccination Assistance Act has demonstrated its value time and again in recent years as a method of providing mass community protection against disease. It is therefore the most obvious available tool to press into service to combat the anticipated rubella epidemic.

Unless the provisions of the Vaccination Assistance Act are carried forward, I do not believe we will be able to eradicate common measles from America or prevent the epidemic of German measles. Unless the Act is extended I do not believe we will be able to continue the enormous progress we have made against the Rh disease and other diseases in recent years.

Under ideal circumstances, it might be possible for other federal programs providing comprehensive health care to take over the immunization programs contained in the Vaccination Assistance Act. It appears, however, that priorities have already been established for these other programs. I am skeptical that they are flexible enough to allow inclusion of the immunization programs. The possibility of expanding other federal programs in this way has been available for some time. Yet, little action has been taken. In many parts of the country, it is the States themselves who refuse to give adequate priority to far-reaching vaccination programs.

Infectious diseases in our society have no geographic boundary. They concern the health and economy of the entire nation, and it is our obligation to see that every available effort is made to eradicate them. I therefore welcome these hearings as a means of bringing fresh attention to these urgent problems. I commend the Chairman for his important efforts in this vital field, and I look forward to early enactment of comprehensive legislation to achieve our goals.

Mr. MURPHY. Mr. President, as a member of the Health Subcommittee, I support S. 2264, the Communicable Disease Control and Vaccination Assistance Amendments of 1969.

S. 2264 would authorize a 3-year program of project grants to States and their political subdivisions to prevent or control the introduction and spread of diseases susceptible to vaccination or communicable disease controls. This would include tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, and Rh disease.

Mr. President, this is an important bill for effective nationwide control of contagious diseases is a matter of con-

cern to all of our citizens. Given the mobility of our population, the effectiveness and adequacy of these programs in one part of the Nation is a concern to citizens all across the country. These diseases know no national, State, or county boundaries.

The importance of these programs can be seen by examining some of the individual diseases. For example, rubella or German measles is a communicable disease which can be controlled by vaccination. German measles is a disease that brings relatively mild discomfort to children but when transmitted to women during their first 3 months of pregnancy, it can spell disaster to unborn children and their parents. For statistics indicate that 25 percent of the children whose mothers had contracted German measles during their first 3 months of pregnancy will be born with congenital defects. Time is of the essence in dealing with this problem for we are told that another rubella cycle is projected for 1970-71 and it has been estimated that 50 million children are in need of the vaccination. Local health department budgets are unable to support the necessary activities without continued Federal support.

In the last rubella epidemic which took place in 1964, 20,000 children were born with congenital abnormalities, 1,000 in California. Therefore, Mr. President, it is imperative that we move quickly to vaccinate these children, so that thousands of other children and their families will be spared needless suffering and deformities as a result of the 1970-71 rubella outbreak.

Another important area, Mr. President, is tuberculosis control. I am proud to say that the State of California has a very successful tuberculosis control program. In 1967, for example, California had an 11-percent decrease in mobility or 552 fewer newly active cases, and a 16-percent reduction in mortality with 82 fewer deaths from tuberculosis. Last year, the State reduced the number of newly reported active TB cases by 407 from the 1967 figure to 4,099. This, I am told, is the largest drop in California since 1963, and there is a general feeling that Federal assistance has been critical of bringing about this progress.

Veneral diseases are also of major importance as they are reaching epidemic proportions in some areas. Gonorrhea in California cannot be effectively controlled with the public health resources at hand. In 1968, 76,000 cases were reported, and in 1969, about 85,000 probably will occur. Currently California has 18,000 of the Nation's venereal disease cases with only about 10 percent of the population. Special grants for venereal diseases control are needed to focus on this problem.

I am pleased, Mr. President, to support this bill both in committee and here on the floor, and urge its prompt enactment by the Congress.

The amendments were agreed to.

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

S. 2264

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the "Communicable Disease Control and Vaccination Assistance Amendments of 1969".

GRANTS FOR COMMUNICABLE DISEASE CONTROL AND VACCINATION ASSISTANCE

SEC. 2. Section 361 of the Public Health Service Act (42 U.S.C. 264) is amended by inserting at the end thereof the following new subsection:

"(c) (1) There are hereby authorized to be appropriated \$60,000,000 for the fiscal year ending June 30, 1970, \$75,000,000 for the fiscal year ending June 30, 1971, and \$75,000,000 for the fiscal year ending June 30, 1972, to enable the Secretary to make grants to States, and, with the approval of the State health authority, to political subdivisions or instrumentalities of the States under this subsection. In the award of such grants the Secretary, in accordance with appropriate regulations, shall give consideration to the relative extent of the communicable disease and vaccination problems and to the levels of performance in preventing and controlling diseases for which assistance is available under this subsection. Such grants may be used to pay that portion of the cost of communicable disease control or vaccination programs which is reasonably attributable to (A) purchase of vaccines or other agents needed to protect those portions of the population determined to be important to the control or prevention of such diseases and (B) salaries and related expenses of additional State and local health personnel needed for planning, organizational, promotional, epidemiologic, and other activities in connection with such programs, including studies to determine the communicable disease control and immunization needs of communities and the means of best meeting such needs and personnel and related expenses needed to maintain additional epidemiologic and laboratory surveillance occasioned by such programs.

"(2) For the purposes of this subsection—
 "(A) a 'communicable disease control or vaccination program' means a program which is designed and conducted so as to contribute to a nationwide effort against tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, or Rh disease, or any other disease which the Secretary finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future, and

"(B) the term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Virgin Islands, and the District of Columbia.

"(3) Payments under this subsection may be made in advance on the basis of estimates or by way of reimbursement, with necessary adjustments on account of underpayments, or overpayments, in such installments and on such terms and conditions as the Secretary finds necessary to carry out the purposes of this subsection.

"(4) The Secretary, at the request of a recipient of a grant under this subsection, may reduce the money grant to such recipient by the fair market value of any supplies (including vaccines and other preventive agents, or equipment furnished to such recipient and by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee to the recipient when the furnishing of such supplies or equipment, or of the detail of such officer or employee (as the case may be), is for the convenience of and at the request of such recipient and for the purpose of carrying out the program with respect to which the grant under this subsection is made. The amount by which any

such grant is so reduced shall be available for payment by the Secretary of the costs incurred in furnishing the supplies, equipment, or personal services on which the reduction of such grant is based, but such amount shall be deemed a part of the grant to such recipient and shall, for the purposes of paragraph (3) of the subsection, be deemed to have been paid to such agency.

"(5) Nothing in this subsection shall limit or otherwise restrict the use of funds which are granted to a State or to a political subdivision of a State under other provisions of this Act or other Federal law and which are available for the conduct of communicable disease control or vaccination programs from being used in connection with programs assisted through grants under this subsection.

"(6) Under this subsection, the Secretary shall be required to submit an annual report on performance in preventing and controlling diseases covered by this subsection.

"(7) Nothing in this subsection shall be construed to require any State or any political subdivision or instrumentality of a State to have a communicable disease control or vaccination program which would require any person who objects to such treatment to be treated, or to have any child or ward of his treated."

Passed the Senate October 20, 1969.

Attest.

Secretary.

The title was amended so as to read: "A bill to amend the Public Health Service Act to provide authorization for grants for communicable disease control and vaccination assistance."

MEDICAL LIBRARY AND HEALTH COMMUNICATIONS ASSISTANCE AMENDMENTS OF 1969

The Senate proceeded to consider the bill (H.R. 11702) to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes which had been reported from the Committee on Labor and Public Welfare, with an amendment, strike out all after the enacting clause and insert:

That this Act may be cited as the "Medical Library and Health Communications Assistance Amendments of 1969."

CLARIFYING AND TECHNICAL AMENDMENTS
 DECLARATION OF POLICY AND STATEMENT OF PURPOSE

SEC. 2. (a) (1) Clause (3) of subsection (b) of section 390 (42 U.S.C. 280(b)) of the Public Health Service Act is amended by striking out "the awarding of special fellowships to physicians and other practitioners in the sciences related to health and scientists," and inserting in lieu thereof "grants to physicians and other practitioners in the sciences related to health, to scientists, and public or nonprofit private institutions on behalf of such individuals"; and

(2) Clause (4) of such subsection is amended by striking out "research and investigations" and inserting in lieu thereof "research, investigations, and demonstrations"; and

(3) Clause (5) of such subsection is amended by striking out "improving" and inserting in lieu thereof "establishing, improving".

ASSISTANCE FOR CONSTRUCTION OF FACILITIES

(b) (1) Subsection (b) (1) (B) of section 393 of such Act (42 U.S.C. 280b-3) is amended by striking out "subject to subsection (c)."

(2) Section 393 of such Act is further amended by striking out subsection (c)

thereof and redesignating subsections (d), (e), (f), (g), (h), and (j) as subsections (c), (d), (e), (f), (g), and (h), respectively.

ASSISTANCE TO SPECIAL SCIENTIFIC PROJECTS

(c) (1) The heading of section 395 of such Act (42 U.S.C. 280b-5) is amended to read:

"ASSISTANCE FOR SPECIAL SCIENTIFIC PROJECTS, AND FOR RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS"

(2) The second sentence of section 395 of such Act is amended by striking out "Surgeon General for the establishment of special fellowships to be awarded to physicians and other practitioners in the sciences related to health and scientists" and inserting in lieu thereof "Secretary to make grants to physicians and other practitioners in the sciences related to health, to scientists, and public or nonprofit private institutions on behalf of such individuals".

(3) The third sentence of such section is amended (A) by striking out "In establishing such fellowships, the Surgeon General" and inserting in lieu thereof "In making such grants, the Secretary"; and (B) by striking out "fellowships are established" and inserting in lieu thereof "grants are made".

RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS

(d) Subsection (a) of section 396 of such Act (42 U.S.C. 280b-6) is amended by striking out "research and investigations in the field of medical library science" and inserting in lieu thereof "research, investigations, and demonstrations in the field of medical library science".

GRANTS FOR IMPROVING AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES

(c) (1) The heading of section 397 of such Act (42 U.S.C. 280b-7) is amended to read:

"GRANTS FOR ESTABLISHING, IMPROVING, AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES"

(2) The first sentence of subsection (b) of such section is amended by striking out "expanding" and inserting in lieu thereof "establishing, expanding".

(3) Subsection (c) (2) of such section is amended to read as follows:

"(2) In no case shall any grant under this section to a medical library or related instrumentality for any fiscal year exceed \$200,000; and grants to such medical libraries or related instrumentalities shall be in such amounts as the Secretary may by regulation prescribe with a view to assuring adequate continuing financial support for such libraries or instrumentalities from other sources during and after the period for which Federal assistance is provided."

GRANTS FOR ESTABLISHMENT OF REGIONAL MEDICAL LIBRARIES

(f) (1) Subsection (b) of section 398 of such Act (42 U.S.C. 280b-8) is amended by striking out "and" at the end of clause (4), by redesignating clause (5) as clause (6), and by inserting a new clause (5) to read as follows:

"(5) planning for services and activities under this section; and"

(2) Subsection (c) (1) of such section is amended by striking out "(A) to modify and increase their library resources so as to be able to provide supportive services to other libraries in the region as well as individual users of library services" and inserting in lieu thereof "(A) to modify and increase their library resources and to supplement the resources of cooperating libraries in the region so as to be able to provide adequate supportive services to all libraries in the region as well as to individual users of library services".

(3) Subsection (c) (2) of such section is

amended by striking out clause (A) and redesignating clauses (B) and (C) as clauses (A) and (B), respectively.

(4) Such section is further amended by adding at the end thereof the following new subsection:

"(f) The Secretary may also carry out the purposes of this section through contracts as well as grants, and such contracts shall be subject to the same limitations as are provided in this section for grants."

AUTHORIZATION OF APPROPRIATIONS EXTENSION OF DURATION

SEC. 3. (a) Section 399a of the Public Health Service Act (42 U.S.C. 280b-10) is amended to read as follows:

"Sec. 399a. Funds appropriated to carry out any of the purposes of this part for any fiscal year shall remain available for such purposes for the fiscal year immediately following the fiscal year for which they were appropriated. Funds appropriated under this part for grants for construction shall remain available until expended".

ASSISTANCE FOR CONSTRUCTION OF FACILITIES

(b) Effective with respect to fiscal years ending after June 30, 1970, subsection (1) of section 393 of such Act is amended to read as follows:

"(1) For the purposes of carrying out the provisions of this section, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, \$11,500,000, for the fiscal year ending June 30, 1972, \$14,000,000, and for the fiscal year ending June 30, 1973, \$16,500,000."

GRANTS FOR TRAINING IN MEDICAL LIBRARY SCIENCES

(c) Effective with respect to fiscal years ending after June 30, 1970, subsection (a) of section 394 of such Act is amended by striking out "In order to enable the Surgeon General to carry out the purposes of section 390(b) (2), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums not to exceed \$1,000,000, for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General in making grants—" and inserting in lieu thereof "In order to enable the Secretary to carry out the purposes of section 390(b) (2), there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, \$2,000,000, for the fiscal year ending June 30, 1972, \$2,500,000, and for the fiscal year ending June 30, 1973, \$3,000,000".

ASSISTANCE FOR SPECIAL SCIENTIFIC PROJECTS

(d) (1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of section 395 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)

(3), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1973, such sums, not to exceed \$500,000 for any fiscal year, as may be necessary."

(2) The first sentence of such section is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS

(e) (1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 396 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b) (4), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1973, such sums, not to ex-

ceed \$3,000,000 for any fiscal year, as may be necessary."

(2) The second sentence of subsection (a) of such section is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

GRANTS FOR IMPROVING AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES

(f) (1) Effective with respect to fiscal years ending after June 30, 1970, subsection (a) of section 397 of such Act is amended to read as follows:

"(a) In order to enable the Secretary to carry out the purposes of section 390(b) (5), there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, \$4,000,000 for the fiscal year ending June 30, 1972, \$5,000,000, and for the fiscal year ending June 30, 1973, \$6,000,000."

(2) Subsection (b) of section 397 of such Act is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

GRANTS FOR ESTABLISHMENTS OF REGIONAL MEDICAL LIBRARIES

(g) (1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 398 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b) (6), there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, \$3,000,000, for the fiscal year ending June 30, 1972, \$4,000,000 and for the fiscal year ending June 30, 1973, \$5,000,000."

(2) The second sentence of such subsection (a) is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

FINANCIAL SUPPORT FOR BIOMEDICAL PUBLICATIONS

(h) (1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 399 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b) (7), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1973, such sums, not to exceed \$1,000,000 for any fiscal year, as may be necessary."

(2) The second sentence of such subsection (a) is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

TRANSFERABILITY OF FUNDS

(1) Part I of title III of the Public Health Service Act is amended by adding after section 399a (as redesignated by section 4 of this Act) thereof the following new section:

"TRANSFERABILITY OF FUNDS

"Sec. 399b. (a) Notwithstanding any other provision of this part, whenever there is appropriated any amount for any fiscal year (beginning with the fiscal year ending June 30, 1971) to carry out any particular program or activity authorized by this part, the Secretary shall have the authority to transfer sums from such amount, for the purpose of carrying out one or more of the other programs or activities authorized by their part; except that—

"(1) the aggregate of the sums so transferred from any such amount shall not exceed 10 per centum thereof,

"(2) the aggregate of the sums so transferred to carry out any such program or activity for any fiscal year shall not exceed 20 per centum of the amount appropriated to carry out such program or activity for such year, and

"(3) sums may not be transferred for any fiscal year to carry out any such program or activity if such transfer would result in

their being available (from appropriated funds plus the sums so transferred) to carry out such program or activity for such year amounts in excess of the amounts authorized to be appropriated for such year to carry out such program or activity.

"(b) Any sums transferred pursuant to subsection (a) for any fiscal year for the purpose of carrying out any program or activity shall remain available for such purpose to the same extent as are funds which are specifically appropriated for such purpose for such year."

REDESIGNATIONS

SEC. 4. (a) Title III of the Public Health Service Act is amended—

(1) by redesignating part I as part J;
(2) by redesignating the part H entitled "Part H—NATIONAL LIBRARY OF MEDICINE" as part I; and

(3) by redesignating sections 371, 372, 373, 374, 375, 376, 377, and 378 as sections 381, 382, 383, 384, 385, 386, 387, and 388, respectively.

(b) (1) Subsection (c) of the section of such Act redesignated as section 382 is amended by striking out "section 373" and inserting in lieu thereof "section 383".

(2) The section of such Act redesignated as section 385 is amended by striking out "section 373" and inserting in lieu thereof "section 383".

(3) Section 391(2) of such Act is amended by striking out "section 373(a)" and inserting in lieu thereof "section 383(a)".

(4) Section 392 of such Act is amended—
(A) by striking out in subsection (a) "section 373(a)" and inserting in lieu thereof "section 383(a)",

(B) by striking out in such subsection "section 373" and inserting in lieu thereof "section 383",

(C) by striking out in subsection (d) "section 373(d)" and inserting in lieu thereof "section 383(d)", and

(D) by striking out in such subsection "part H which deals with the National Library of Medicine" and inserting in lieu thereof "part I".

(c) (1) Section 395 of such Act is amended—
(A) by inserting "(a)" immediately after "Sec. 395."

(B) by striking out in the second sentence "under this section" and inserting in lieu thereof "under this subsection", and

(2) Section 396 of such Act is amended—
(A) by striking out "Sec. 396. (a)" and inserting in lieu thereof "(b)",

(B) by striking out in the second sentence of subsection (a) "under this section" and inserting in lieu thereof "under this subsection",

(C) by redesignating subsection (b) as subsection (c), and

(D) by striking out the section heading.
(3) Sections 397, 398, 399, 399a, and 399b of such Act are redesignated as sections 396, 397, 398, 399, and 399a, respectively.

MEANING OF SECRETARY

SEC. 5. As used in the amendments made by this Act, the term "Secretary" means the Secretary of Health, Education, and Welfare.

EFFECTIVE DATE

SEC. 6. Except as otherwise provided, the amendments made by the preceding provisions of this Act shall take effect July 1, 1970, and shall be effective with respect to grants and contracts made after June 30, 1970.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-480), explaining the purposes of the measure.

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

SUMMARY

H.R. 11702 would extend for 3 years the current program to provide financial assistance for the construction of health library facilities; to support training to health librarians and other information specialists; to expand and improve health library services through the provision of grants for library resources; to support projects of research and development in the field of health communications, and related special scientific projects; to support the development of a national system of regional medical libraries; and to support selected biomedical scientific publications projects. This bill would increase the total authorization for funding for these programs from the current \$21 million per year to \$25 million in fiscal year 1971, \$30 million in fiscal year 1972, and \$35 million in fiscal year 1973. In addition, certain technical and clarifying amendments are proposed.

BACKGROUND

The programs of support which H.R. 11702 would extend and amend are authorized by the Medical Library Assistance Act of 1965 (Public Law 89-291), which this committee also endorsed following its consideration of S. 597 in June 1965.

The expanded authorities and resources provided by the Medical Library Assistance Act have permitted the National Library of Medicine to initiate coordinated programs of support for health libraries and health information service and research activities. The committee believes that these programs have already begun to ameliorate the serious shortages of health information facilities and resources, manpower, and technological development which concerned the Congress at that time.

HEARINGS

At hearings held before this committee on July 31, 1969, all witnesses with the exception of the Department of Health, Education, and Welfare, urged the extension of these valuable programs for a longer period than the 1 year and emphasized the need for adequate funding if the objectives of the program are to be achieved. The committee agrees that major health library deficits remain to be corrected and that new demands caused in part by the creation and development of new Federal health programs further urge an expanded and creative outlook upon such programs of assistance. Taking into account the progress which has been made and the continuing and new problems which do exist in the area of health communications and information services, the committee has given favorable consideration to H.R. 11702, as reported.

THE PROBLEM

The September 20, 1965, report of this committee to accompany S. 597 summarized briefly the scope of the health information service deficits which faced the United States at a time when there was increasingly sharp focus on the health needs of this country and the magnitude of the resources which would have to be gathered to meet those needs. Witnesses reported that over \$100 million would be needed for construction of medical school libraries alone to provide adequate space for documents, staff, and readers. An equal sum was then required to bring medical library collections up to desired standards. There was also a critical shortage of professional personnel trained to meet the special needs of health science libraries and the medical communities they serve.

The Medical Library Assistance Act of 1965 permitted a good beginning toward the solution of health information problems. By improving and strengthening health libraries the Act has assisted faculties, students, and practicing physicians to keep more fully informed on research findings and new developments in the field of medicine and allied

subjects. Ultimately, this has meant better health care for the American people. However, the committee is impressed by the magnitude of the problems which remain. The complexity and the mass of health information produced by our advanced scientific society have outstripped our ability to store, retrieve, and deliver information in useable form to the people who need it.

At the frontier of interdisciplinary research, traditional information services are no longer adequate. New ways of organizing and presenting information must be developed. Particularly at the educational frontier where students must learn so much in so little time, modern technologies for information transfer must be employed. The committee believes that only through the development and utilization of the most sophisticated approaches to transmitting health information can new medical knowledge be communicated from the "leading edge" of medical research to those who minister daily to the Nation's health in hospitals, medical offices, clinics, and other places where illnesses are diagnosed and treated.

Under the Medical Library Assistance Act of 1965 \$70 million was authorized for fiscal years 1966-69 for the seven programs funded under this legislation. A total of \$34 million has been appropriated for these programs during that time. Witnesses testifying in behalf of extension of the Act have expressed concern over the discrepancy between the magnitude of the need, the level of authorization provided under the original legislation, and the limited appropriations which have been provided to date.

A fair appraisal would be that the act has fallen short of its objectives. One reason is that appropriations have totaled less than half of the funds authorized. Further, what was adequate in 1965 is not adequate in 1969. It will be even less so in the 1970's. Two specific instances of cost increases which confront health libraries are the higher prices of subscription to health journals, and staff salaries. In the past 10 years the costs of medical periodicals have almost doubled; costs of medical books have risen over 50 percent. Librarians' salaries, which have never been high and are not adequate now, have nevertheless risen by an estimated 25 to 30 percent in the past 5 years.

Without continued and expanded support as recommended in this bill, our health information problems can only worsen. On the basis of current progress and future plans, it is estimated that over 10,000 physicians will graduate from medical school in 1975, an increase of one-third over the present yield. Leaders in other health professions are also preparing for greatly expanded personnel requirements in the next decade. All educational resources will need to be expanded to meet the instructional requirements of this growing community of health personnel, including health information resources such as medical libraries. As our Government exhorts health professional schools to educate and train more personnel it must provide the library resources to assist in this process.

The Medical Library and Health Communications Assistance Amendments of 1969 will not resolve all the needs and problems in health communications. They will, however, provide significant assistance where needed to stimulate the formulation and adaptation of new ideas and new concepts for making health information available. To provide stability in the recruitment and retention of personnel in this field, the committee believes a 3-year period of assistance will be required.

RECOMMENDED PROGRAM

Summary of provisions

H.R. 11702 as reported would extend for 3 years the programs authorized by the Medical Library Assistance Act of 1965. The com-

mittee is convinced that the objectives of the Medical Library Assistance Act remain valid for current and future national health information needs and H.R. 11702, would propose no change in these objectives. It would permit a higher level of expenditure toward these objectives. An important committee amendment would permit the Secretary to transfer funds under specified limitations within the authorization permitted by this act. This will assure that the congressional responsibility for program authorization is retained, while permitting a more flexible administration of the programs. Other amendments proposed are intended to increase the efficiency and responsiveness of these programs of assistance.

For the construction assistance program the bill would increase the authorization ceiling from \$10 million to \$11.5 million in fiscal year 1971, \$14 million in fiscal year 1972, and \$16.5 million in fiscal year 1973 for new health library construction and for projects to renovate and expand existing health library space. It would make two changes in the law, to provide that funds for construction remain available until expended and to delete the present authority which permits awards in the absence of the required 25 percent non-Federal contribution.

For the program to train health librarians and other information specialists for administrative, service, and research positions, the bill would increase the authorization for the support of training grants and fellowships from \$1 million to \$2 million in fiscal year 1971, \$2.5 million in fiscal year 1972, and \$3 million in fiscal year 1973.

H.R. 11702, as reported, would combine the two sections of the Medical Library Assistance Act which authorize special scientific projects and research and development in order to emphasize the focus of both these programs on scholarly activity and research to advance health communications. For special projects, this bill proposes that the term "grant" be substituted for "fellowship", in recognition of the research orientation of such projects, and proposes that such awards be authorized to institutions as well as to individuals. For the research program, authority would be added to permit the support of demonstration projects for new techniques, devices, or systems which are ready for application.

For the program to provide library resource grants the bill would increase the authorization for funding from \$3 million to \$4 million in fiscal year 1971, \$5 million in fiscal year 1972, and \$6 million in fiscal year 1973. It would also provide authority to establish new collections and would delete the provisions of the current Act which requires that grants for health library resources be in amounts determined on the basis of the library's budget and that the grant once awarded be reduced in amount for each subsequent year of support. A requirement would be added for assurance of continuing local support during and after the period of Federal assistance.

The authorization for the regional medical library program would be increased from \$2.5 million per year to \$3 million in fiscal year 1971, \$4 million in fiscal year 1972, and \$5 million in fiscal year 1973. In addition to provision of library services the bill would authorize support of planning and data gathering activities, essential to the development of sound regional medical library programs, by the participating institutions and individuals; it would permit the designated grantee library for such a program to provide necessary resources to other libraries which cooperate in the program; and it would delete an ambiguous criterion for award contained in the current act. This bill would also permit the selective use of the contract mechanism, as well as grants-in-aid, to support specific regional services.

For the program to support biomedical scientific publication projects, this bill would

authorize \$1 million per year during the 3 years of the extension, the present level.

Factors considered by the committee

The committee weighed carefully the administration's request, reflected in S. 2239, that the current program be extended for 1 year only. The witnesses who testified before this committee on July 31, 1969, as well as action of the House of Representatives and the report of the House Committee on Interstate and Foreign Commerce with respect to H.R. 11702, clearly support the position of this committee that a longer period of extension is entirely justified.

H.R. 11702, as reported, would add "health communications" to the title under which these programs are gathered. Eligibility for participation in the programs authorized by the Medical Library Assistance Act has always been intended to include all appropriate public and private institutions and individuals active in the provision of health services or in health related teaching and research, within the provisions of the law, and the terms used in this act are defined accordingly. While the intent of the act was broad, and its programs have been implemented accordingly, the committee accepted the value of added emphasis to this concept. The term "health communications" in the title of H.R. 11702 is an appropriate indicator of the broad intent of the program. The committee expects these programs to extend eligibility for participation to all clinical fields including medicine, dentistry, optometry, pharmacy, osteopathy, veterinary medicine where relevant to human health, nursing, public health, other health-related fields, and fundamental and applied sciences when related thereto.

The committee preferred the program-by-program authorizations for Federal support proposed in S. 2549 and H.R. 11702 to the single, nonspecific appropriation authority contained in S. 2239, for two reasons. First, the committee feels that it is useful to designate the level of the Federal contribution which would be desirable for these programs, as guidance for their implementation, at the same time allowing some program flexibility through limited authorization for transfer of funds among programs. Secondly, the committee endorses the original concept of the act, to provide coordinated assistance for all areas of need through balanced support for each of the seven programs.

H.R. 11702, as amended by the committee, increases the authorization for Federal support for four of the seven programs. In the opinion of the committee, those programs which contribute to improved facilities and resources and manpower and which help to provide better access to existing centers for health information services should be supported at substantially higher levels than heretofore. During the initial years, policies and procedures have been developed and tested, and expansion of the Federal contribution is now justified.

The level of support wasn't increased for scientific and technical publications which help expand the production of aids to information searching, such as indexing, abstracting, and other reference aids. No increase in funding was provided for the special projects and research programs; such support should be highly selective, with emphasis on contemporary health problems, such as drug abuse and alcoholism.

In summary, S. 2549 would authorize a moderate increase in funding. The committee judges that the level of support is commensurate with the demonstrated needs which must be met. The committee based its acceptance of the funding levels on the following considerations:

Health library construction.—The Medical Library Assistance Act authorized \$40 million for the 4-year period—fiscal 1967–70—for grants to public or private nonprofit agencies or institutions towards the cost of construction of any medical (health) library facility.

The Federal contribution under this law may not exceed 75 percent of the necessary cost of construction. Section 393 of this act authorizes the construction of health library facilities per se, without reference to educational, teaching, or research functions. It is the only Federal construction program which can provide for medical library and information facilities needed for nonteaching, non-research institutions such as hospitals, clinics, community health service programs. Through fiscal 1970 the National Library of Medicine will have provided 11 construction grants for health school library construction, totaling \$11.25 million. While the 330,000 net square feet of new library space provided by this small number of projects will have a considerable value to the Nation, the contribution from this and other Federal programs does not begin to meet the need identified in 1965 and since reaffirmed. For this reason the committee endorsed provisions to increase the yearly funding authorization from \$10 million to \$11.5 million in fiscal 1971, \$14 million in fiscal 1972, and \$16.5 million in fiscal 1973; to provide \$42 million for construction, renovation, and expansion of health library facilities for the period July 1, 1970, to June 30, 1973.

Training in medical library sciences.—The Medical Library Assistance Act of 1965 authorized \$1 million per year to support training grants and fellowships to train medical librarians and other much-needed information specialists. With the \$4.5 million which has been appropriated in the National Library of Medicine has established approximately 20 training programs. Some of these provide training opportunities for medical librarians; others explore new ways of training individuals to organize and utilize the new information-processing technology to apply it to health fields. Still others support training for research careers in information fields. During the initial years of this program some 300 individuals will have completed training. While this is an encouraging beginning it does not begin to meet the identified need. In 1965 there were approximately 6,000 medical libraries in the United States with fewer than 3,000 trained librarians or other appropriate persons to staff them. The committee endorsed provisions to increase the authorization ceiling to \$1 million per year to \$2 million in fiscal year 1971, \$2.5 million in fiscal year 1972, and \$3 million in fiscal year 1973, with the expectation that this program, now that it is well established, can expand to provide large numbers of the skilled library and information personnel needed.

Special scientific projects and research and development.—The authorities for these programs under the Medical Library Assistance Act have permitted support and encouragement of useful projects to explore the needs and preferences of health workers for information services and to encourage and support the development of new systems and techniques. The committee believes that a research program at the current level authorized, \$500,000 per year for special projects and \$3 million per year for research development, and demonstration projects will permit an adequate level of activity, provided the funds are appropriated. The committee took note of the fact that, while \$12 million was authorized for research and development during fiscal years 1966–69, only about \$5.3 million was appropriated. It is the opinion of the committee that appropriated funds be used for contemporary health problems such as alcoholism, drug abuse, population control, and environmental health.

Grants for library resources.—The Medical Library Assistance Act authorize \$3 million a year for this program, which has received enthusiastic endorsement from witnesses testifying in behalf of H.R. 11702 and related bills. In its initial years of development, this mechanism has been shown to be an effective one for encouraging medical and other

health libraries to acquire the documents, materials, staff, equipment, and systems to permit them to provide better services. However, the \$9.7 million which has been appropriated and expended for such grants does not begin to approach the need, reported in 1965 as in excess of \$100 million for medical library collections at that time. This program should be expanded. H.R. 11702 would provide for such expansion, authorizing \$15 million during the 3-year period of the extension. At the same time the committee wishes to emphasize that expanded, support through this program of grants for library resources should not replace local support for health libraries. H.R. 11702 retains the \$200,000 ceiling on individual grants specified in the current act, and requires assurance of adequate continuing financial support for such libraries or instrumentalities during and after the period of Federal assistance. Related to this expansion, the bill would also provide authority to permit the establishment of new collections. With increasing emphasis upon continuing education of local health service personnel, such new information centers can contribute significantly to the information resources available for this crucial function.

Grants for regional medical libraries.—H.R. 11702 would increase the authorization for support for regional library service programs from \$2.5 million to \$3, \$4, and \$5 million per year, providing a total of \$12 million for the 3-year period of the extension. The current authorization would have provided a maximum of 12.5 million for fiscal 1966-70. During fiscal 1966-69, \$3.2 million was appropriated for regional library programs. The committee recognized that efforts to encourage and support the development of cooperative, coordinated programs to share information resources within large geographic regions of the United States is a complex task which would necessarily proceed slowly. Progress under the current legislative authority has been very encouraging; the response of the health library community in its voluntary efforts to work with this program has been enthusiastic. Eight of 10 planned grant-supported regional library programs have received their initial awards. This program has shown that it is possible by sharing library resources to improve the quality and speed of health information services to users of health information who are geographically remote from centers for such services. Such a system can also avoid the costly duplication of specialized or unusually complete collections of health literature. Regional library programs can not only provide conventional library services but can also serve as catalysts to encourage and develop needed innovations and improvements to the kinds of services available to health practitioners.

With the expectation that the transition must soon occur to the provision of full regional library services, and that preparation for special efforts to reach geographically isolated health workers and their institutions will soon begin, it is evident that this program requires substantially greater support than that which has been available under the present law. Continuity of support is essential for this program. Extension of this authority for less than 3 years would, in the opinion of the committee, be detrimental to its effectiveness.

Other amendments provided by H.R. 11702 for this program would help to assure effective administration and improve the responsiveness of this program to the ultimate user of information services. Support of planning activities is particularly important since an accurate knowledge of the health information resources and needs of the region is the only sound base upon which to plan a realistic program which will meet local needs. H.R. 11702 would also permit the selective use of the contract mechanism for certain specific activities which require di-

rect guidance by the National Library of Medicine, such as MEDLARS and other computer-based services.

Support of biomedical scientific publications.—The committee noted that one of the problems which led to passage of the Medical Library Assistance Act was the rapid, accelerating growth of the volume of health documents and information which had to be processed. The Congress recognized that simply to make primary health literature available as it is published is not enough to assure the efficient flow of vital information from its point of generation to the ultimate user. It is also necessary to categorize and analyze this literature and provide locating devices to make it possible for each health worker to find the information which meets his individual needs. Such locating devices include universal and selective abstracting and indexing services, and annual, updated, and critical reviews of the literature for specific subject areas. To encourage the support of such worthwhile activities, H.R. 11702 maintains the authorization for the selective support of health-related publications at \$1 million per year or \$3 million during the 3-year period of the extension.

Mr. YARBOROUGH. Mr. President, I support the passage of H.R. 11702, the Medical Library and Health Communications Assistance Amendments of 1969. The Labor and Public Welfare Committee reported the House passed bill, H.R. 11702, after substituting the provisions of of S. 2549, a bill which I introduced, in an amended form.

The reported bill would amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities. Its principal purpose is to extend for 3 years the current programs providing financial assistance for construction of medical library facilities; training of biomedical librarians and information specialists for service and research; expansion and improvement of health library resources; projects of research, development, and demonstrations in medical library science and health communications, and related special scholarly scientific projects; and development of regional medical library programs. For these purposes, a total of \$90 million is authorized for 3 years.

There is a vital need to assist the orderly growth of our country's health communication resources. At the frontier of interdisciplinary research, traditional information services are no longer adequate. New ways of organizing and presenting information must be developed. At the educational frontier, where students must learn so much in so little time, modern technologies for information transfer must be employed. At the health service frontier, there is an even greater challenge, that of communicating the new medical knowledge to those who minister daily to the Nation's health in the hospitals, medical offices, sickrooms, and other places where illnesses are diagnosed and treated.

Mr. President, I urge passage of this bill because it will provide assistance where needed and stimulate the formulation and adaptation of new ideas and new concepts for making health information available.

Mr. PROUTY. Mr. President, the bill now before us, H.R. 11702, as reported unanimously by the Committee on Labor and Public Welfare, renews a commit-

ment which began 4 years ago with the enactment of the Medical Library Assistance Act of 1965.

At that time we recognized that the rapid surge in medical knowledge required innovative information storage and retrieval methods and Federal assistance to medical schools and hospitals so that the most up-to-date information would be available to all.

In hearings on this measure, I was most impressed by the testimony of Stephen McCarthy, executive director of the Association of Research Libraries. Commenting on the bill, Mr. McCarthy made an excellent observation when he said:

It is not a bill for medical librarians, nor is it, in its final purpose, a bill for medical libraries. Instead it is an integral part of the national effort to provide improved health care by strengthening the information agencies that serve the medical profession. The objective of better medical and health care must be sought along many avenues simultaneously.

I agree with Mr. McCarthy's observation and share his view that this measure is part of our overall strategy to deliver the benefits of modern medicine to all Americans. To do this we must provide up-to-the-minute information to all areas of the country.

I call my colleagues' attention to the benefits accrued through the regional medical library program, which has brought Vermont and all the New England States into a network of knowledge called the New England Regional Medical Library Service.

Looking ahead, I envision through continued programs new ways of sending the latest medical information from information centers to outlying areas.

Our methods for disseminating medical information must be as modern as the information itself if all Americans are to benefit from the advances in medicine.

In concluding, I would point to one amendment offered by the minority and unanimously accepted by the Health Subcommittee. This amendment allows some transferability among the six major programs in this measure. I believe this amendment will prove of great benefit, in that it will permit a flow of funds to areas of most critical need.

I believe that in the past 4 years, the wisdom of the Congress in enacting the Medical Library Assistance Act has been proven. I urge my colleagues to approve the measure before us as reported by the Committee on Labor and Public Welfare.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. ELLENDER. Mr. President, these two retirement bills are important bills. I wonder what cost would be entailed.

Mr. MANSFIELD. The first bill that was passed concerning the equalization of retirement benefits for uniformed officers of the Public Health Service would apply, I understand, to about 20 persons annually with an added annual cost of about \$38,000.

Mr. ELLENDER. Are those retirement benefits?

Mr. MANSFIELD. They are the annual added retirement benefits of commissioned officers of the Public Health Service.

Mr. ELLENDER. Would that be in addition to what they are now receiving?

Mr. MANSFIELD. About 20 officers of the Public Health Service a year would get the benefits now obtained by Army, Navy, Marine Corps, and Air Corps officers; this proposal would make them equal.

Mr. ELLENDER. Mr. President, were the bills unanimously reported?

Mr. MANSFIELD. They were.

Mr. ELLENDER. What does the bill, with respect to the medical libraries, entail?

Mr. MANSFIELD. Mr. President, H.R. 11702 would increase the total authorization for funding for these programs from the current \$21 million a year to \$25 million in fiscal year 1971, \$30 million in fiscal year 1972, and \$35 million in fiscal year 1973.

In addition, certain technical clarifying amendments were proposed in the bill.

Mr. ELLENDER. That is merely authorization.

Mr. MANSFIELD. The Senator is correct.

Mr. ELLENDER. That pertains to the furnishing of medical books to libraries and services throughout the country.

Mr. MANSFIELD. The Senator is correct.

Mr. ELLENDER. Mr. President, Members of Congress are sometimes prone to forget that every bill which is enacted involves a lot of money.

Mr. MANSFIELD. Every single one.

Mr. ELLENDER. The first bill that was passed, S. 2452, would involve a considerable increase for retirement over the amount now provided.

Mr. MANSFIELD. The Senator is correct. It would add about \$38,000 annually. However, it would bring these Public Health Service commissioned officers to parity in relation to commissioned officers of other services.

Mr. ELLENDER. We are trying to provide parity for everyone. Some of these increases are going through automatically without hearings by Congress. I am opposed to the delegation of congressional authority over pay and retirement matters to the President, or to some Presidentially appointed commission.

It is my belief that matters on this subject ought to be carefully studied by the appropriate committee rather than having Congress enact them without hearings or presentations.

Mr. MANSFIELD. Mr. President, there are two factors to be considered. One is that the measures have been cleared unanimously on both sides. Otherwise, they would not have been brought up for consideration. Second, the Senator will have a chance in the Appropriations Committee to go into the measures again and in greater detail.

Mr. ELLENDER. Mr. President, along that line I would point out that similar legislation has been enacted from time to time for the benefit of military retirees as well as the civil service. Recently,

the trend has been to remove congressional control from civil service benefits, and I am hopeful that trend can be reversed. The concern in recent years has been with the bringing about of "parity" between the benefits of Government and private employment. Congress has been quite liberal in this regard for the past 6 or 7 years. Everybody has been helped out, except maybe the taxpayers.

As a matter of fact, many private employers believe that Congress has overreached itself in the scramble for "parity." Many pay scales are now below those approved for the civil service.

It must not be forgotten that the military retirement program is now closely tied to the civil service benefits. This adds to the cost tremendously. Not too many years ago, military retirement costs amounted to about \$190 million annually. It now has reached almost \$3 billion a year.

I was looking at the amount the other day. I developed information on this point during hearings on the defense appropriations bill. If we were to stop inducting soldiers this year and just had to pay those who are entitled to retirement, it would cost the Government more than \$80 billion to settle the current debt.

Mr. President, I ask unanimous consent that a table I had prepared for inclusion in the RECORD of the defense appropriations hearings on the fiscal 1970 appropriations bill be printed at this point in the RECORD. Congress should be apprised of what we will be faced with in the future, whether or not further increases are granted.

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

MILITARY RETIRED PAY				
Fiscal year	Average number of retirees (thousands)	Average cost per man	Total cost (millions)	Unfunded "past service" liability (millions)
1969	694.6	\$3,527	\$2,450	\$83,616
1970	759.6	3,600	2,735	86,332
1971	820.0	3,600	2,952	88,922
1972	880.0	\$3,600	\$3,168	\$91,383
1973	940.0	3,600	3,384	93,710
1974	1,000.0	3,600	3,600	95,899
1975	1,060.0	3,600	3,816	97,956
1976	1,111.0	3,600	4,000	99,886
1977	1,162.0	3,600	4,183	101,698
1978	1,210.0	3,600	4,356	103,397
1979	1,255.0	3,600	4,518	104,991

Assumptions:

1. No future pay or price index increases.
2. No change in retirement laws.
3. No change in retirement patterns.
4. A continuation of a total active duty military force of approximately, 3,450,000.

LEGISLATIVE BRANCH APPROPRIATIONS, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 476, H.R. 13763. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. An act (H.R. 13763) making appropriations for the legislative branch for the fiscal year ending June 30, 1970, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, no action will be taken on the legislative appropriation bill this afternoon. We have no further business to consider, but on the possibility that there may be Members who wish to make some remarks, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RETIREMENT OF JUSTICES AND JUDGES OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order of Thursday, making Calendar No. 445, S. 1508, the pending business, be vacated, and that the measure, as such, be put back on the calendar.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BAYH in the chair). 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 that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 12 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, October 21, 1969, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate October 20, 1969:

OFFICE OF ECONOMIC OPPORTUNITY

Wesley L. Hjornevik, of Texas, to be Deputy Director of the Office of Economic Opportunity.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. Lewis Blaine Hershey, xxx-xx-xxxx
Army of the United States.