

SENATE—Wednesday, October 29, 1969

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

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

Eternal Father, we give Thee thanks for all Thy servants who have witnessed to Thy grace and power in their generation. As we offer our tribute of esteem and affection for EVERETT MCKINLEY DIRKSEN, a comrade of the years, we give thanks for his piety and his patriotism, his wisdom and his humor, his love of nature and of his home, his strength of intellect and his power of speech, his devotion to duty and his support of good causes, his love of the Bible and his faithfulness to the God of the Book, for the song in his heart and the joy of his spirit.

Make us mindful of our own frailty and our immortality that we may live each day aware of Thy divine judgment. Bless this Nation and honor the service of all who are Members of this body, that we may be true as he was true, loyal as he was loyal, that this good land may be strengthened in righteousness, justice, and peace. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 28, 1969, be dispensed with.

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

MESSAGES FROM THE PRESIDENT

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

REPORT OF OFFICE OF ALIEN PROPERTY, DEPARTMENT OF JUSTICE—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the Judiciary:

To the Congress of the United States:
I herewith transmit the annual report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1968, in accordance with section 6 of the Trading With the Enemy Act.

RICHARD NIXON.

THE WHITE HOUSE, October 29, 1969.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Vice President laid before the Senate a message from the President of the United States submitting a nomination, which was referred to the Committee on Armed Services.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 368) providing for the printing of copies of the eulogies on Dwight David Eisenhower.

The message also announced that the House had passed a joint resolution (H.J. Res. 966) making further continuing appropriations for the fiscal year 1970, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 210. An act to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna; and

S. 1689. An act to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 966) making further continuing appropriations for the fiscal year 1970, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

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 time for this purpose not to extend later than 12:15 p.m.

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

SENATE ACTION ON APPROPRIATION BILLS

Mr. MANSFIELD. Mr. President, I am in receipt of a letter from the President of the United States which was on my desk this morning when I came to work.

The same letter has been sent to the President of the Senate, the Speaker of the House, the distinguished minority leader of the Senate, the distinguished minority and majority leaders of the House, as well as the chairmen and the senior minority members of the Senate and House Appropriations Committees.

May I say, Mr. President, that this is a well-merited letter. It is good in tone, logical in outlook, and I appreciate the advice which the President has sought to give us in his communication.

There is, of course, enough blame to go around on the part of both the legislative and the executive branches of the Government, and enough credit, also. But, in all candor, I must point out that there are five appropriation bills which have not reached the Senate—defense, foreign aid, transportation, military construction, and District of Columbia appropriations. Until they come over, the Senate committees are not in a position to act, as the Senate well understands.

So far as the independent offices bill is concerned, the hearings have been completed. However, that measure provides funds for NASA and, as yet, the conferees on the NASA authorization have not reached agreement. So this appropriations bill cannot go forward until work on the NASA authorization has been completed.

The State, Justice, and Commerce markup starts today and should not take very long.

Labor-HEW will be completed in about 2 weeks, perhaps a little later.

The legislative and Agriculture appropriation bills are in conference, and the public works appropriation bill is ready and will be marked up in the near future. I should point out that that particular measure was just received by the Senate on October 9. Inasmuch as I see the distinguished chairman of that particular committee in the Chamber, I want to pay my respects to him for the fine work he has done not only this year but also down through the years. He is always ready, able, and willing, and on top of the job, ready to move. But, again, he cannot move unless certain authorization bills are passed and certain disagreements worked out.

I should like to suggest to the Senate, Mr. President, that in view of the fact that we are becoming a year-round institution, as attested to by the fact that we agreed to a 3-week recess during August—and will very likely do so again next year—we recognize realities and shift from a fiscal year to a calendar year basis.

I would hope, also, that if that would be given serious consideration, the idea propounded by the Senator from Washington (Mr. MAGNUSON) over the years—if not decades—could be adopted in both the House and the Senate. His proposal is that each session be divided in two, one for legislative authorization bills and the other for appropriation bills. With these proposals in operation, perhaps we could do our job a little more effectively and

be able to spend the time we should on both types of measures—that is, the authorization and the appropriation bills.

This is not a reply to the President. This is just a statement of fact. As I have said, I think that the President's letter is well merited. It is an understanding letter. But he is faced with reality, just as we in this body are. So far as the joint leadership is concerned, I think we can assure him that we will do our very best to get the appropriation bills and other proposed legislation he has requested to the floor for consideration, debate, and disposal as soon as possible.

Mr. SCOTT. Mr. President, if the distinguished majority leader will yield, I want to express to him my thanks for the very temperate way in which he and all of us, I may add, are anxious to proceed in this very difficult matter.

I ask unanimous consent to have printed in the RECORD at the conclusion of these remarks the letter from the President to which the majority leader has referred.

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

(See exhibit 1.)

Mr. SCOTT. Progress on the appropriation bills is clearly of the highest possible priority. In many cases, the Appropriations Committee is not to be faulted because of the delays in securing action on some of the authorization bills. Until the authorization bills are disposed of, it is, of course, most difficult to speed the appropriations matter.

I know that we are all concerned about the budgetary complications that ensue because the preparation of the annual budget involves many months and is a volume of several pounds. It is extremely complex. It would be well if some 3 or 4 months could be devoted to it; and if those efforts could be postulated upon the actual situation rather than to speculate upon what Congress would do, the process could proceed more smoothly and more advantageously. It is, of course, essential, if we possibly can achieve it, for the President to be able to submit his 1971 budget within the statutory 15 days after Congress convenes in January.

Therefore, I am in agreement with what the distinguished majority leader has said. He is quite right, that we will do all we can to expedite the procedures. It may be necessary, I suppose, to give some notice to Senators that we may be working later on some occasions and may be working more days, if the majority leader would confirm that; and, therefore, the attendance of Senators is earnestly solicited.

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

Mr. SCOTT. I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, first, before I answer the question, I wish to say that I personally am very proud of all the Senate Subcommittees on Appropriations, as well as the full Committee on Appropriations, and that statement applies to members on both sides of the aisle.

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

Mr. MANSFIELD. Mr. President, I

ask unanimous consent that I may proceed for 2 additional minutes.

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

Mr. MANSFIELD. Mr. President, that statement applies to both Democrats and Republicans. They have worked in tandem; they have faced up to their responsibility; and they have endeavored to produce results.

Secondly, I think the Senate should be on notice that when we get to the Haynsworth nomination and the tax relief and tax reform bill, it is very, very possible we will come in early and stay late so that we can dispose of the nomination and the tax relief and tax reform bill this year along with the appropriation bills and other measures which the President and the Congress both deem necessary.

Mr. President, on the third point, the distinguished minority leader stated that under the law the President is supposed to present his budget to the Congress some 15 days after Congress convenes. That would bring it to around the 20th, under ordinary circumstances. We will do our best to meet the desires of the President in matters of appropriations, so that he can go forward with the highly technical and necessary work which must be done on a budget such as ours; but if perchance we are unable to do so, I am sure the President would be given wholeheartedly an extension of the time necessary to present the kind of budget he thinks Congress should face up to. So I am in accord with the remarks of the distinguished minority leader.

Mr. SCOTT. I thank the distinguished majority leader.

EXHIBIT 1

THE WHITE HOUSE,
Washington, October 28, 1969.

HON. HUGH SCOTT,
Minority Leader,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: My great respect and regard for the leadership of the Congress and of the Senate and House Appropriations Committees make me extremely reluctant to send this letter.

I must, however, call attention to an impending crisis in the handling of the Nation's financial affairs. We are already almost four months into the new fiscal year. Only the second appropriation bill has come to me for signature. Authorizing legislation still lags. For the country the situation is fast becoming intolerable.

The Executive Branch has already begun the preparation of the 1971 budget. Under the law, this budget must be submitted in January. It must be completed, therefore, in December. But unless the Congressional pace is sharply accelerated, it is clear that many appropriation bills will not pass in time for Federal agencies to assemble the voluminous details necessary to meet the budget deadlines.

To array and print the vast amount of technical detail required by the Congress in time to meet this schedule, Congressional action on appropriation bills must be substantially completed within the next few weeks. *If this is not done, it may be impossible for me to transmit the 1971 budget in January.*

The Nation clearly has a right to question a Government which cannot conduct its financial affairs in an efficient manner. I urgently request your cooperation, therefore, in securing swift action by the Congress on

the pending 1970 appropriation bills. Otherwise we will be frustrated in our efforts to move ahead efficiently on the 1971 budget.

I write in this vein neither to criticize the Congress for delay nor to exonerate the Executive Branch for delay. At this critical point in the appropriations and budgetary process I am less interested in why we are where we are than I am in where we now seem to be headed. I am confident that you share these concerns.

This same letter is being sent to the President of the Senate, Speaker of the House, the Majority and Minority Leaders of both Houses, and the Chairmen and senior Minority Members of the Senate and House Appropriations Committees.

Sincerely,

RICHARD NIXON.

SELECT COMMITTEE ON STANDARDS AND CONDUCT—APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Senate Resolution 338, appoints the Senator from Idaho (Mr. JORDAN) to the Select Committee on Standards and Conduct, in lieu of the Senator from Kansas (Mr. PEARSON), resigned.

SENATE MUST CUT APPROPRIATIONS TO CONTAIN INFLATION

Mr. PROXMIRE. Mr. President, today's newspapers report that the President is concerned about the delay in appropriation bills, on which the majority leader and minority leader just commented. Certainly those of us in the Senate and on the Committee on Appropriations are also deeply concerned.

We will be acting on these appropriations bills in the next few weeks. It is important that we act promptly. It is even more important that we act to hold down these appropriations, especially the big defense appropriations, and hold them down sharply.

Today's papers also revealed that the leading economic indicators rose in September meaning that inflationary pressure is still increasing.

Because this story was obscured by other developments this morning, I think it is especially important to call it to the Senate's attention. Last month a number of administration economic policymakers said, some of them before the Joint Economic Committee, they thought we had turned the corner on inflation. The President himself seemed to share that view. It was true that the leading indicators were down in August and it seemed clear that they would decline for the third quarter. But because of the sharp rise in September there was an actual rise for the full quarter. Now the administration, according to today's news reports, seems to recognize that the August decline was not a turning point after all.

By itself this news should persuade the Senate to cut appropriation bills as sharply as possible. But there is another factor that makes such action especially desirable.

Virtually every economist who has testified recently before our Joint Economic Committee has called for an easing of monetary policy—that is, of the tight credit that keeps interest rates high—as

the first step in relaxing current economic restraints.

But because of the continuing inflationary pressure, it seems unlikely that the Federal Reserve Board will feel free to ease credit. If these interest rates are to come down it is mandatory that the Congress maintain a tight fiscal policy. That especially means holding down spending.

There is every indication that the big tax reform bill will ease the tax burden and cost the Federal Government revenue.

This, of course, will increase demand and inflationary pressures. It seems clear that social security benefits will be sharply increased, probably by 15 percent or more, early next year, with social security taxes rising to a lesser extent and raising less additional revenues than increased social security payments. This, too, will stimulate demand and inflationary pressure.

Under these circumstances it is essential that the big appropriations measures, especially the defense appropriation bill that contains such a huge proportion of our total spending, be reduced decisively, well below the administration requests.

Last week Chairman McCracken of the President's Council of Economic Advisers told us that the surplus which was now running at an annual rate of \$7 billion would decline to an annual rate of \$3 billion early next year even on the basis of the administration's taxing and spending plans. This, of course, means an easing of fiscal restraint, an increasing in demand and further pressure on prices.

If Congress means business about holding down prices and fighting inflation, it will act in committee and on the floor to cut the spending, especially defense spending proposals that come before us and cut them sharply.

I ask unanimous consent that an article from this morning's Wall Street Journal reporting on the resurgence of inflationary pressures in the economy be printed in the RECORD.

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

INDEX OF LEADING INDICATORS ROSE 1.3 PERCENT IN SEPTEMBER AFTER 0.5 PERCENT DECLINE IN AUGUST

WASHINGTON.—The Government's index of "leading" economic indicators rose 1.3% last month, the Commerce Department reported, following an 0.5% decline in August.

Partly for this reason, Government analysts said, they'd be surprised if the Federal Reserve System decided to ease credit at yesterday's session of its secretive Open Market Committee.

The leading indicators, which tend to foreshadow broad movements in the economy, climbed in September to a seasonally adjusted 153.6% of the 1963 average from August's 151.6%. In the third quarter the report showed the index rose 0.1% to 152.5% of the base from 152.4% in the second quarter.

Five of the eight indicators rose in September; while three declined.

The strength shown by the indicators provides further reason, Nixon Administration economists said, to keep anti-inflation policies as firmly in place as possible. The latest report shows that the August decline "wasn't a turning point after all" in the protracted

battle to cool the economy, one said, adding that it shows so much basic strength in the private sector that a premature easing of economic policies would almost surely bring a worse surge of inflation.

The same outlook, analysts here agreed, probably precluded any decision to ease credit policy at yesterday's meeting of the Open Market Committee. The committee, which meets every three or four weeks, basically decides whether to tighten credit by selling off Treasury securities or to ease it by buying securities with newly created funds.

Even though the "money supply" rose at only a bare 0.4% annual rate in the quarter ended Sept. 30, a Government aide said, there doesn't appear to be much risk yet that this will have the delayed impact of causing a recession sometime next year.

Failure of this measure of private bank demand deposits and currency to grow closer to the norm of about a 4% annual rate for many more months, adherents of this indicator add, would make the risks of "overkill" a major concern. Thus, there's expectation in Government circles that a slight credit easing may be adopted in another month or so. When it does come, though, sources say, the lessening of monetary restraint probably won't be anywhere near as pronounced as the New York financial community generally appears to expect.

Indicators showing increases last month included average hourly work week of manufacturing workers, new durable-goods orders, orders for plant and equipment, industrial materials prices and the prices of 500 common stocks. Declining last month were average weekly initial claims for state unemployment insurance, new building permits and the ratio of price to unit labor cost in manufacturing.

For the quarter, however, only new durable-goods orders and industrial materials prices showed gains. The average work week for manufacturing employees was unchanged, and the other indicators declined.

ORDER OF BUSINESS

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

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The VICE PRESIDENT. Under the previous order, the Senate is to vote at 12:15 p.m. on S. 1508, the bill to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States.

Mr. MANSFIELD. Mr. President, in view of a situation which has developed, two of our Members are at the White House and may not return in time.

I ask unanimous consent, as a courtesy to them, that we proceed on a morning hour basis for the next 5 minutes, and that at that time the vote begin.

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

Mr. PROXMIRE. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

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

ADDITIONAL FUNDS REQUESTED BY AIR FORCE FOR C-5 AIRCRAFT

Mr. PROXMIRE. Mr. President, during the recent Senate debate over the C-5 cargo aircraft the question was raised as to whether in addition to the billions of dollars required to produce the

aircraft additional sums would be necessary to construct special facilities for it. Apparently some of the supporters of the C-5 program were of the conviction that little if any special construction would be needed for these aircraft because it was so ingeniously designed and constructed that it could be loaded and unloaded without special equipment and, further, it would be able to land and take off on a relatively short runway so that new runway construction would also be unnecessary.

The Air Force remained strangely silent during the debate. However, now that the vote has been taken in the Senate and the House of Representatives, the Air Force has come forth with its usual timeliness to request from Congress \$35.3 million to modernize and expand ground facilities in order to accommodate the C-5.

This sum includes more than \$10 million for major construction at four domestic bases and a prototype C-5 jumbo jet terminal at Travis Air Force Base in California.

The sum being requested this year is more than the total amount spent on all C-5 related construction since 1967. From 1967 to 1969, \$33.9 million in construction funds were spent for the C-5. The total C-5 construction outlays will be \$69.2 million if the present request is approved.

Now that the Air Force has come forward with the true facts about the C-5 construction, I hope that those persons who were arguing a short time ago that no substantial new construction, facilities, or equipment would be necessary for the C-5 will be disabused of that erroneous notion. Obviously, they were given false information.

I ask unanimous consent to have printed in the RECORD a news story from Aerospace Daily, October 22, 1969, reporting the Air Force request for funding the C-5 construction program.

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

AIR FORCE ASKS FOR FUNDING OF \$35.3 MILLION C-5-RELATED CONSTRUCTION PROGRAM

Air Force, preparing for the jumbo jet age of the C-5 Galaxy transport and the 747, is asking Congress to fund a \$35.3 million construction program this year to modernize and expand ground facilities at home and abroad.

The request is more than all C-5-related construction funds Air Force has spent since fiscal 1967. It includes more than \$10 million for major construction at four continental U.S. bases.

Under the fiscal 1970 construction appropriations request, Air Force would build a prototype jumbo type jet terminal at Travis AFB in California. The FY 70 request for Travis alone, in direct and related C-5 construction, is \$11.3 million.

From fiscal 1967 to fiscal 1969 Air Force spent \$33,874,000 in construction of facilities for the C-5 Galaxy. With this fiscal year's request the total C-5 direct and related construction totals \$69,225,000, net including construction classified for national security.

Sources on Capitol Hill told AEROSPACE DAILY that some of the \$35.3 million in the FY 70 request may be deferred because of delays in C-5 delivery from Lockheed-Georgia. Delivery of the initial production planes is six months late and the sources indicated

that delivery of end-run C-5's could be even later.

Although Congress has authorized and will undoubtedly appropriate for the fourth C-5 squadron of 23 planes, the House Armed Services Committee last month withdrew \$52 million in authorization for long lead items for the fifth squadron.

Air Force has not publicly stated whether it will come back later this fiscal year or in fiscal 1971 for the long lead funds, or whether it will drop procurement of the giant transport at 81 planes. A total of 58 (five RDT&E and 53 production) have been funded. Total six squadron runout is 120 planes.

Nonetheless, Air Force witnesses told the House Military Construction Appropriations Subcommittee in recently-released testimony that it must move ahead for modern and expanded facilities for jumbo jets.

Deferral for one year would be "most harmful," Brig. Gen. Maurice R. Reilly, deputy director of civil engineering, testified. Deferral would "create a slippage in our operational date," he added.

Throughout the hearings he resisted suggestions by subcommittee members that some jumbo jet construction projects could be deferred.

While Travis will be the prototype C-5 terminal, Reilly said that "we don't expect an exact duplicate of this terminal building at each of the locations. However, general design, modular approach, and so on, will be used. It is generally, you might say, the pattern which we will use in the design and construction of all follow-on terminals."

The Travis air freight terminal will be 225,000 square feet at a cost of \$3,529,000. Other major C-5 terminal work is programmed for Dover AFB (Del.), Kelly AFB (Tex.), Charleston AFB (S.C.) and McChord AFB (Wash.).

"Like the commercial aviation world," Lt. Col. J. T. Hileman of civil engineering's maintenance office testified, "our military air terminal facilities have not kept pace with aircraft development. The existing Air Force terminals are old, inefficient, and are currently operating far beyond design capacity. With the increased airlift and movement requirements in the jumbo jet era, the terminal situation will be a major limiting factor on efficient airlift operations unless our facilities are modernized."

"Our studies indicate that the programmed fiscal year 1973 airlift force flying jets at the sustained wartime rate would more than double our current terminal workloads. In this connection industry, you may have noted, anticipates a 20% annual growth in the airfreight workload which, of course, is saying that in five years it is anticipated to double."

He testified that the fiscal 1970 request was the "minimum essential to meet existing operational requirements and the phased expansion of the airlift force." New terminals, he added, will be "austere and modular in design to the maximum extent feasible to allow for possible future expansion in the 1975 to 1980 time period."

Hileman told the subcommittee that Air Force in the fiscal 1971 budget request wants to secure construction funds for modernized terminal facilities "at those locations where we are only adding the required apron and refueling capability in this year's program."

Deployment dates and locations of the first three C-5 squadrons are:

Charleston, April, 1970 (first operational squadron); Travis, August, 1970; Dover, December, 1970. Altus AFB in Oklahoma will begin the first crew training for operational C-5's in January.

According to information Air Force supplied the subcommittee, it spent \$3,997 million for C-5 construction in fiscal 1967; \$19.69 million in fiscal 1968 and \$9.32 million in fiscal 1969.

The fiscal year 1970 request by seven continental U.S. bases and five foreign bases for C-5 direct and related construction is:

Kelly, \$2,323,000; Altus, \$4,800,000; Charleston, \$1,872,000; Dover, \$5,984,000; McChord, \$1,642,000; McGuire (N.J.), \$118,000; Travis, \$11,255,000.

Kadena (Okinawa), \$4,016,000; Clark (P.I.), \$401,000; Yokota (Japan), \$2,306,000; Rhein (F.R.G.), \$559,000; Mildred Hall (G. B.), \$1,595,000.

The PRESIDING OFFICER (Mr. HUGHES in the chair). Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the call for the quorum be rescinded at 12:20 p.m.

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

RETIREMENT OF JUSTICES AND JUDGES OF THE UNITED STATES

The PRESIDING OFFICER. Under the order of the Senate, the Senate will now proceed to the consideration of S. 1508, which the clerk will state.

The LEGISLATIVE CLERK. A bill (S. 1508) to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

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

The legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Nevada (Mr. BIBLE), the Senator from South Carolina (Mr. HOLINGS), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Texas (Mr. YARBOROUGH) are absent on official business.

I further announce that the Senator from Mississippi (Mr. EASTLAND), the Senator from North Carolina (Mr. ERVIN), the Senator from North Carolina (Mr. JORDAN), and the Senator from New Hampshire (Mr. MCINTYRE) are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana (Mr. BAYH) and the Senator from North Carolina (Mr. ERVIN) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from New York (Mr. GOODELL) and the Senator from California (Mr. MURPHY) are necessarily absent.

The Senator from Ohio (Mr. SAXBE) is absent on official business.

If present and voting, the Senator from Oklahoma (Mr. BELLMON), the Senator from New York (Mr. GOODELL), the Senator from California (Mr. MURPHY) and

the Senator from Ohio (Mr. SAXBE) would each vote "yea."

The result was announced—yeas 61, nays 25, as follows:

[No. 135 Leg.]

YEAS—61

Allott	Griffin	Mundt
Anderson	Gurney	Muskie
Baker	Harris	Packwood
Boggs	Hart	Pearson
Brooke	Hartke	Pell
Burdick	Hatfield	Percy
Case	Hruska	Prouty
Church	Hughes	Randolph
Cooper	Jackson	Ribicoff
Cotton	Javits	Schweiker
Cranston	Jordan, Idaho	Scott
Curtis	Long	Smith, Maine
Dodd	Magnuson	Smith, Ill.
Dole	Mathias	Stevens
Dominick	McCarthy	Symington
Eagleton	McClellan	Tower
Fannin	McGee	Tydings
Fong	McGovern	Williams, N.J.
Fulbright	Mondale	Young, N. Dak.
Goldwater	Montoya	
Gravel	Moss	

NAYS—25

Aiken	Hansen	Russell
Allen	Holland	Spong
Bennett	Inouye	Stennis
Byrd, Va.	Kennedy	Talmadge
Byrd, W. Va.	Mansfield	Thurmond
Cannon	Miller	Williams, Del.
Cook	Nelson	Young, Ohio
Ellender	Pastore	
Gore	Proxmire	

NOT VOTING—14

Bayh	Goodell	Murphy
Bellmon	Hollings	Saxbe
Bible	Jordan, N.C.	Sparkman
Eastland	McIntyre	Yarborough
Ervin	Metcalfe	

So the bill (S. 1508) was passed.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. TYDINGS and Mr. BYRD of West Virginia made a motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

EVERETT MCKINLEY DIRKSEN—IN MEMORIAM

The PRESIDING OFFICER. Pursuant to previous order, the Senate will now proceed to hear eulogies on the life and service of the late Senator EVERETT M. DIRKSEN.

The Senator from Illinois (Mr. PERCY) is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. PERCY. I yield.

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

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

Mr. GRIFFIN. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Illinois is recognized.

Mr. PERCY. Mr. President, I ask unanimous consent that I may be in charge of the time on the eulogies, and may be

permitted to yield to other Senators to make their statements with respect to the late EVERETT MCKINLEY DIRKSEN without losing my right to the floor.

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

EVERETT MCKINLEY DIRKSEN: A
RECOLLECTION

Mr. PERCY. Mr. President, apart from our collective memory of EVERETT MCKINLEY DIRKSEN—seated, standing, or pacing before this Chamber; whispering, rumbling, advocating, embellishing, pleading, cajoling, and frequently persuading—each of us retains his distinct and private memories of our departed leader.

I think I shall always remember him most vividly in the setting where I first got to know him years ago—at innumerable political dinners in our State of Illinois. Usually, their intent was to raise funds and their theme was invariably partisan. Their flavor, however, was pure DIRKSEN.

Following a version of the National Anthem—during which the assembled audience would grope for the key—the group would sit through an all-too-frequent meal of chicken and peas and then through perhaps a dozen “brief” preliminary speeches, each of them viewing with alarm the latest outrage perpetrated by the Democrats. Hundreds, occasionally thousands of people, would patiently sit through these evenings without complaint only because of the promised finale: An address by the Honorable EVERETT MCKINLEY DIRKSEN. A political audience would pay any price, bear any burden, to hear him speak.

They were seldom, if ever, disappointed.

As often as not, EVERETT would begin with a typically Dirksenesque tale which, had anyone else dared to offer it, immediately would have fallen flat. But EVERETT would tell his story with a sly twinkle in his eye and a mischievous note in his voice, his resonant voice rolling out the vowels; and no matter how farfetched, no matter how many times it had been heard before, the punchline invariably brought down the house. The audience was his, then and forever. People would knowingly whisper to one another: “Ev is in great form tonight,” or “You can’t top the old boy.” They would then settle back, satisfied that the evening’s events had been rendered worth while by the star performer.

On these occasions, at which I usually was seated nearby, and I must say with candor not without envy, the minority leader seemingly arrived quite unprepared. He appeared hurriedly and late, often—as he liked to remind the audience—directly from the Senate floor. There was no evidence of a text, and only an occasional note scribbled on a piece of paper.

And yet, as he weaved his magic, it was soon evident that he had no need of the usual props that sustain a political speaker.

He would talk glowingly of the Republican Party: “GERRY FORD—before that it was Charlie Halleck—and I need more troops in Washington,” he would say, and then predict an unquestioned Republican

majority, if not in the next Congress, then most assuredly in the one just after it.

He would speak in respectful tones of “my Commander in Chief,” regardless of who occupied the White House at the time and regardless of his party. Frequently, he would confide to the audience the commonsense advice he had privately offered to the President that very week.

He would share aloud his grave concern over the economy, over the high cost of the Federal bureaucracy, over the Supreme Court, the future of the marigold, the Constitution or, quite likely, over all these matters. Yet, in the end, he would talk with optimism and eloquence about our country, about its greatness and its promise, and his audience returned to their homes on the prairie, proud in their hearts to be Americans, and grateful that EVERETT MCKINLEY DIRKSEN was representing them in the highest councils of Government.

When I came to the Senate 3 years ago, I soon realized that the respect and affection he kindled at these Illinois dinners was shared by those who know him best—his colleagues in this body. And here, as in Illinois, he returned that respect and affection in full measure.

EVERETT DIRKSEN’s political prowess at home was more than matched by his legislative skill in Washington. His secret perhaps was that, while a master of the reasonable compromise, he would never compromise a principle—and he would never ask another man to do so. It would have been easy enough for Ev DIRKSEN as the leader of my party in the Senate, and as the famed senior Senator from my own State, to ask me to go his way on many an issue, even when he knew my inclination was in another direction—and it would have put me in a difficult position to refuse. But he never once did. Before I came to Washington, he said that, whenever conscience dictated, we should simply agree to disagree, and he always honored that principle between us.

Certainly one reason that his Republican colleagues elected him their leader time and time again was that he always respected each man’s independence, individuality, and point of view. For he himself was an independent man of strong beliefs. Above all, he was a unique individual—an original in an era that discourages originality.

For more than 35 years, EVERETT DIRKSEN’s life was devoted almost entirely to his family, his country, and Congress. He left his vivid imprint not only on each of these, but on every individual who knew him. He touched our lives with his special vibrancy and resilience, his color and passion, his wit and wisdom. A man who so amply embodied these qualities cannot leave us without great sadness. We shall all miss him.

I know I do.

Mr. President, I am honored at this time to yield to the Senator who last served under Senator DIRKSEN as minority whip, and his successor as minority leader of the Senate: The Senator from Pennsylvania (Mr. SCOTT).

Mr. SCOTT. Mr. President, I thank the distinguished Senator from Illinois, who

has spoken so movingly of the great man we honor here today.

First, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the report to the people of Tennessee of the distinguished Senator from Tennessee (Mr. BAKER) for the week of September 14, 1969, consisting of the remarks which he made in the Rotunda of the Capitol in response to the eulogy of the late Senator DIRKSEN by President Nixon.

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

(See exhibit 1.)

Mr. SCOTT. Mr. President, as one who stands in his stead, but cannot presume to take his place, I rise to join in our eulogy of a great Senator. We call to mind the wonderful associations all of us in this body have had with him. While today we eulogize him, it is not possible to replace, except in fond memories, the position held by that great and distinguished leader of the Republican Party. Today we remember a man whose memory entertains the endearing recognition of all of us in this body and of millions and millions of Americans. We remember today that each day as he came to the Senate he had a bright and friendly comment. He delighted the American public and he delighted us. He contributed a spirit of accommodation to this body unsurpassed in my recollection. Yet, his spirit and stature fully recognized his responsibilities as an American first and foremost, as the senior Senator from Illinois, and as a great leader of his party.

Today we remember and recognize the warmth and compassion of EVERETT DIRKSEN. We remember his sense of humor. We remember, perhaps one of the greatest qualities which he had, the unstinting ability to view himself in due proportion as one of God’s humble creatures.

With engaging humor, he played games with his own posture. We, who enjoyed that deprecating exercise, nevertheless, recognize his great position and high responsibilities in the events of this Nation which he dealt with so well, so long, and so successfully.

It was in his moments of greatest triumph that I had the honor to work with him. We all remember his unstinting role in the Nuclear Test Ban Treaty, the 1964 Civil Rights Act, the United Nations bond issue, and a long list of equally great triumphs.

His leadership was unusual but unusually effective. His personality was appealing and his ability to gain the support of others on a wide variety of matters was unquestioned.

He had the undaunting courage to oppose when he felt he was in the right. In matters of his own well-developed conscience and search for the right, he opposed his constituents, his colleagues, and even his President. In matters which he supported, he supported all the way, and those who gained his support and whose support he gained, were numerous indeed.

His works are monuments to constructive achievement on behalf of his State, his party, and his Nation. His triumphs

were often the triumphs of Congress and in a very real sense every President under whom he served.

He was patient under suffering; courteous amidst confrontation; cheerful as an adversary. His spirit was the spirit of the successful, and he demonstrated his delight and gratification at each of his long line of successes.

His oratory provided the bridges over which those who had already been persuaded could walk. It was the essence of persuasion which demonstrated all the smoothness and gentleness which was his as a man. It was the icing on the cake which he had already baked.

Today we honor the Nation when we eulogize Ev DIRKSEN. We honor all those who knew and loved him and worked with him. We will remember him. We cannot forget him.

To the unique, unforgettable EVERETT DIRKSEN we say our warm, fond farewell. And to his wife, Louella, who epitomizes that oft said cliché, "Behind every great man there is a woman." To his daughter, Joy, and his son-in-law and our colleague, Senator BAKER, Marian and I extend our deepest sympathy.

EXHIBIT 1

REPORT TO TENNESSEE

(By U.S. Senator HOWARD H. BAKER)

(Due to the death of U.S. Senator EVERETT M. DIRKSEN, Senator HOWARD H. BAKER did not write his usual column this week. Below is the response Senator BAKER made in the Rotunda to the eulogy by President Nixon of Senator DIRKSEN.)

Mr. President, thank you. I speak for Mrs. Dirksen and the rest of the family when I express our deep gratitude to you and to many Americans throughout the country for their thoughtfulness at this time. We are profoundly grateful.

A century ago another man from Illinois first lay in state on this catafalque, on this spot, described by Sandburg as "midway between House and Senate chambers, midway between those seats and aisles of heartbreak and passion."

And so it is with EVERETT DIRKSEN—a man of his nation who served long and well in both of those chambers.

EVERETT DIRKSEN cherished Lincoln, but with a great humility that rejected any thought of comparison. He sought to follow many of the precepts that are the Lincoln legacy. Both men understood with singular clarity that a great and diverse people do not speak with a single voice and that adherence to rigid ideology leaves little room for compromise and response to change.

A man of imposing presence and bearing, EVERETT MCKINLEY DIRKSEN was nonetheless a man of eminent wit, humor, and perspective, who kept himself and others constantly on guard against taking themselves too seriously.

He was guided by a simple religious faith, carrying through life a sense of the Creator's presence and doing homage to the small, frail spark of immortality which defines the human spirit.

But perhaps most of all his hero was the people. He was of the people. Born of immigrant parents, his mother arrived in this country speaking no English and with a tag about her neck instructing only that she be sent to Pekin, Ill. He knew first hand "melting pot" America—its diversity and hardship, the brilliance of its people going about the business of forging a magnificent nation, and he loved them. All of them. Few people have loved so well, and I think the people saw something of their own greatness in him and understood and respected him for it.

This man was an idealist, but a realist as well; and in the end he chose calmly to risk his life, electing uncertain surgery in order to gain the opportunity to live and serve further, and he lost. But in losing, he fixed with permanence the image of a noble man of the people.

Mr. PERCY. Mr. President, I yield with great pleasure to our distinguished majority leader, for whom Ev DIRKSEN had the greatest affection and highest regard.

Mr. MANSFIELD. Mr. President, on September 7, 1969, EVERETT M. DIRKSEN died at Walter Reed Hospital in the city of Washington. His death broke a hundred relationships which he had in the Senate. It opened the links which held him to all of us as a body and to each of us as a friend and colleague. We knew him in the same way and each of us knew him in his own way.

There was the public EVERETT M. DIRKSEN who stood at that desk across this aisle—intent, relaxed, fierce, gentle, humorous, earnest—as a mood was upon him and as an issue moved him. As a group, the Senate knew that EVERETT DIRKSEN. The galleries, too, saw and heard him. The press characterized and sometimes, and without malice, caricatured him for a nation which came to delight in him.

One remembers that EVERETT DIRKSEN in flickers of remembrance, his passionate defense of flowers and above all of his beloved marigolds, the deft brush of words painting a landscape of the Illinois countryside and the little red schoolhouse, the surging references to the sagas of history, the quotations from Shakespeare and the poets and the statesmen of the past.

Above all, one remembers his keynote phrase. When he said of a measure that it was "an idea whose time has come," whether in civil rights, in nuclear testing, or other of the great issues of his time, he announced a newly formed conviction which would move him to action. With that phrase, too, he illuminated time and again his capacity for change in a changing world.

As majority leader, I owe much—very much—to that capacity of EVERETT DIRKSEN. The Senate and the Nation owe much to it for what it has meant to the legislative history of the past decade.

For me as for every Senator there was still another EVERETT DIRKSEN, a personal DIRKSEN. I knew him as a determined Member of the House and I knew him in the Senate after 1953. I knew him best during those past 10 years when I shared with him the joint leadership of the Senate.

When I think of that personal EVERETT DIRKSEN, I remember his office where we met so frequently and of his tolerance, understanding, and unfailing kindness. I remember, too, the laughter, now stilled, which so short a time ago he engendered in the Senate. I remember the tears which, on occasion, he provoked among us with the passionate vividness of his words. I remember the fierce divisions and the triumphant reconciliations in the Senate—both of which he was often the prime mover.

Others will come after him to the Senate as they have been here before him,

to evoke the laughter, to bring forth the tears, to thrust and parry adroitly and then, adroitly, to suture the wounds and lay an issue to rest. They will come, but there will be in the permanence of the Senate something special about the place which is EVERETT MCKINLEY DIRKSEN's. If words must speak what his life has already spoken, let them say that he served the people of the State of Illinois, who sent him here, with a good heart and head, and the Nation with full faith and devotion. He was the Mr. Republican of an era. He was a Senator and a leader of the Senate. He was an American and a tower of strength to the Government of the United States. He will be remembered by all of us with affection, with respect, and with esteem.

Mr. SMITH of Illinois. Mr. President, will the Senator yield?

Mr. PERCY. Mr. President, I yield to the distinguished junior Senator from Illinois. It is most appropriate that he make his initial comments in the U.S. Senate about a man he greatly admired and respected. He is a man who, I know, will be a worthy successor to EVERETT MCKINLEY DIRKSEN.

Mr. SMITH of Illinois. Mr. President, my memories of EVERETT DIRKSEN are different from those of his colleagues who served with him over the years in this body. Of course, I never had that opportunity. But my memories are nonetheless clear and dear to my heart.

My first clear recollection of the Senator stems from his first campaign for the U.S. Senate in 1950, when he had the temerity to announce his candidacy against the incumbent Senator, who was then the majority leader of the U.S. Senate. The political professionals, of course, gave him only an outside chance, if any, to be successful. But EVERETT DIRKSEN stumped the State of Illinois with his campaign and emerged victorious to begin his long career in the Senate. I will remember him in that campaign, at which time I was a young lawyer in Alton, Ill., who, though an interested participant in the campaign as a worker, had never myself ran for office.

Through the years since, my association with EVERETT DIRKSEN covered many and various roads we walked together. As a candidate for the Illinois State Legislature in 1954, and every 2 years since, we shared the campaign trail and many a political platform together. His presence always swelled the crowd to capacity wherever he appeared. And when he walked up to the podium, I, with all his other friends and supporters, sat back to enjoy his always classic statements, and to share his wisdom and charm. We in Illinois were always proud to rate him with the great platform speakers of our time, and he never let us down. I always felt that the one word description of his public appearances was "charm," and we always looked forward to hearing him again, no matter how many times we had heard him before.

As I acquired some political maturity, I remember the many private conferences, either on the telephone or in person, in which we discussed the issues affecting Illinois and the Nation. And while he was always ready with good

and sound advice on directions we should go, he always flattered others by seeking and listening to our advice and counsel.

Most of all, my memories of EVERETT DIRKSEN relate to three very personal incidents. None of these were matters of public interest or concern in any sense, but they will always linger in my memory as a true index of our relationship.

A number of years ago, I brought my wife and daughter east on a trip throughout this part of the country. When we stopped in Washington, I contacted the Senator's office and indicated my desire to pay my respects. He worked us into his busy schedule, and the three of us sat with Ev DIRKSEN in his office for over an hour chatting about many things. I have never forgotten his graciousness and hospitality in giving us more time than he had to spare, sharing himself with us.

The second incident relates to an occasion when Senator DIRKSEN made an appearance in my hometown of Alton as the principal speaker at one of our Lincoln Day fundraising dinners. He was to stay the night at the home of a mutual friend, who had a reception after the dinner to which some 30 or 40 people were invited. Most of the guests finally left, and the Senator, together with my family and the host family wound up sitting around the kitchen table late in the evening. Again, a chat with Ev DIRKSEN on an informal basis proved a delightful thing. When I finally realized how late it was, I suggested that we had better go home to let him get some rest, but he protested that he was certainly in no hurry to go to bed and urged us to stay longer. Notwithstanding the lateness of the hour, I understand he was up at 5 o'clock the next morning on his way to his next important engagement.

And finally, the memory I cherish most was the occasion when he appeared to speak at my alma mater, Illinois College, in Jacksonville at its commencement in 1967. I was on the campus that day for the purpose of a luncheon and specifically waited to greet him when he arrived. It was a Sunday afternoon, late in the Illinois legislative session in which I was then serving as speaker, and it was my intention to go on to Springfield after the luncheon meeting to do the work necessary to get ready for the opening of the session on Monday. When the Senator arrived, he asked if I was going to Springfield afterwards, and when I indicated I was, he asked if I would stay and drive him over since he had an airplane to catch there. When EVERETT DIRKSEN asked me for a ride, I naturally answered yes, and I was certainly delighted to stay. We left Jacksonville about 6 o'clock that evening and his airplane did not leave Springfield until 9. During that 3 hours, we drove from Jacksonville to Springfield, stopped in the State House and my office briefly, went to a small restaurant where we had a light dinner, and finally went to the airport. For that entire 3 hours I again had the chance to sit and chat in a purely private and personal way with this great man.

I do not suppose there are too many people in the world who have had 3 uninterrupted hours with EVERETT DIRK-

SEN in recent years, and I shall never forget them. We did not talk about the weighty problems that faced the State or the Nation. For the most part we talked about purely personal things, reminiscences of political happenings that had occurred to either one of us, and the good fun things that really make up life. To have had this opportunity is something which I feel has come to very few people, and I shall always cherish it.

My relationship with Senator EVERETT DIRKSEN, therefore, was not as a colleague in this great legislative body, but rather that of a young man, coming along in politics, sitting at the knee of the master teacher. I listened closely to what he had to say. I have tried to learn from his wisdom accumulated over the years. While I do not in any wise suggest that I or anyone else shall ever be another EVERETT MCKINLEY DIRKSEN in this body, or otherwise, you may be sure that we in Illinois revere him and will miss him, as one of the great bulwarks of our American democracy, and one of the greatest contributions of the State of Illinois to the Government of the United States throughout our entire history.

And so, while we shall always remember him together as politician, statesman, patriot, and all the other things which made him great, my memory of EVERETT DIRKSEN will be that of a true and dear friend.

Mr. PERCY. I yield to the distinguished Senator from Florida, who worked for so many years with his friend and colleague, EVERETT MCKINLEY DIRKSEN.

Mr. HOLLAND. I thank the distinguished senior Senator from Illinois.

The late and beloved EVERETT MCKINLEY DIRKSEN was my friend and I shall ever miss him. When I came to the Senate in 1946 he was a Member of the House of Representatives. I was fond of him and our friendship became closer after he came to the Senate where he soon became the Republican whip and still later, the Republican leader. My visits to his office in the Capitol—sometimes on Senate business and sometimes to participate in doing him honor—will all be remembered and cherished by me. Our visits to his home in nearby Virginia were also colorful incidents to be always recalled with great pleasure by both Mrs. Holland and me.

There is much I could say about his various activities, some of which I have already said during Senate debates and which already appears in the CONGRESSIONAL RECORD. Our service in World War I was closely related, though we were not then acquainted. We spoke often of those days. But since he maintained his winter home at DeBary in my own native State of Florida and took many occasions to show his friendship for our State, I prefer to confine my remarks largely to the complimentary editorials appearing about him in the press of my State immediately after his death. Whether liberal, moderate or conservative, whether Democratic, Republican or Independent, whether serving the public in the Gold Coast area, in the Tampa Bay region, at Cape Kennedy, in the conservative Gate-

way City of Jacksonville, or in the typically southern panhandle cities of Panama City and Pensacola, these editorials, although written by able men of greatly differing philosophies, all express the sorrow felt by our entire State when we lost our friend and winter visitor, the late Senator DIRKSEN.

I purposely left out the central Florida area in the list which I have just named because it was there he maintained his winter home and was best known and most beloved. I ask unanimous consent first, therefore, that there be printed in the RECORD an editorial from the Orlando Sentinel of September 9 entitled "Senator EVERETT MCKINLEY DIRKSEN."

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

(See exhibit 1.)

Mr. HOLLAND. Mr. President, in a similar vein, the evening paper in Orlando, the Evening Star, of September 10, included the editorial "DIRKSEN Was Great American," which I ask unanimous consent to have printed in full at the conclusion of my statement.

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

(See exhibit 2.)

Mr. HOLLAND. Mr. President, one of the most interesting paragraphs in the editorial of the Evening Star is the one in which Senator DIRKSEN is compared with President Abraham Lincoln, which reads as follows:

It is interesting that he served in the House from the same area as did President Lincoln. They were both able and convincing speakers, although their styles were as different as were their personalities. They both had wit and good humor, but Lincoln had a simple eloquence while Senator Dirksen's was a flowery, ornate eloquence rarely equaled in American political history.

From my own town of Bartow, Fla., the county seat of Polk County—a part of central Florida—there appeared in the September 8 edition of the Polk County Democrat an editorial entitled "A Man for All the Country." I ask unanimous consent that the editorial be printed in full as part of my statement.

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

(See exhibit 3.)

Mr. HOLLAND. Mr. President, I quote the following paragraph from the editorial:

His fame as an orator, a wit and a statesman will linger long in the Senate cloakroom and in the Capitol pressroom, and will outlast the coming and going of many a senator who has yet to be elected.

From the Miami Herald, the conservative paper in Miami, there appeared on September 9 the editorial "Ev DIRKSEN, Individualist," which I ask unanimous consent to have printed in my remarks in full.

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

(See exhibit 4.)

Mr. HOLLAND. Mr. President, one of the more interesting paragraphs in that editorial was this quotation:

He was a leader, a patriot loyal to the ideals of his country as he saw them, both a controversial and popular figure in Washington. He crossed from one line to the other,

supporting Democrats, occasionally opposing Republicans, loyal to the cause of the moment. "I live by my principles," he once said, "and the first of these is flexibility."

In the Miami News, the liberal paper in Miami, there appeared on September 9, the editorial "Senator DIRKSEN's Contributions" which I ask unanimous consent to have printed at the end of my remarks.

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

(See exhibit 5.)

Mr. HOLLAND. Mr. President, I quote the closing paragraph of that editorial as follows:

He was a humorist, a philosopher, could be a "corn ball" when the occasion demanded, was unmatched as an orator. Senator Dirksen was an outstanding leader, enjoying the confidence of all those around him. He was adaptable to the changing times and successful because he knew his country came before his politics.

In the Palm Beach Times of September 9 there appeared an editorial entitled "DIRKSEN Fought the Good Fight," and I ask unanimous consent that the editorial be printed in full in my remarks.

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

(See exhibit 6.)

Mr. HOLLAND. Mr. President, in the newspaper Today, published at Cape Kennedy on September 9 appeared the editorial "EVERETT DIRKSEN." I ask unanimous consent that the editorial be printed in full as a part of my statement.

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

(See exhibit 7.)

Mr. HOLLAND. Mr. President, I read the following paragraph from the editorial:

But he was not all things to all people, nor did he try to be. He worried that the young people of today seem to be turning their backs on their American heritage. Rather than sanctioning their prodigal discontent, he sought to bring them "back into the stream of tradition."

In the Florida Times Union at Jacksonville which had highly praised Senator DIRKSEN in its news and editorial columns when he delivered a great speech there not long before his death, entitled "What's Right with America" to a wildly enthusiastic, overflow meeting of the State Chamber of Commerce, appeared on September 10 the editorial "EVERETT MCKINLEY DIRKSEN," which I ask unanimous consent to have included in full in my remarks.

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

(See exhibit 8.)

Mr. HOLLAND. Mr. President, I shall quote the following two paragraphs from the editorial:

He provided a balance to the Congress and had the stature not only to himself rise above the level of pure partisanship but to pull many of his colleagues above that level as well.

"The heart of America is right," he said in his 1967 speech in Jacksonville. And the heart of Everett Dirksen was right. The nation that he loved and served will miss him.

From the Tampa Bay area there appeared in the St. Petersburg Times of September 8 an editorial entitled "DIRKSEN's Sense of the Senate," which I ask unanimous consent be printed in full in my remarks.

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

(See exhibit 9.)

Mr. HOLLAND. Mr. President, this paper, a liberal one, seeking for a quotation which best fitted Senator DIRKSEN, came up with the following words from Thomas Carlyle:

In the long run every Government is the exact symbol of its people, with their wisdom and unwisdom.

They followed this Carlyle quotation with the following:

Sen. Dirksen was Government because he was good at it, and because his own balance of wisdom and unwisdom made him supremely human.

From the Panhandle of Florida I noted in the Pensacola Journal an able editorial entitled "A Loss to the Senate," appearing on September 9 which I ask to have copied in my remarks in full.

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

(See exhibit 10.)

Mr. HOLLAND. Mr. President, I shall read the closing paragraph of that editorial as follows:

There are not many in Congress who can rate the title of statesmen. Even his enemies agreed that Dirksen rated it. He will be missed as only positive leadership can be missed.

In the Panama City Herald—also in the Florida Panhandle—there appeared the editorial "DIRKSEN Among Greats," which I ask unanimous consent to have printed in the RECORD in full.

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

(See exhibit 11.)

Mr. HOLLAND. Mr. President, there were many other editorials in Florida papers well worthy of preservation but I wanted in my own remarks to illustrate the fact that from all segments of the press in Florida, regardless of geography, philosophy, or other regional differences there appeared unanimous expressions of affection, respect, and sorrow for Senator DIRKSEN. In other words, I wanted the RECORD to show that the press of Florida, which is surely a cosmopolitan State, voiced feelings of deep appreciation for EVERETT DIRKSEN which I think spoke rather clearly for all segments of American thinking. He was a great statesman, an effective legislator, a warm and loyal friend and one who will be greatly missed always by every Senator and Congressman who served with him and who knew him.

Mrs. Holland and I express our deepest sympathy to Mrs. Dirksen and their daughter, Mrs. Baker, to Senator BAKER and the Baker children, along with our hope that they may find comfort in their sorrow from the expressions of appreciation of Senator DIRKSEN which have been voiced by every segment of America.

Mr. President, I thank the distin-

guished Senator from Illinois for yielding.

EXHIBIT 1

[From the Orlando (Fla.) Sentinel, Sept. 9, 1969]

SENATOR EVERETT MCKINLEY DIRKSEN

There was no one like Sen. EVERETT MCKINLEY DIRKSEN.

With his full head of wavy, graying hair, his rich oratorical voice, his gestures and the poses he struck to make a point, he was the most colorful member of an often somber Congress.

Ev DIRKSEN was the last of a vanished breed of old-time senators who looked and acted as we think senators should look and act.

He was a spell-binder, a natural orator with a voice so compelling that in the past few years he was persuaded to cut a few records. Their sales were excellent.

Among the things which made DIRKSEN unique, in addition to his being the last of the old mold, was that he regarded the Senate as an end, an entity in itself.

He felt the Senate was a high calling, which it is, and that there was no need to try to go on to be president or vice president.

He worked hard at being a senator, a senator from the old days of the body, but he kept the common touch. Even those who had never met him felt friendly and warm toward him. They felt he was someone they knew and liked.

In his handling of legislation, Sen. DIRKSEN always acted in what he considered was the best interest of the nation. His decisions transcended parties and politics. When he felt he was right he headed straight for that goal disregarding political ties within his own party.

There was only one like Ev DIRKSEN. He served his country and his world well. His death ends an era and impoverishes all of us.

EXHIBIT 2

[From the Orlando (Fla.) Evening Star, Sept. 10, 1969]

DIRKSEN WAS GREAT AMERICAN

There'll never be another Sen. EVERETT MCKINLEY DIRKSEN. His was a personality and a character all his own. To put it tritely, he was a senator's senator. He was a happy cross between an able actor and an understanding statesman.

While EVERETT DIRKSEN was one of the most powerful Republican senators to serve in this century, he was an American first, an avid patriot before being an astute and powerful politician.

He was first elected to Congress in 1926, chosen to serve in the House from the same area as that served by Abraham Lincoln. In 1950 he was elected to the Senate and served in that august body until his death on Sunday.

It is interesting that he served in the House from the same area as did President Lincoln. They were both able and convincing speakers, although their styles were as different as were their personalities. They both had wit and good humor, but Lincoln had a simple eloquence while Senator DIRKSEN's was a flowery, ornate eloquence rarely equaled in American political history.

His style was a pleasing throwback to the 19th century. He was an orator who stood out in an era of direct matter-of-fact speech making. His effectiveness was that of a sincere man. His tousled hair, his open smile, and his bass organ-tone voice were his distinguishing characteristics. He had charisma before that word was overworked. He had integrity when that virtue was not overworked. He was a grand Republican and a great American of whom Abraham Lincoln would have been proud.

(EXHIBIT 3)

[From the Polk County Democrat,
Sept. 8, 1969]

A MAN FOR ALL THE COUNTRY

One of the dependably sane voices in an often frenzied Congress was that of Sen. Everett Dirksen.

Blessed with a set of vocal chords and a method of delivery that commanded instant and undivided attention, the gentleman from Pekin, Ill., was showman enough to make shrewd use of his assets, and to augment them with a carefully unkempt head of hair.

With the theatrics that quickly made him a national figure, Senator Dirksen had a canny sense of what was good for the country, and he fought with great skill for the causes in which he believed.

Whether he was aiding in a filibuster or fighting one, he was an adversary to respect, an ally to cherish.

No one is perfect, and even Senator Dirksen slipped occasionally. As, for instance, when he gave full support to his friendly enemy, President Lyndon Johnson, in endorsing Abe Fortas to be Chief Justice of the Supreme Court.

What mistakes he did make, though, seemed to be errors on the side of too much charity for individuals who perhaps were not worthy of it. In matters of principle he was true to his convictions, no matter who agreed or disagreed.

He was not as far to the right as Barry Goldwater, whom he enthusiastically nominated for the presidency, nor as far to the left as Lyndon Johnson, with whom he enjoyed a warm friendship.

Sometimes Senator Dirksen angered the conservatives, as when he supported several Civil Rights laws—on the basis that they demanded fair treatment of a segment of the population which was not being treated fairly. Sometimes he angered the liberals, as when he supported extending to all states the assignment of federal monitors to watch voting, as previously had been ordered in Southern states—on the basis that what is fair in one section of the country is fair in all the country.

When the Democrats held the White House, Dirksen was the rallying point for the Republican opposition, and for Democratic senators who disagreed with the President. With a Republican administration, Dirksen was "the man to see," and a staunch supporter of his chief.

Illness had slowed the old war horse in recent months, and yesterday it stopped him completely.

His fame as an orator, a wit and a statesman will linger long in the Senate cloakroom and in the Capitol pressroom, and will outlast the coming and going of many a senator who has yet to be elected.

(EXHIBIT 4)

[From the Miami (Fla.) Herald, Sept. 9, 1969]

EV DIRKSEN, INDIVIDUALIST

"The marigold will flourish on soil not blessed with fertility. It marches through spring, summer and autumn, until the frost of early winter takes its toll . . . robust, rugged, bright, stately, single-colored and multi-colored, somehow able to resist the onslaught of insects . . . What a flower the marigold is."

When Sen. Everett M. Dirksen waxed rhetorically rhapsodical, as he once did while advocating the marigold be named America's national flower, the soft notes curled through the Senate fresh and pungent as woodsmoke and the hard ones sounded with such timbre that senators awoke and rafters rattled.

What a speaker the senator was! The language was his as though on tap, and he twisted the faucet both to illuminate and to obfuscate, as it suited the purposes of him and the Republican Party.

The great head with its wild gray hair, the well-traveled face with bags under eyes covered by thick glasses, the political finesse and the sense of humor so rich it almost seemed sinful, are gone and so a historic gem in America's infinite variety blinks out.

He was a leader, a patriot loyal to the ideals of his country as he saw them, both a controversial and popular figure in Washington. He crossed from one line to the other, supporting Democrats, occasionally opposing Republicans, loyal to the cause of the moment. "I live by my principles," he once said, "and the first of these is flexibility."

Sen. Dirksen was an individualist in an impersonal age. During his 35 years in Congress, he became the legendary loquacious senator, who in time assumed a caricature of himself and joined the nation in chuckling at Sen. Dirksen.

(EXHIBIT 5)

[From the Miami (Fla.) News, Sept. 9, 1969]

SENATOR DIRKSEN'S CONTRIBUTIONS

Everett McKinley Dirksen was an eloquent member of the U.S. Senate who will long be remembered for his voluble contributions to the social issues of the day.

The Illinois senator began his leadership of the august Senate when Dwight Eisenhower was President but found his niche in history as the persuasive helper of a Democratic President. Senator Dirksen was a tower of strength for Lyndon Johnson during the stormy passage of the Civil Rights Act of 1964. His stentorian tones and flowery phrases were more than a match for the Southerners who tried to filibuster against legislation for human rights.

In the nine months that Richard Nixon has been in the White House, Senator Dirksen was a powerful confidante, swaying the Chief Executive on important appointments and at the same time acting out the role of the Minority Leader in a Democratic Congress.

He was a humorist, a philosopher, could be a "corn ball" when the occasion demanded, was unmatched as an orator. Senator Dirksen was an outstanding leader, enjoying the confidence of all those around him. He was adaptable to the changing times and successful because he knew his country came before his politics.

(EXHIBIT 6)

[From the Palm Beach (Fla.) Times,
Sept. 9, 1969]

DIRKSEN FOUGHT THE GOOD FIGHT

One of greats is gone.

The passing of Sen. Everett McKinley Dirksen leaves a void on the political scene that never will be filled.

Call him a politician. Call him "the Wizard of Ooze." Call him a "wheeler-dealer." But—first, last and always—call him an American.

For the colorful Illinois statesman, as President Nixon says, "on the great issues always placed the nation first."

But for the accidents of history, Dirksen might have been President of the United States. And if he had been, history might have been painted in less somber hues. That is pure speculation, of course, but it must be admitted that there have been times when the nation seemed to play second fiddle to political expediency.

Nevertheless, Sen. Dirksen did play a major role in history as it is written, especially as leader of the "loyal opposition" during the administrations of John F. Kennedy and Lyndon Johnson. He will be particularly remembered for carrying to passage the Civil Rights Act of 1964.

He will be remembered, too, as a man whose deep insight and involvement in the grave issues of our time did not dull a delightful sense of humor. This is a mark

of greatness—perspective—that is becoming increasingly rare in government.

The nation, not just those who honored him as "Mr. Republican," owe Sen. Dirksen a debt of gratitude that can be repaid only by rededication to the principles of real Americanism for which he fought the good fight.

(EXHIBIT 7)

[From Today (Fla.), Sept. 9, 1969]

EVERETT DIRKSEN

Sen. Everett McKinley Dirksen wasn't ashamed to change his convictions in response to the realities of the swift and ever-changing times.

This is not what made him a statesman, but without the ability to see that government must move forward, coming constantly to new grips with the changing problems of its people, Dirksen could not have become the statesman he was.

He called himself "an old-fashioned garden variety of Republican who believes in the Constitution, the Declaration of Independence, in Abraham Lincoln . . ."

But he went a step further.

His kind of Republican, he said, "accepts the challenges as they arise from time to time, and who is not unappreciative of the fact that this is a dynamic economy in which we live, and sometimes you have to change your position."

His kind of Republican was a credit to Republicans and Democrats alike.

Originally an isolationist, Dirksen became an internationalist. Originally a conservative, he moved to the center with his support of civil rights legislation, the nuclear treaty and financing for the United Nations.

But he was not all things to all people, nor did he try to be. He worried that the young people of today seem to be turning their backs on their American heritage. Rather than sanctioning their prodigal discontent, he sought to bring them "back into the stream of tradition."

Whether you agreed with what he said or not, you had to admire him for the way he said it. He was a colorful man who conformed neither to the Republican image nor to the congressional image.

Among his colleagues, Everett McKinley Dirksen was a marigold in a field of soybeans.

(EXHIBIT 8)

[From The Florida Times-Union, Sept. 10,
1969]

EVERETT MCKINLEY DIRKSEN

Senator Everett McKinley Dirksen had a commitment so deep that it transcended all personal or political considerations of his public service. He had an abiding love for, and a sense of the continuity of, the United States of America.

Often he spoke, as he once did in Jacksonville, on the topic "What's Right with America." When he voted, the guiding principle was "What's Right for America."

It was this characteristic that enabled the late Senator from Illinois to be a statesman as well as a consummate politician. The most partisan of his own supporters and colleagues after a time came to realize that where the interests of the nation were at stake, Dirksen would be found on the side of what he believed to be the best interest—regardless of whether this side had been labeled conservative or liberal, Democrat or Republican.

Once assailed on this point, he explained his philosophy in this way:

"You start from the broad premise that all of us have a common duty to the country to perform. Legislation is always the art of the possible. You could, of course, follow a course of solid opposition, of stalemate, but that is not in the interest of the country."

There have been many issues arising during Senator Dirksen's 25 years of service

in Congress when it was essential to distinguish between a Republican President or a Democratic President and the President of the United States. Even while he was minority leader—for most of this time, therefore, the leader of the opposition—Senator Dirksen was able to make this distinction.

It is to the credit of most of his colleagues and of the American people as a whole that this quality was recognized to the extent that he exerted a great influence on both legislation and upon public opinion.

Roger Winship Stuart, in his 1963 book entitled "Meet the Senators," started the biographical passage on Senator Dirksen with the sentence: "Every so often in the Senate—just as at sporadic intervals among other groups—a particular member will come to be recognized as something apart, something in the nature of the institution."

The "institution," indeed the walking legend that was Senator Dirksen, was founded on deeper characteristics than the flowing locks, the famous voice and the courtly speech that enabled him to rebuke a senator who spoke too much by saying he would invoke upon the offender "every condign imprecation."

It was built upon a record of hard work, effectiveness and above all that deep and abiding love for America.

He provided a balance to the Congress and had the stature not only to himself rise above the level of pure partisanship but to pull many of his colleagues above that level as well.

"The heart of America is right," he said in his 1967 speech in Jacksonville. And the heart of Everett Dirksen was right. The nation that he loved and served will miss him.

(EXHIBIT 9)

[From the St. Petersburg Times, Sept. 8, 1969]

DIRKSEN'S SENSE OF THE SENATE

In the fullest sense of its traditions and respect for individual style, Everett McKinley Dirksen was a prototype member of the United States Senate.

It was possible to strain against his actions and philosophies and yet greatly admire the man.

Because Dirksen so personified a senator, and played his role with such unabashed flourish, the Senate will have lost one of its principal actors—as well as its minority leader.

For the Republican Party the loss opens many questions.

Who will rise to the stature and power of an Everett Dirksen?

Does the passing of this old-fashioned politician mean room for a modernist?

What change in leadership tactics and relationship between party and President now will emerge?

For the Senate, the death of Dirksen expands the power vacuum begun by Sen. Edward Kennedy's summer of misfortune.

With so much on its mind that affects the nation's core, this vacuum in legislative leadership could blur the sense of direction in the Senate.

But while political strategists ponder a future without the man who has been so present for two decades of America's most changing years, the people will remember Everett McKinley Dirksen's life for what it was. And how it ended, as the summer ended.

It is difficult to sum up such a life. Or to find a quotation that fits a man who was himself such a quotable source.

Perhaps Thomas Carlyle comes close:

"In the long run every Government is the exact symbol of its people, with their wisdom and unwisdom."

Sen. Dirksen was Government because he was good at it, and because his own balance of wisdom and unwisdom made him supremely human.

(EXHIBIT 10)

[From The Pensacola (Fla.) Journal, Sept. 9, 1969]

A LOSS TO THE SENATE

The Senate has lost, through the death of Sen. Everett Dirksen, one of its most colorful and powerful figures in a generation.

While the Illinois Republican was a staunch party leader who held it together during the grim days when the Democrats controlled two-thirds of the Senate seats, he was more than that. He was a bipartisan power who never hesitated to follow his own conscience in matters affecting the country.

Consequently he was a confidant of presidents both Democrat and Republican. Without Dirksen many of the accomplishments of Presidents Kennedy and Johnson would not have been possible. Eisenhower found him a bulwark of strength and until his death he had shaped much of the course taken by President Nixon, sometimes changing it as he did in a confrontation with Secretary Finch of HEW over the assistant secretaryship.

Dirksen was a basso profundo orator of the old school, a talent he loved to display as the occasion arose. Indeed, it was this skill in dramatic debate which led his enemies to refer to the veteran from Illinois as the "wizard of ooze."

Senator Dirksen never hesitated to voice displeasure at things politic if he felt they were wrong. It mattered little whether the toes he mashed were Democratic or Republican. It was the principle of the thing, and because of his prestige and power he generally got his way.

For 37 years—except for two years when he retired because of falling eyesight—Dirksen had served in Congress, 19 of them in the Senate. He was Republican leader during the last 10 years. Few minority leaders have exercised such influence. Dirksen did it through his reputation for fairness and cooperation on measures beneficial to the country.

There are not many in Congress who can rate the title of statesmen. Even his enemies agreed that Dirksen rated it. He will be missed as only positive leadership can be missed.

(EXHIBIT 11)

[From the Panama City (Fla.) Herald, Sept. 16, 1969]

DIRKSEN AMONG GREATS

About the only things that Everett McKinley Dirksen and Ho Chi Minh had in common were that both were outstanding figures in their respective governments and both died within a week of each other.

It is not their similarities but their differences that we ought to think about.

Because of his role in freeing his country of French colonial rule, Ho was called the George Washington of Vietnam and was lavishly praised by most of the American press at his death. Such praise was perhaps his due as a tough opponent.

Actually, it was Dirksen who more resembled Washington.

To say this is by no means outrageous eulogizing of Dirksen. All the men who have held seats of power in the U.S. government since its beginning have been, almost without exception, closer in character to Washington than was Ho Chi Minh.

A man like Dirksen—outspoken, individualistic, flamboyant—could not have survived under a Communist regime. Indeed, one can only speculate as to how many Vietnamese Dirksens were liquidated over the years by Ho, who could not tolerate rivalry.

Unfortunately, the same can also be said of South Vietnam. There, banishment and imprisonment have effectively prevented the establishment of a loyal opposition.

Dirksen, like Ho, served his country over a span of time measured in decades—three and a half decades altogether; 16 years in the House and 19 in the Senate.

The crucial distinction is that at all times Dirksen was accountable to the people of his state of Illinois for his performance and at regular intervals was subject to removal from office by them.

The comparison need not be elaborated. Suffice it to say that when we honor a man like Everett Dirksen, we also honor the political system, the ideology, which produced him and which will produce other men worthy to follow in his footsteps.

That is the American system, and it works because men like Dirksen make it work.

Dirksen once told a reporter that his early ambition had been to be an actor—"a thespian treading the boards," was how he put it in his characteristically flowery fashion.

He certainly had the voice for it, and the stage presence and sense of the dramatic. But his mother, he explained, persuaded him against such a "sinful" profession. So, he said, he chose the next best thing—politics.

We err seriously, however, if we allow the cornpone facets of Dirksen's personality to obscure the real man. He, too, was a tough opponent, as several presidents came to learn quite well.

Often he appeared bullheaded, jealous of his prerogatives, more concerned with political expedience than with progressive legislation.

But he played by the rules, and when it came down to a question of fundamental principles, he was truly a leader of stature.

Everett Dirksen has now taken a place in the pantheon of other great senators—Webster, Clay, Taft (the list is a long one).

This is no sentimental twaddle. It is a fact, about which all Americans can be proud.

Mr. PERCY. Mr. President, I yield to the distinguished senior Senator from Maine (Mrs. SMITH), whose answering of quorum calls and rollcalls was a source of admiration to Senator DIRKSEN, and whose patience, knowledge, and tenacity were a source of great respect.

Mrs. SMITH of Maine. I thank my distinguished colleague.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mrs. SMITH of Maine. Mr. President, it was my privilege to serve both in the House of Representatives and the Senate with the late EVERETT MCKINLEY DIRKSEN. He was a great leader in both of these divisions of Congress.

He was a great leader not just because he was a dynamic leader of his political party. Instead he was more a leader because he had the courage to change his course of action and to change his mind once he became convinced that he was wrong.

In 1952, at the Republican National Convention, in a stirring speech supporting the late Robert A. Taft, and in opposing the late Dwight D. Eisenhower, he protested that Gov. Thomas E. Dewey, in leading the fight for the nomination of Dwight D. Eisenhower, was leading the Republican Party down the road to a third successive presidential defeat.

But he was wrong, as time proved—and he unhesitatingly acknowledged that he was wrong and he turned his efforts to becoming one of the strongest supporters that President Eisenhower had in the Senate.

Yes, he was one of the Senate towers of strength for all Presidents from that time on—whether it was Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, or Richard M. Nixon.

He was a tower of strength because

he gave them crucial support at crucial times—support that rose above partisanship.

But he was, as well, a tower of strength because he opposed them when he was convinced they were wrong and in many instances his opposition forced them to a more reasonable compromise on issues.

Only this year, he opposed President Nixon on some nominations and selections for major offices. President Nixon responded by withdrawing the nominations or refraining from making the nominations.

And in his mellifluous way of opposing President Nixon's choices for high office, he had a knack of doing it without being accused of party disloyalty or disloyalty to his President in his position as the leader of the President's political party in the Senate.

Not all Senate Republican leaders have been able to achieve such a remarkable result of respect rather than condemnation.

Yet, I think I have some insight as to this rare ability that EVERETT DIRKSEN had. For the last time that he talked with me was on the Senate floor after I had proposed two amendments in opposition to the President's Safeguard ABM.

Although he differed with me on that issue and stood with the President, he was kind enough to come over to my desk and expressed his admiration for what I had said in support of the amendments and for what I had done. I shall never forget the very last words he spoke to me for he said to me:

Margaret, you rose above the crowd and you stood ten feet tall on the Senate floor today.

EVERETT MCKINLEY DIRKSEN and I engaged in a keen but friendly fight over the proposal for the national flower. He championed the marigold. I championed the rose.

Since his untimely passing, I have had many letters urging me to take his place in carrying the banner for the marigold. I am honored that some would think that I could take his place in that one instance. I am even more grateful that they understand when I defer to someone else as his successor on this because I know he would not have me desert the rose anymore than I would have him desert the marigold.

Many have urged me to take the leadership on his prayer resolution. While I support it now as I always have, such leadership is more properly for one of his close colleagues on the Senate Judiciary Committee to which the Dirksen prayer resolution has been assigned for consideration and action.

Far more eloquent than anything I might be capable of saying is a letter to EVERETT DIRKSEN's devoted wife and his own tower of strength—Louella Dirksen, for whom all of us have so much affection, respect and admiration. It was a letter from Maurice James Moriarity of Chicago, Ill.

On September 9, 1969, Mr. Moriarity wrote Mrs. Dirksen:

As the Nation mourns the passing of Senator DIRKSEN, I recognize that nothing I could say would ease your sorrow. Although the Senator had thousands of friends and

acquaintances throughout the world, I doubt that he ever had a more loyal or dedicated supporter than my late father. I shared in my father's respect and admiration for the Senator. We knew him and loved him as a truly great American.

On September 11, 1968, a little more than a year ago, the Senator wrote a beautiful letter of condolence to the parents of one of my partners. The occasion was the death of their youngest son while in combat in Vietnam. I thought you might be interested in one of the paragraphs of that letter. The Senator concluded his letter by saying:

Somewhere, sometime, death must come to us all, and fortunate is he who can cry quietly with "Well done" ringing in his ears from his country as well as his family and friends.

Today, and for all time to come, the historians of this great Nation of ours will acclaim: "Well done, EVERETT MCKINLEY DIRKSEN, well done."

With deepest condolences, I remain. Sincerely yours, Maurice James Moriarity.

Mr. PERCY. Mr. President, I would like to yield at this time to the distinguished Senator from West Virginia (Mr. RANDOLPH), who came to Congress in 1932 with Senator DIRKSEN and was his colleague and friend.

ILLINOIS IS THE LAND OF DIRKSEN AS WELL AS THE LAND OF LINCOLN

Mr. RANDOLPH. I thank the Senator from Illinois.

Mr. President, I am privileged to join my colleagues this afternoon in expressing our remembrances of a truly great, a gallant, and a good American—EVERETT DIRKSEN.

It was a warm September sun that bathed the countryside when EVERETT DIRKSEN's body was given to the good earth near his birthplace in Pekin, Ill.

We know Illinois as the Land of Lincoln, but it truly is the Land of Dirksen as well. Perhaps it was not fully recorded, but it is a memory that I shall continue to carry all my years—that of the funeral party as it moved from the Peoria Airport to the cemetery on the outskirts of the community which was his home.

I remember hundreds of little children who stood beside the roads and on the streets holding in their hands the American flag. They held it proudly as the body of EVERETT DIRKSEN was carried by the thousands of neighbors and friends whom he served.

I saw literally hundreds and hundreds of fathers and mothers who also stood by those roadsides and on the streets, and they, too, held the American flag. They held it without embarrassment. They held it with great pride.

In front of the Limestone High School, I remember especially 600 or 700 students who were not moving about the yard, talking one with the other. They were standing in a solid line, and they were quiet and reverent as the body of EVERETT DIRKSEN passed.

I recall very well that in front of most of the residences the American flag had been raised, and this was true also of the businesses and industries in that area.

This was done out of respect for EVERETT DIRKSEN, but I also believe in doing it those thousands of Americans were thinking of EVERETT DIRKSEN as the symbol of an America which today is very much alive. Sometimes a death causes us to realize it continues to live—

an America in which there are millions of persons, who are not in the news headlines but are the good, solid stock of this country, who believe very much in what EVERETT DIRKSEN believed.

Mr. President, I have said that Illinois is the Land of Lincoln; and it is also the Land of DIRKSEN. It was Abraham Lincoln who said:

The dogmas of the quiet past are inadequate to the stormy present. . . . We must think anew and act anew. We must disenthrall ourselves, and then we shall save our country.

On many occasions in the Congress of the United States I felt that EVERETT DIRKSEN, in a very real sense, was living out the admonition of an earlier Illinoisan—Abraham Lincoln.

He was not a man to be pushed around, but he was a man with whom one could counsel. He was a man who provided an opportunity, not reluctantly, for his colleagues, both Democrat and Republican, to discuss matters that came before us in this legislative body.

Mr. President, I was sworn in on March 4, 1933, as a Member of the U.S. House of Representatives, in company with EVERETT DIRKSEN. There are perhaps only four or five of us now in the Congress of the United States who were sworn in on that date, when we still had the so-called lameduck Congress. But, from that day until the time of his going away, we were cherished friends—disagreeing very often in the votes cast here, understandably so, but we were very close, one to the other.

When it was my responsibility to be chairman of the Committee on the District of Columbia in my early days in the House of Representatives, DIRKSEN was the ranking minority member of that committee. We worked cooperatively then on legislative programs and projects for the District of Columbia, and the people who lived here, having come from all sections of America.

Mr. President, I often said to EVERETT, as he walked back and forth in the center aisle, "Please pace yourself. Please take it a little easier. Please go lie down a few minutes." And always he replied with a quick smile, rather than with words of agreement.

There are many dedicated men in public life, and certainly EVERETT DIRKSEN was one of the best of these men who devote themselves to careers in public service. EVERETT DIRKSEN was cheerful of heart. This was a blessing to unnumbered persons, constituents and friends, who came in contact with him day by day, and people before whom he appeared as a persuasive speaker and ardent advocate.

I heard a bird at break of day
Sing from the autumn trees
A song so mystical and calm,
So full of certainties.

Mr. President, if JENNINGS RANDOLPH is certain of any fact this afternoon, it is the certainty that EVERETT DIRKSEN was truly a man of the people, by the people, and for the people.

I continue to remember him as I did when he was in the hospital on the last occasion before his death. I wrote him a note in my own handwriting. I said,

"EVERETT, hurry back. We need you here." He was ever needed in this body. He gave so completely of himself—the very best that was within him—that we must not forget this man whom I have called great, gallant and good.

Mr. President, Mary, my wife, joins me in our continued thoughts to EVERETT DIRKSEN's widow Louella, his daughter, his son-in-law, their children, and all members of the family.

It is truly wonderful along life's way to meet those persons—and there are not so many as we would like—who become a part of our own lives. EVERETT DIRKSEN shared that understanding with me, and I with him.

Mr. President, I think sometimes we forget too soon those who had responsible positions in this body. It was Shakespeare who said ingratitude is the most reprehensible of vices.

It would do all of us well to ponder a few minutes, perhaps each day, about some colleague with whom we have served, about some kindness that has been expressed toward us, about some good deed that came into being.

Mr. President, during these eulogies, we have remembered in a special way—EVERETT DIRKSEN.

Mr. PERCY. Mr. President, there is no more beloved Member of this distinguished body than the distinguished senior Senator from Vermont (Mr. AIKEN). My colleague had a great affection for him. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, the usual remarks made at a time like this are hopelessly inadequate today. To properly speak of EVERETT DIRKSEN would require words beyond my ability to find.

EVERETT DIRKSEN was a most unusual man and a most unusual Senator.

He was a champion of his State par excellence, but he was also a most beloved national figure. I have never known a person who was more beloved by the people of this country, regardless of race, creed, color, or region; and we could hear, almost anywhere he was speaking, members of the audience say, "Isn't he wonderful?"—even from those who might be disagreeing thoroughly with the position which he might be expounding at the time.

He had utmost consideration for others. As a party leader, he was eminently fair, treating all alike. His ability to cooperate with the leadership of the party across the aisle was a bulwark of strength to the President and to the country in time of crisis.

Whenever he spoke, his mixture of humor, hard facts, and philosophy were particularly effective.

To honor his memory, I am almost—but not quite—persuaded to support his favorite flower, the marigold, as a national flower. I am sure he would not want me to compromise the position which I have held for so long; nevertheless I am almost tempted.

We will not forget Ev DIRKSEN. It is my profound hope that the lovely Louella Dirksen will not forget us, but will continue to honor us with her presence for many years to come.

Admittedly, the words I have spoken

are inadequate, but as time goes on, we will always think wistfully of EVERETT DIRKSEN—loyal, tolerant, kind, and true.

Mr. PERCY. Mr. President, for many years my late distinguished colleague served on the Committee on Finance, under the able leadership of the distinguished Senator from Louisiana (Mr. LONG). I yield now to him.

Mr. LONG. Mr. President, when one of the giants in this body passes, it leaves a great void, both physically in these halls and in the hearts of those who served with him. Those of us who served with EVERETT DIRKSEN will forever remember his eloquent voice in this Chamber, and his impassioned pleas for those things which he believed to be right and in the national interest. We recall him as a man of great courage who, even when the tide was running against him, would stand up and fight for what he believed in, even though, on some occasions, he knew it was impossible to prevail.

Perhaps above all, EVERETT DIRKSEN should be remembered for the great American that he was—a partisan, a Republican leader, who invariably had what it took to rise above partisanship for the good of his Nation. Under the administrations of Lyndon B. Johnson, John F. Kennedy, and Harry Truman—all Presidents of another party—time and again, EVERETT DIRKSEN provided the leadership among those of his own party necessary to bring us together and achieve the majority to vote for matters of vital importance in terms of national survival, national defense, foreign policy, and even some of the most difficult areas of economic policy—for those things which were in the long-term interest of the Nation, though there might have been some short-term advantage in disunity.

He was one of the truly responsible leaders of this Nation—one who represented Illinois in an outstanding fashion, and yet at the same time could bring Senators from all States together to move ahead those things which an enlightened self-interest would dictate.

As the Senator from Illinois has mentioned, he did serve on the Finance Committee for a number of years. He gave up much seniority on one of his previously assigned committees to go there. It was my great privilege to serve with him, and to serve as chairman while he was a member of that committee. He made great contributions to the work of the committee. In many instances it was my pleasure to support very important bills and amendments that he offered, having to do with taxes and with monetary and fiscal stability of our country. I believe that in most instances I was privileged to vote in support of the things he advocated.

All of us will long miss him. I know that many of us on this side of the aisle feel fully as much devoted to his memory, as a man and as a Senator, as our friends on the other side. This is one of those losses that will never be forgotten. He will always be a part of us, and we shall always remember him.

Mr. PERCY. Mr. President, no man

ever had a better friend in the late Senator DIRKSEN than the Senator from Nebraska (Mr. HRUSKA); and the affection and friendship they gave each other through the years were evidence of a remarkably fine relationship.

I yield now to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I thank the Senator for his kind introduction.

EVERETT MCKINLEY DIRKSEN will long be remembered by those with whom he served, and by all in our land who take our governmental processes seriously; and most especially by those who were privileged to study, watch, and survey his talents in the national affairs of our times. Certainly, as the next ranking member of the minority in the Committee on the Judiciary to our late leader, I was in a position, on that committee, to study, watch, and be taught much by this very fine Senator.

He experienced through immigrant parents the appreciation of a land where possibilities were unlimited. He was fortunate in being born near the center of our Nation in a rural environment where initiative and hard work were complemented by both failures and successes, and to parents who had faith in man's abilities through Divine guidance. Often-times he mentioned his "saintly" mother, whose wisdom and examples patterned his philosophy of life.

As a leader, I believe time will place him among the greatest. He was appreciated and admired by those with whom he lived and worked, especially because of his own infallible determination to meet whatever challenge was presented. His country came before self or political party, and his ability to study and fully comprehend a matter or situation was extraordinary. The respect that was shown by his fellowmen at the time of his death, during the week of September 7, 1969, is concrete evidence of his stature as a U.S. Senator. At the memorial service held in the rotunda of the Capitol, our President memorialized him succinctly when he said:

Everett McKinley Dirksen was one of a kind—and a remarkably likable man. To politics and government he brought a dedication matched by few and a style and eloquence matched by no political leader in our time . . . I mourn the loss of this great American—a legislator of matchless skills, and my warm personal friend since my first days in the Congress 22 years ago.

So spoke President Nixon.

These are the qualities that made him a real statesman, one of the giants in American history.

In a lighter vein, we remember his wit and humor and homespun simplicity. His zest for life was ever present and his love for nature from which he drew untold vitality and rest sustained him through the years. He could equally master the "Halls of Congress" and the simple life at his home in Pekin and at his beloved Broad Run Farm.

Woven into his rhetorical gems of wisdom and knowledge were witty and colorful words and stories only he could master and make effective. He could describe his gardens with each plant and each flower making an artist's picture unfold before his listener's eyes and he

could provide a pun with equal effectiveness. One often quoted was "The oil can is mightier than a sword." He was convinced he had a place to fill in life and it was his duty to fill it. He filled it—working diligently and prodigiously—not taking himself seriously but taking his responsibilities seriously.

On the seventh anniversary of President Eisenhower's inauguration, Senator DIRKSEN on this floor eloquently phrased his own treatise on life:

I have often said that, in my judgment, there is a quiet, brooding destiny that looks after the affairs of men and nations. I have puzzled hundreds of times how one could account for the fact that Abraham Lincoln came on the American scene when he did and make his exit when he did, if it were not the unfolding of the Divine pattery of history.

I feel that way, too, about the distinguished occupant of the White House, Dwight D. Eisenhower.

Do not we all agree that the name of our friend and colleague, EVERETT MCKINLEY DIRKSEN, should be added to that list of distinguished Americans?

Mr. President, this Nation has seen trying times in the past 200 years. The current times are such, with the war in Vietnam, the international scene generally, the many domestic problems, the social unrest, our cities with their many problems, and so on. From Carl Sandburg's "Remembrance Rock," these lines are in point:

Long before this time of ours, America saw the faces of her men and women torn and shaken in turmoil, chaos and storm. In each major crisis you could have seen despair written on the faces of the foremost strugglers. Yet there always rose enough of reserves of strength, balances of sanity, portions of wisdom, to carry the nation through to a fresh start with an ever-renewing vitality.

Mr. President, I like to think of Senator DIRKSEN that on many occasions in his lifetime, and on a national scale, he was one of those "foremost strugglers," the source and the person who often brought forth those "reserves of strength, balances of sanity, and portions of wisdom" of which Sandburg wrote.

He had a sense and appreciation for history. He knew of its origins, its thread, and its thrust. He was aware that in a real sense there is no such thing as death of thought or energy. The will and vision that motivated people in colonial times and in the Republic's founding years have not disappeared. They have moved on, alive and strong, to other episodes of our history. They are still with us.

And one of the most forceful transmitters of that energy and that life of our Nation was our recently departed minority leader.

It was Sandburg, too, who wrote:

For we know that when a nation goes down and never comes back, when a society or a civilization perishes, one condition can always be found. They forgot where they came from. They lost sight of what brought them along.

Again, one of those who always articulated so well on this point was Senator DIRKSEN. He always knew the importance of letting those who now shape the future know where the present times came from and what they are worth as a heritage.

For that he should ever be remembered. For that we should ever be grateful.

Our tributes are many to the man himself. But none should finish without a special tribute to his family—his daughter, Joy, and her husband, HOWARD, and their two children, and especially to the one who stood beside him for over 40 years.

Louella Dirksen was not only his devoted mate, but she also shared many of his unique qualities of rising in gracious fashion to the top through the simple and proven values that make life worthwhile.

I believe that those thousands of homefolks who stood along the highways between Peoria and the Pekin burial ground paying their last tribute to their native son were also paying tribute to Mrs. Dirksen and telling her they also loved and honored her for the contributions she also had made in their behalf.

May God give her good health and all of the needed strength and courage for days ahead.

Mr. PERCY. Mr. President, I have always been very grateful that last year my distinguished colleague asked me to attend the UNESCO Conference as a delegate with the distinguished Senator from New Mexico.

I am happy to yield to the Senator from New Mexico.

Mr. MONTROYA. Mr. President, I thank my good friend, the Senator from Illinois.

Mr. President, EVERETT MCKINLEY DIRKSEN, an institution in American politics for almost four decades, now belongs to the ages of human history.

Since 1932, EVERETT DIRKSEN's charm, his sonorous voice, his eloquent oratory, and his manner have enriched the Congress and the United States in so many subtle, yet important ways.

In the Congress, it is very important for a legislator to pay attention to detail, to return to his or her home State in order to communicate with his constituents. Equally important, and synonymous with EVERETT DIRKSEN, is possessing the quality of leadership. The distinguished Senator from Illinois was a great leader. One who through his own unique and special spirit became a symbol of the Senate—in style, in word, and in action. Who can deny that EVERETT DIRKSEN's passing is a great loss to the quality, the verve, the vitality of this great deliberative body? I am deeply grieved by our loss of a great leader, a great statesman, and a great American.

EVERETT DIRKSEN's oratorical abilities are legend. Perhaps one of his greatest moments came during the 100 days of debate in the Senate concerning the 1964 Civil Rights Act. I would like to quote a portion of his final Senate floor speech immediately prior to the historic Senate vote on June 19, 1964. His thoughts serve well to illustrate the quality of the man who was among us.

Referring to the reason why he had become a crusader in the cause of civil rights he said:

I am involved in mankind, and whatever the skin, we are all involved in mankind. Equality of opportunity must prevail if we are to complete the covenant that we have

made with the people, and when we held up our hands to take an oath to defend the laws and to carry out the Constitution of the United States.

He then quoted an English poet, who said:

Any man's death diminishes me, because I am involved in mankind.

Relating the poet's thoughts to his own, EVERETT said:

so every denial of freedom, every denial of equal opportunity for a livelihood, for an education, for a right to participate in representative government diminishes me.

EVERETT DIRKSEN on that historic day said the poet had "left what I believe was a precious legacy on the parchments of history."

U.S. Senator EVERETT MCKINLEY DIRKSEN, American, statesman, leader, poet, personality, and friend to use his own words, has left "a precious legacy on the parchments of American history."

He leaves behind his wife and daughter, relatives, and many close friends everywhere, but he also leaves with us a standard truly becoming only the greatest of Americans in our time. It is for future generations to preserve that standard and continue to pursue the unfinished tasks of the generation that has gone before. In this way EVERETT MCKINLEY DIRKSEN lives on in American history, and in the history of the long human day of all mankind.

Mr. PERCY. Mr. President, I am very happy to yield to the distinguished Senator from Colorado, whom Ev DIRKSEN held in the highest regard, the chairman of our policy committee.

Mr. ALLOTT. Mr. President—

He speaks and the words emerge in a soft, sepulchral baritone. They undulate in measured phrases, expire in breathless wisps. He fills his lungs and blows wordings like smoke. The sentences curl upward. They chase each other around the room in dreamy images of Steamboat Gothic. Now he conjures moods of mirth, now of sorrow. He rolls his bright eyes heavenward. In funeral tones, he paraphrases the Bible . . . and church bells peal, "Motherhood," he whispers, and grown men weep, "The Flag," he bugles, and everybody salutes.

The above quotation is from a cover story in Time magazine of some years ago.

As we today pay tribute to the memory of Senator DIRKSEN, I am reminded of what author Edwin McDowell said about our late colleague a half decade ago:

. . . If Dirksen had not existed, it would have been necessary for some imaginative writer to invent the euphonic orator whose florid phrases and resplendent responses have enabled him to become a Senate institution during his lifetime . . .

Both of these quotations really describe DIRKSEN, the actor upon the political stage; DIRKSEN, the man with an appropriate response to almost any question; DIRKSEN, the crusader for what he believed could be acceptable to the Senate—the sides of the senior Senator from Illinois which were well known to the American public.

I should like to mention briefly today, the sides of EVERETT DIRKSEN which were not so well known to the public.

When I came to the Senate nearly 15 years ago. Senator DIRKSEN had pre-

ceded me in the Congress by many years and had already been in the Senate for 4 years. While 4 years is not a long time, the Senator's role in national politics and his background in the House of Representatives made him an important figure in Republican senatorial activities.

We wasted no time in becoming friends. Through the years when he might need some assistance, or later when he became Republican leader and was needed, he always approached me as a friend and, as a friend, when I had to say "no" there were never any hard feelings, never any grudge, never any move to put me at a disadvantage because I could not support him.

It is in this way that one Senator can truly look upon another and say, "I trust him." EVERETT DIRKSEN was known to change his positions on occasions, but his colleagues always knew where he stood. He would inform us and unabashedly make public such a change. His word was good. I know of no finer compliment that can be paid to a legislator, particularly a Senator.

EV DIRKSEN's sense of humor was well known. However, as most "public figures" people are never sure if an attribute such as a sense of humor is a "front" or is genuine. Having been through some tough battles with him, particularly on those early civil rights bills, I can assure anyone interested that even during tense and difficult hours, he kept his balance and most often he had something humorous, some interesting sidelight or observation, that helped to defuse a potentially explosive situation.

Again, Senator DIRKSEN's sense of the dramatic, particularly as reported by the press, sometimes hid the depth of his knowledge on a myriad of Government problems. What most of those who read and heard what he had to say did not know is that he had an almost encyclopedic knowledge of the Federal Government and its operations. Without notes, he could trace the history—and very accurately, I might add—of America's currency and financial involvements from the turn of the century. He could detail positions in relatively obscure Government agencies. His insight into the Government was virtually endless.

I can add little to the great tributes which will be paid to EVERETT DIRKSEN today. I can say that he is a man whose abilities and contributions will be greatly missed in the years ahead. I can also say how sorry I am that he will not be with us to see personally the fruition of his many accomplishments. My wife, Welda, and I share in the sorrow that his wife, Louella, his daughter, Joy, and the entire Dirksen family has known since his passing.

Upon the occasion of a crucial speech in the U.S. Senate, Senator DIRKSEN used the following quotation by John Donne, which has always been symbolic of him to me:

Any man's death diminishes me
Because I am involved in mankind.

A little bit of America is gone now, but EV DIRKSEN will long be remembered.

Mr. PERCY. Mr. President, I would now like to yield to a Member of the Senate from a sister State, a colleague

of EVERETT DIRKSEN's on the Committee on Finance, the Senator from Indiana (Mr. HARTKE).

Mr. HARTKE. Mr. President, 5 years ago, the English House of Commons set aside a day to pay homage to the achievements of Sir Winston Churchill. On that great occasion, Harold Macmillan declared:

The life of the man whom we are honoring is unique. The oldest among us can recall nothing to compare with him, and the younger ones among you, however long you live, will never see the like again.

Today, as we make our final tribute to an extraordinary American parliamentarian, those words are singularly appropriate. Senator EVERETT DIRKSEN was a man of special quality, and this historic Chamber will never see his equal.

EVERETT DIRKSEN inspired the Members who served with him in the U.S. Senate with a robust understanding of the function of Government and the purpose of politics. During the 36 years that he served in Congress, his actions were motivated by the highest form of patriotism, which calls upon a man to love his country for what it ought to be.

The conduct of his senatorial responsibilities was graced by the mannerisms of a more flamboyant age, and they contributed to the appealing impression that he made upon those who knew him. EVERETT DIRKSEN was not one who believed that the human factor should be distilled from the practice of politics, and he was not embarrassed by the intrusion of emotion.

But the force of his personality should not obscure his unique accomplishments as a Senator. His bipartisanship was appreciated by President Kennedy and President Johnson; for without the assistance of EVERETT DIRKSEN, their legislative program would have remained deadlocked.

EVERETT DIRKSEN had the rare courage to question the validity of his convictions, for he was familiar with Emerson's observation that consistency is the "hobgoblin of little minds." He had the courage to change his mind, and for that courage the Nation was rewarded with the Nuclear Test Ban Treaty of 1963 and the Civil Rights Act of 1964.

From the life of EVERETT DIRKSEN we can learn a great deal, for his character exemplified the spirit of reconciliation and good will that this Nation needs so desperately today.

And I would add a final personal note. EVERETT DIRKSEN and I were from neighboring States, we faced many of the same constituent problems and concerns, and, more often than our differing party affiliations would suggest, we adopted common policy positions. But whether we agreed or disagreed on policy matters, we were always friends. And I shall miss his friendship as the Senate and the Nation miss his leadership.

Mr. PERCY. Mr. President, one of the most important responsibilities EVERETT DIRKSEN had was in connection with the aging and serving on the Special Committee on Aging. He served on that committee with his distinguished colleague from Vermont, and I am happy to yield at this time to the Senator from Vermont (Mr. PROUTY).

Mr. PROUTY. Mr. President, with the passing of Senator EVERETT DIRKSEN, I lost one of my closest friends; the Senate and the Nation lost a pillar of strength and wisdom so desperately needed in these trying times.

A mighty voice has been silenced. A great man has been laid to rest. And, surely, his name will be enshrined with those whose virtues and patriotism he extolled in his dramatic recording "Gallant Men" because he, too, was a gallant man.

Last July, Senator DIRKSEN accepted an invitation to speak in my State this month. Had he lived, we would have flown to Vermont together a week ago today. But this was not to be. Instead, we took EVERETT DIRKSEN home.

Pekin's mixture of sorrow and pride was all America's. A village in Vermont, a town in Kansas, or a city in California, each would have been proud to claim him. Indeed, he belonged to them and they to him. His heart belonged to all America.

EVERETT had a warm heart. He loved well and deeply. He loved his country and its diverse people. He saw this diversity at once as a strength and reason for caution. He listened to the many voices of the people with a keen ear, and responded with a brilliant mind. Flexibility was his byword and compromise his forte.

In committee and cloak room, he delighted in the intricacies of lawmaking. He was a master legislative craftsman.

But his fondest realm was this Chamber, constantly moving, reasoning, wheedling, he wrung cohesion from contention and moved the land.

He was in a word a politician, an unrepentant politician, a great politician. He did not shirk the appellation but played the role to the hilt.

Intensely human, he could laugh at himself and make us laugh at ourselves. EVERETT reminded us to enjoy.

Never doubt that EVERETT DIRKSEN loved life. It seemed to love him too. He was enthralled by the beauty of the flower and the spoken word. He cultivated them as few could do. As raconteur, gardener, and orator, he brought us joy. The flowers continue to grow. His words still echo.

We took EVERETT DIRKSEN home not long ago. We did not leave him there. He remains with us and we with him. That is how it will stay. EVERETT would not have it any other way.

Mr. PERCY. Mr. President, prayer played a very major part in the life of EVERETT DIRKSEN. We are all aware that he attributed a miraculous cure from an illness that was taking away his eyesight to prayer.

Mr. President, it is with great pleasure that I yield to my colleague who has distinguished himself in many ways in the Senate, and as the leader of our prayer breakfast sessions, he has distinguished himself with all of us.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me.

The sentiments expressed here about our late friend come from the hearts

and minds of people, the membership here, who knew him mighty well. I shall not attempt to enumerate all the fine things about him.

I do want to mention one thing that was the greatest asset to the Senate. But, first, we all enjoyed EVERETT'S company. He was a good tonic most any time for most anyone. The people enjoyed him. As a fellow member of the Committee on Appropriations I found him to be a very knowledgeable man, particularly well versed in the problems of the times, the operation of the Government in its various departments, and the application of law that had already been tried out. I found him to be sound and accurate in predictions with respect to the application of a proposed bill and how it would work out. I found him to be a resourceful man all the way around to a very marked degree.

He would have been a great success as a practitioner of law. He would have been a great success in many different fields, but I believe his natural field was the one he chose, in the Congress of the United States, and more particularly after he became a Member of this body and then served as one of the leaders.

Over all the years I have been here, which is a few more years than he had been here, I believe that with everything considered in all the years he was here, he took an active and effective part in more legislation, perhaps, than any other man. A man who works a great deal on a committee touches many bills and some major bills, but on the floor of the Senate he had a major part in all major bills and in any small ones he might have chosen.

I believe the greatest thing to be said about his career is that he was a natural legislator. More than most of us, more than any other man or lady I have known here, he could really put the pieces of a measure together and then get a composite view of the thinking and ideas of the membership. In a very successful way, without trying to drive anybody, he could come up most frequently with a cross-section or composite view or whatever one may call it, representing a majority of the membership in a measure that was essentially sound in many of its major aspects.

He would not yield to the partisan approach—oh, some, of course, but primarily he would not yield to the partisan approach. I saw that tested many times. He would actually try to find what he thought was the best solution.

I was impressed, too, by the way in which he supported the present war, which is not a popular war. He never failed to fill in at the right place and the right time in support for any President, whether from his party or not.

I think in his natural legislative ability he rendered the greatest service to the Nation. Someone has used the word "flexibility" in connection with our late friend. Anyone who is effective—and I use that word in its best sense, as editorial writers do in a complimentary way—must have some kind of flexibility and compromise about him. This is not a one-way organization in either the House or the Senate.

I agree that one always knew where he

stood. If he flexed or changed his position, he would do it out in the open and give his reasons for doing so. He was never deceitful in any way. After all, legislation is based on a great deal of give and take, and he knew how to find a way.

Many times other men who are very valuable here sometimes cannot find an approach to be effective.

He was a great asset in the Senate in the ways I have already mentioned. He was also an asset in that he gave the public a good impression and a good view, a good image, so to speak, of the Senate. The people liked him on television. They liked his approach. He was understood. He could make legislation understandable on television. He could make complicated problems much easier understood, and the people like that.

When he passed I said that in a way he always added to the stature of every Senator. He made us all look a little better because of his fine way with the people, in debate here, in his television appearances, and in his speaking. He left a good image of Senators and the institution benefited.

Mrs. Stennis and I have very high regard also for Mrs. Dirksen, who was a true companion. I remember how impressed I was after he had passed away and the funeral was over when she came out to the church the very next Sunday without any fanfare, without any show, but simply an honest, humble member of the vast congregation there. We also have high regard for their daughter Mrs. Baker, as far as we have had an opportunity to know her. She is certainly a splendid representative of that fine family.

Mrs. Stennis joins me in this expression of sympathy and condolence for all members of the family.

Mr. PERCY. I thank the Senator. The distinguished Senator is a great gentleman.

I yield to another great gentleman who is a member of the Committee on the Judiciary. I am happy now to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, the passing of EVERETT MCKINLEY DIRKSEN was a singular loss to the U.S. Senate as well as to the State of Illinois and the Nation. His voice is already missed in the councils of the President and the Congress. He was a unique leader in history, and he left a void not easily filled.

The distinguished senior Senator from Illinois had served as minority leader since 1959 and his wit, charm, effervescence, and gift for expression endeared him to friend and foe alike. Many a time he brought perspective back to a tense debate with a well-phrased sentence, poem, or quote from the great orators of history. He was one of the greatest orators of our time and wove a web of words than any young person could understand, and that any contemporary would heed. In my years in the Senate it is not possible to recall a Member whose delivery of the spoken word was more admired.

Mr. President, more important than his ability to speak well, Senator DIRKSEN understood the problems faced by our Nation. While we differed on some issues, I was particularly impressed with his

deep sense of patriotism and his love of this Nation which he served so long and so well. As minority leader he dealt with the great issues of the day and considered each with exacting analysis to which he applied his sense of commitment to this country.

Above all, Senator DIRKSEN was a Christian gentleman. His devotion to the affairs of his church, and to Christian activities generally, fully measured up to the outstanding performance he gave to every worthwhile activity. His devotion to God was such that, as illness came upon illness, he was able to have the feeling he could face tomorrow unafraid.

Mr. President, I wish to extend my sympathy to his gracious and charming wife in whose companionship he had a strong partner to stand with him in stress as well as in victory. And, also to his daughter goes my heartfelt sympathy, and to his son-in-law, the distinguished junior Senator from Tennessee. Their loss is great, but the loss of our Nation is equally heavy.

Mr. President, the newspapers of South Carolina paid many handsome tributes to Senator DIRKSEN, and I ask unanimous consent that the following be printed in the RECORD.

Editorial in the Lancaster News of September 11, 1969, entitled "DIRKSEN'S Death Leaves A National Void"; editorial in the Dillon Herald of September 11, 1969, entitled "Ev Brightened Landscape"; editorial in the Columbia Record of September 9, 1969, entitled "DIRKSEN Joins the Noble Dead"; editorial in the News & Courier of September 9, 1969, entitled "EVERETT DIRKSEN"; editorial in the Greenville News of September 8, 1969, entitled "EVERETT MCKINLEY DIRKSEN"; and editorial in the State of September 9, 1969, entitled "Senator From Illinois, Salesman for America."

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

[From the Lancaster (S.C.) News, Sept. 11, 1969]

DIRKSEN'S DEATH LEAVES A NATIONAL VOID

The unexpected death of Sen. Everett McKinley Dirksen deprives the nation not only a senator, but of an institution.

For Ev Dirksen was that—and many other things as well. He was a renowned wit, a peerless orator, a statesman and a political tactician of the highest order. He was loved and feared by members of his own Republican party. The Democrats attacked him, but they couldn't scorn him.

President Nixon said:

"To politics and government he brought a dedication matched by few and a style and eloquence matched by no political leader of our time." Dirksen, the veteran politician of the past who never let the present get away from him, "brought the embellishment of the past to the politics of the present," said Sen. Frank Church, D-Idaho. "He was an authentic product of an earlier period who remained prominent and powerful to the moment of his death. We will not see the likes of him again."

The immediate target for much of Dirksen's parliamentary foxiness was Senate Democratic Leader Mike Mansfield. The Montanan said: "His word was good. Everything was on the table."

Harry F. Rosenthal, Associated Press writer wrote:

"His language smacked of Shakespeare and the Bible and Victorian England, his delivery

of William Jennings Bryan, his fervor of Billy Sunday."

Among his more recent political accomplishments, Dirksen played a vital role in passage of the Civil Rights Act of 1964 and the ratification of the Nuclear Test Ban Treaty in 1963. Both issues depended on obtaining a two-thirds vote in the Senate. On both he had the power to deliver or withhold the Republican votes needed for the two-thirds majority. He bucked powerful pressures in his own party to deliver the votes.

Attacked, praised, reviled, applauded, Ev braved all to do what he thought was best for America and Americans.

[From the Dillon (S.C.) Herald, Sept. 11, 1969]

EV BRIGHTENED LANDSCAPE

Sen. Everett McKinley Dirksen was a man of immense personality. Millions were charmed and delighted by his flamboyant style, his folksy wit, and his husky voice which has been described as organ-like and mellifluous.

His mannerisms, tousled hair and baggy eyes made him easy to caricature. He was one of these rare individuals who becomes legendary in his own time. He enlivened and brightened the political landscape which all too often seems to lack a sense of humor.

Dirksen, the senior senator from Illinois, was a product of American's heartland. He was born of what most people would consider common, hardworking people in the small town of Pekin, Ill., in 1896.

His father died when he was five and as a boy he was taught a healthy respect for work. Many of the small town values and virtues stuck with him throughout his life as he became one of the most outstanding political figures of his time.

He was known as a prodigious worker. An early riser, he routinely was at his Senate office by 8:30 a.m. At home he liked to putter in the soil, raising fruits, vegetables and flowers.

Perennially for years, he waged a personal campaign to get the marigold adopted as the national flower. At least once a year he could be counted on to make a speech in which he extolled the beauty of the marigold and enumerated the reasons why he thought it should be the national flower.

Dirksen's career in national politics spanned some 35 years. He served 16 years in the House of Representatives before first being elected to the Senate in 1950. During most of his career, the Democrats dominated the Congress and occupied the White House.

Ironically, Dirksen played his greatest political role while the opposition party was in power. As the leader of the Republican minority during the Kennedy and Johnson administrations, his favor was ardently courted.

Although his friendliness to some Democratic proposals caused his Republican associates to grumble, Dirksen refused to bend to partisan pressures. He took a practical view of the lawmaking process. He once explained it this way:

"You start from the broad premise that all of us have a common duty to the country to perform. Legislation is always the art of the possible. You could, of course, follow a course of solid opposition, of stalemate, but that is not in the interest of the country."

One of the qualities which endeared Dirksen to many Americans was his fierce patriotism. He made no bones about loving his country. In an age when some think patriotism is old-fashioned, that isn't always a popular thing to do.

It is difficult to imagine Washington without Everett Dirksen's immense personality hanging over national politics like some sort of a human equivalent to the Capitol dome.

Without Ev, Washington and the national political landscape is bound to be duller.

[From the Columbia (S.C.) Record, Sept. 9, 1969]

DIRKSEN JOINS THE NOBLE DEAD

A great American heart throbs no more; a strong American voice, mellifluous in its glorification of the grandeur of this land and its people, is silenced. Not again will the people of his beloved nation listen to the florid phraseology of the distinguished orator of America, Everett McKinley Dirksen.

He is dead and the flowers of the field, especially the marigolds, drop their heads in sorrow and mourning along with God's favored creatures, men.

Senator Dirksen was a remarkable person—as an individual, as a Senator, as a devotee and student of our unique political system, and as an American.

Away from the duties of the Senate, to which he devoted untiring hours of his latter years, he was a devoted husband and an admiring father. In conversation of the parlor, he was not the Shakespearean actor of the Senate or public stage. He was polite, courteous, a profoundly good listener, receptive to new ideas, but strong in his own convictions.

The people knew him best for his public displays of masterful command of the language with Nineteenth Century majesty; his tousled hair and deep voice perfect counterparts to his ready flow of language, resonantly rich in the style of "belle lettres." His polysyllabic selectivity aided and did not injure the simplicities of the thought he chose to convey.

His store of wit, from which he drew often, was as large as that of Senator Sam Ervin of North Carolina—another raconteur of the Senate, noted for his "stories."

This was the surface; the placid, babbling current scarcely ever touched by the froth of anger. Beneath the surface, the dedication to country, people and causes ran deep—and was seldom fathomed by those who criticized him for seeming vacillation.

Senator Dirksen did, indeed, alter his strategy from time to time—never abandoning fundamental principles, but moving to adopt contemporary manifestations of those principles when the proper times came.

He did so because, in the historic train of U.S. Senators he has now joined, he was another of the Great Compromisers. Without such men, the American political system would fragment, fall; and freedom would be lost.

Men of totally inflexible principles, narrowly drawn and even more narrowly constricted by events, could not understand the Dirksens of our body politic. They never shall as they never have. The late President John F. Kennedy understood and cautioned the young people of America, while he lived, to be prepared to compromise to advance their causes.

Passionate advocates of small minds and smaller interests cannot understand the obligations that fall upon leaders of the U.S. Senate. Sensitive to the needs and demands of a changing, volatile public, they must assess domestic and foreign issues that come before the Senate and pass judgment thereupon. One man's ideology and one man's cause cannot prevail; the will of the majority must be served while the whole of the American people, and the republican form of government, are sustained.

At this point in the legislative process, the Dirksens of history play their roles. Everett Dirksen's name—as a Great Compromiser—will be permanently attached to memorial pieces of legislation, including the Civil Rights acts, the Nuclear Non-Proliferation Treaty.

Blessed are the peacemakers and blessed are the Great Compromisers, although they are often without honor among the ideologues of their day. Senator Dirksen was a

star among stars, yet unperceived by some of his critics. Today, they should remember Wordsworth, who said: "Look for the stars, you'll say that there are none; look up a second time, and, one by one, you mark them twinkling out with silvery light, and wonder how they could elude the sight!"

In memory of a great American, Wordsworth could be paraphrased: There is one great society alone on earth: the noble living and the noble dead. Noble in life, Everett McKinley Dirksen, is noble in death.

[From the Charleston (S.C.) News & Courier, Sept. 9, 1969]

EVERETT DIRKSEN

The emphasis in obituary accounts of Sen. Everett Dirksen of Illinois, who died Sunday at 73, is on his colorful personality. He was a character actor, shrewd, witty, and subtle in argument. What really counts, however, was his role in national politics.

Sen. Dirksen came from the middle part of the country. He stood somewhere near the middle on the great issues of our time. He helped to blunt some of the extreme power drives of the Kennedy and Johnson administration, but he also smoothed the path in Congress for such measures as the Civil Rights Act of 1964 and the nuclear test ban treaty. The former opened the door to lawlessness under guise of "civil rights." The latter allowed the Soviet Union to get an edge on the United States in nuclear armament.

The senior senator from Illinois was pre-eminently a political log-roller. We don't say that by way of criticism. Log-rolling is necessary in the American political process. He reached the peak of his influence at a time when the GOP tide was low.

As minority leader in the Senate, Sen. Dirksen was the principal Republican figure in Washington during the Kennedy and Johnson years. After Sen. Barry Goldwater's defeat, the Republican Party was not only weak but divided. Sen. Dirksen patched the party together and preserved Republican influence on the national scene. He was an old pro in politics. His skills were used to restrain wherever possible two ruthless liberal administrations. He had few equals as a political tactician.

Though Sen. Dirksen believed in politics as the art of the possible, and acted accordingly, he stood firm on the overwhelming majority of issues affecting America's well-being. All in all, he had a difficult role, and performed it well.

[From the Greenville (S.C.) News, Sept. 8, 1969]

EVERETT MCKINLEY DIRKSEN

Everett McKinley Dirksen's silvery tongue and silver mane, both of which were at times uncontrollable, made him a familiar figure to most Americans. His position as leader of the Republican minority in the Senate made him an important national leader.

The Illinois senator's effervescent good humor, the fact that he could change position with alacrity on some political issues, and his throaty, somewhat florid oratory tended to paint a false picture of the man. Many viewed him as a "cornball" with little real depth.

It was only in his late years that the real Everett Dirksen emerged as he assumed and wisely filled positions of power in his party and in the Senate. Although he was a Republican with a staunchly conservative outlook, he came to be a tower of strength for the last two Democratic administrations. Presidents Kennedy and Johnson, both liberals, looked to Everett Dirksen for help on the really important issues—and often they got more assistance from him than from their party's leadership in Congress.

Senator Dirksen showed an amazing ability

to change with the times as he aged. He frankly admitted that his views were shifting as conditions changed, although he was in no sense a radical. He was proof that old age does not necessarily make a person inflexible. The senator, therefore, was a valuable bridge between the old and the new in these rapidly-shifting times.

He fully recognized the necessity to shift the Senate's power from the old guard senators to the newcomers—and do it gracefully and without undue disruption. That he was able to work effectively with both the old men and the newcomers in the Senate and with members of both parties was a distinct asset for the nation. It is going to be difficult for anybody to fill his place in the Senate's "generation gap" that is bound to become wider in the months ahead.

Senator Dirksen also was an inspiration. He continued to serve more and more effectively despite quite a few physical ailments, any one of which could have sidelined a lesser man. He actually "retired" from politics some years ago because of bad eyesight, but came back. He suffered from a pinched back nerve, a bleeding ulcer and emphysema, a crippling lung disease. Yet he carried on.

It has been said that Senator Dirksen was proving to be a "thorn" for President Nixon by opposing some administration nominees and a few policies. The President himself undoubtedly felt otherwise. He knew that although the outspoken senator from Illinois could be difficult on minor matters, he could be relied upon when the going got rough on the really important issues.

That was Senator Dirksen's real and often hidden strength. He could play petty politics with the best (or worst) of the petty politicians—and he loved doing it. Nothing delighted him more than confounding ultra-liberals. But he well knew the difference between petty politics of little effect upon the national welfare and the vital questions of the day.

When it was learned recently that Senator Dirksen had undergone surgery for removal of a malignant lung tumor, it was apparent that his days as a Senate leader were numbered and that his activities would have to be curtailed. But his death of a heart attack yesterday was an unexpected shock.

Leaders of both parties had hoped he could return to the Senate to carry on awhile longer as new leadership further matured. That he is no longer available for the difficult transitional work that still lies ahead is a distinct loss to the nation.

We will miss his leadership and wisdom, as well as his dulcet tones and winsome wit. We hardly expect to see another senator like Ev Dirksen again.

[From The Columbia (S.C.) State,
Sept. 9, 1969]

SENATOR FROM ILLINOIS, SALESMAN FOR
AMERICA

Everett McKinley Dirksen was a man who could have you—conservative or liberal—cheering him one day and denouncing him the next. He fit in no particular ideological mold. Politics abound with philosophical chameleons and Senator Dirksen, responding most frequently to the practicalities of the moment, was above all a political person—an archetype, a hyperbole, a caricature—in appearance and in performance.

Those who practice the political arts often display a sense of the dramatic. There was an extra helping of "ham" in the makeup of the Senator from Illinois. If it annoyed some, it delighted millions.

The last six months of Dirksen's life were not his greatest or most enjoyable. Perhaps it was because he lost the spotlight and was shoved off center stage by the new Republican President, Richard M. Nixon.

During the Kennedy and Johnson administrations, Dirksen was the No. 1 spokesman for the Republican Party as Minority

Leader of the Senate. Johnson, particularly, courted him and he responded by giving the Democratic President several of his biggest legislative victories.

The Civil Rights Act of 1964 is an example. Dirksen bragged to an audience of South Carolina Republicans that "virtually every civil rights bill has been written in my office." Yet such was the power of his oratory that he had that conservative crowd applauding wildly throughout his speech.

In that same address, Dirksen thundered that America needed a Republican President, a Republican Senate and a Republican House. Yet when the GOP President was elected, Dirksen occasionally heckled him and embarrassed him. Administration insiders were sometimes appalled when he announced White House decisions to the press in advance. It is understood that the recent Haynsworth appointment to the Supreme Court, for instance, was held up for four days because Dirksen had spilled the beans.

Yet Dirksen was a Senate and political leader of great ability, a man capable of sweeping swings from the partisan to the non-partisan. He first gained national attention as an isolationist but was closer to being an internationalist at the end. He was an avid Taft man and a Goldwater man who nevertheless worked in concert with Eisenhower and Kennedy and Johnson.

At the time of his death Sunday, he was unquestionably the best-known senator in the United States. This was due as much to his style, his flair, his histrionics, his wit, as to his political prominence. Few men have been endowed with such a glorious and memorable voice. Writers dug the word "mellifluous" from deep in the folds of the dictionary to describe its quality.

During the past few years he used his dramatic skills to make a singular contribution to the times. Disturbed by growing anti-Americanism, he became a spokesman for America and its ideals. And quite a salesman he was. His patriotism came from deep in the heart and he was not ashamed to proclaim it through any medium that presented itself.

It was left to Dirksen to describe himself best: "I'm an old-fashioned, garden variety of Republican who believes in the Declaration of Independence, the Constitution, in Abraham Lincoln, who accepts the challenges as they arise from time to time, and who is not unappreciative of the fact that this is a dynamic economy in which we live and sometimes you have to change your position."

The Senate, where stereotypes now dominate, will be a duller place with "Ev" gone. And American political life will be less rich.

Mr. THURMOND. Mr. President, in closing, I am reminded of the words of a poet who once said,

When a great man dies,
For years beyond his ken,
The light he leaves behind him,
Will shine upon the path of men.

EVERETT DIRKSEN was a great man. His light will shine for many, many generations.

Mr. PERCY. Mr. President, I am happy to yield to the distinguished Senator from the State of Washington (Mr. MAGNUSON).

Mr. MAGNUSON. Mr. President, I am saddened deeply—as is each of my colleagues—as I stand in this Chamber, knowing that its walls will never again echo the wisdom so eloquently expressed by EVERETT MCKINLEY DIRKSEN.

I will miss my colleague from the opposite side of the aisle—for reasons numerous and obvious. Senator DIRKSEN may have approached his duties with a

manner some call flamboyance. But, above all, he was a U.S. Senator of extreme dedication and ability. His service to this body—to the people of Illinois—indeed to all America and the world, is legend. His knowledge of the body politic, and his ability to work within that framework, always reflected the judgment and wisdom of a man highly dedicated to the American dream.

I could cite hundreds of examples—and Ev DIRKSEN and I did not share the same opinion on many. But, let me point only to one: The Civil Rights Act of 1964—today a viable and important law of the land—and a law which, without the determined minority leadership of Senator DIRKSEN, would probably not be on the books.

More recent events, in the minds of some, would tend to obscure that valuable contribution. But the law remains, and so does the fact that EVERETT DIRKSEN helped mightily in its passage.

EVERETT DIRKSEN had a deep sense of history, which he often used in seeking a course for the future. He stood tall and steady, as did those gallant men of whom he was so fond.

We have lost a warm, trusted friend—a great American. History will long remember EVERETT MCKINLEY DIRKSEN.

Mr. PERCY. Mr. President, I yield at this time to the distinguished Senator from Tennessee, who not only served on the Judiciary Committee with EVERETT DIRKSEN but is also the senior Senator from the State that has given to the Senate EVERETT DIRKSEN's son-in-law.

Mr. GORE. Mr. President, I thank the able senior Senator from Illinois.

Mr. President, I have listened with admiration and approval to those extolling the virtues, capabilities, and accomplishments of the late distinguished Senator DIRKSEN of the State of Illinois.

Senator DIRKSEN possessed a power to communicate to his fellow man given to but few.

The power to communicate today in our distraught times, characterized as they are by rapidity of change, is a gift to be treasured. It is a gift which the late Senator DIRKSEN put to great, good use.

The recognition that can come to one who really accomplishes something in his lifetime can live after him. Senator DIRKSEN's contributions are many. I am inclined to think of the contributions he made to the State which I have the honor in part to serve along with his distinguished son-in-law, my junior colleague (Mr. BAKER).

During a recess of Congress, or on weekends, EVERETT DIRKSEN loved to steal away to a beautiful spot, a lovely home, presided over by his charming and gracious daughter, in the mountains of Tennessee.

There he planted many a tree and many a flower.

As the years roll by, those trees will grow and the flowers will continue to bloom. The eloquence of their beauty will be symbolic of the eloquence of Senator DIRKSEN and the beauty of his aspirations for his country and its people, symbolic of the future of mankind.

Not only did Senator DIRKSEN give to the lawn and garden of his daughter flowers, trees, and shrubs of beauty, but he also gave to her children the love and the inspiration of a doting, affectionate grandfather. And, in this very personal way, he has contributed, to the wealth and the lore and the love of our State, a lovely daughter, a lovely home, a charming and admirable family.

It is difficult not to reminisce in recollection of Senator DIRKSEN, particularly for me, because in the House of Representatives for 10 years we served together. We served on the same committee together. We engaged in frequent debates. Sometimes those exchanges were referred to as the "Alphonse-Gaston act." This reference, I think, came about because of the courtesy, the gentility, and the respect which Congressman DIRKSEN always showed to his colleague from Tennessee.

In the Senate our relations were warm. The equation between us was characterized by confidence, respect, esteem, and affection.

His departure was a personal loss to me. It was a great loss to the State of Tennessee, in which he had thousands of admiring friends.

Mr. PERCY. Mr. President, I am happy to yield to my distinguished colleague from a sister State, the senior Senator from Iowa (Mr. MILLER).

Mr. MILLER. Mr. President, the death of Senator EVERETT MCKINLEY DIRKSEN was a great loss to the America he loved so much.

He was a rare individual, colorful and lovable, a man who could pour oil on troubled waters when tempers grew short and patience was thin—a man who spread his irresistible humor and good fellowship everywhere he went. On many occasions he used these talents to remind his colleagues that the lighter side of life has a place—even in the U.S. Senate.

His quality of being able to laugh at himself on occasion was the mark of a humble man, and not at all inconsistent with his stature as a great leader and legislator. All of us know that his dedication to good government and to the Senate he loved so much was unsurpassed.

Although he could be as partisan as anyone, he became especially known for bringing bipartisanship to congressional action on such key programs as the Civil Rights Act of 1964, the Limited Nuclear Test Ban Treaty, and the Arms Control and Disarmament Agency.

As President Nixon put it on September 9:

Senator DIRKSEN belonged to all of us because he always put his country first. He was an outspoken partisan—he was an individualist of the first rank—but he put his nation before himself and before his party.

No higher tribute could be made to a Senator than that "he put his Nation before himself and before his party."

The legacy left by the irrepressible "Ev" was echoed by Henry Wadsworth Longfellow, who wrote:

So when a great man dies,
For years beyond our ken,
The light he leaves behind him lies
Upon the path of men.

Mr. PERCY. Mr. President, I am ready at this time to yield to another colleague from the sister State of Kansas, the distinguished junior Senator from Kansas (Mr. DOLE).

Mr. DOLE. Mr. President, frost has signaled the end of summer. As we move into the brisk days of autumn, the last hardy marigolds wither and fade. Next year they may not bloom with quite the same brilliance, for they have lost their champion, as has the Senate, the Republic, and the cause of liberty.

EVERETT DIRKSEN has passed from us. But he will be remembered, for he stood out from those around him with the same brilliance he attributed to his favorite blossom, and his absence will diminish the senatorial bouquet.

Perhaps the most meaningful tribute we could pay is to say simply, "He was a Senator."

By all external measures he filled the role definitely. The tousled hair, sonorous voice, and noble bearing embodied everyone's idea of how a Senator should be.

He was also what a Senator should be. A leader of his party, he placed duty to country above partisanship. He held his beliefs strongly, but could recognize an idea whose time had come. His word was good. He loved his God.

His life was gentle and the elements so mixed in him that nature might stand on its feet to say to all the world, "This was a man."

To Shakespeare's words we might add, "This was a Senator."

Mr. PERCY. Mr. President, I am very pleased at this time to yield to the distinguished Senator from Massachusetts (Mr. BROOKE). I feel I should say that Senator DIRKSEN valued his counsel and held him in high regard.

Mr. BROOKE. Mr. President, I thank the Senator from Illinois.

Words cannot mirror or measure the stature of the leader who has been taken from us and the loss which we have known.

EVERETT DIRKSEN was an atypical man, yet in his life he exemplified the aspirations of all men: He loved his life, he lived it fully, and he used the full range of his talents in pursuit of a worthy goal.

We who were privileged to know him will always recall him with affection and respect. His lively oratory, his quick wit, his ability to turn ruffled feelings into rippling laughter, were essential to the successful operation of the legislative process. He was a leader in the finest sense of the word: He did not impose his will, he drew out the views of his colleagues and coworkers, found a common ground among them, and in so doing served his Nation and its interests well.

In his work in behalf of human rights, in his capacity to grow and to change with the times, in his love for the little things of life which always kept pace with his appreciation for greatness, EVERETT DIRKSEN set a rich example for us all.

To Mrs. Dirksen, a truly great lady, his daughter, Joy, and my colleague, HOWARD, to his family and host of friends, I extend the simple tribute so well de-

served: The world is a far better place for EVERETT DIRKSEN having lived and worked in the Government of the United States.

Mr. PERCY. Mr. President, I am very happy now to yield to my distinguished colleague from Colorado, who served for many years very closely with EVERETT DIRKSEN.

Mr. DOMINICK. Mr. President, throughout our history our greatest statesmen have had at least one outstanding characteristic in common: the ability to find that common ground between the two extremes in any controversy; that middle point where adversaries could meet and resolve their differences. No one in our history more ably demonstrated that trait than EVERETT MCKINLEY DIRKSEN. Time after time, with seemingly endless patience, understanding, humor, and good will, he guided us toward that common ground where agreement could be reached.

EVERETT DIRKSEN was an eloquent and tireless champion for the principles in which he believed. Attesting to that eloquence during the Republican National Convention in 1960, David Brinkley remarked to his television audience that when EVERETT DIRKSEN got up to speak, the words flowed from his lips, perfectly formed, like little balloons. A monument to his statesmanship stands forth in the Civil Rights Act of 1963. So outstanding were his contributions toward the enactment of that legislation that it might well have borne his name.

After 7 years of service in the Senate under his leadership, I can say that I know of no individual with whom I have served who was more willing to cooperate, more generous in his offers to help his colleagues, or more understanding in his association with all of us.

The people of Illinois have lost a gallant spokesman. Our Nation has lost a great leader who gave of himself far more than he received. His presence will be sadly missed, but his memory will be deeply cherished for the contributions he made to his fellow man.

Nancy and I extend our deep sympathy and our great affection to his lovely wife, Louella, and his lovely daughter, Joy.

Mr. PERCY. Mr. President, EVERETT DIRKSEN was "Mr. Illinois," but he also had another State of residence. Louella and EVERETT DIRKSEN loved the State of Florida. They loved the warmth; they loved being able to raise flowers; and they enjoyed the respite that it provided from the stress and strain of Washington. I am happy to yield at this time to the distinguished Senator from Florida (Mr. GURNEY).

Mr. GURNEY. I thank the Senator.

Mr. President, it is difficult to add to the praise of Senator EVERETT DIRKSEN, as far as his deeds and accomplishments were concerned. His colleagues in the Senate down through the years have already done that remarkably well here today—far better than I, who am serving my first year here, can do. I can only say that he was truly one of the great men of the U.S. Senate and the U.S. Government, not just for his time and for our time, but for nearly 200 years of the history of the United States of America. His name will go down in the his-

tory books along with those of the Presidents, I do not doubt.

But besides being a superb legislator and a great leader in the Senate, he was a very human person; and I should like to recount a personal story to illustrate the kind of big heart this man had.

When I was first running for Congress, some 7 years ago, campaign funds were rather hard to come by, and I happened to drop by a meeting here in Washington of some people who had come up from Jacksonville, Fla., to ask Senator DIRKSEN if he would come down and do a fundraising for them.

I really had no part in the meeting. I knew from one of my friends that it was occurring; he asked me to drop by, and I did.

During the course of the evening, the subject came up about the Senator's coming down for this fundraising. He was not too anxious to do it; and there was no reason, particularly, why he should.

Finally he said, "I will do it, provided you people who are organizing it will do one thing for me, and that is to give half of the proceeds to GURNEY's campaign for Congress."

I mention that because I had never met Senator DIRKSEN, and he had never met me. He did not know me, except that I was a young person aspiring to public office in Florida, and needed a hand. This is why he agreed to help raise funds, with the proviso that he put upon it. That was the sort of man he was—a man with a tremendous heart; and I am sure that uncountable other people, who have known him through the years, could tell of personal incidents that happened to them of good deeds done by Senator DIRKSEN.

Many Senators have stated what a universal love and affection people had for Senator DIRKSEN. The Senator from Illinois (Mr. PERCY) has mentioned the fact that his second home was in Florida. In fact, it was very near where I used to live, in central Florida. I did not know Senator DIRKSEN before I came to Congress, but I got to know him afterward.

He came down there to central Florida to rest from the hurly-burly of politics and Government here in Washington. He really did not enter the political or social scene of Florida, because his main goal was to spend a few hours there with Mrs. Dirksen, undisturbed by politics and Government.

I think it is fair to say that he was as well loved and respected in Florida as he was in Illinois. In fact, before I came to Congress, and all during the years I spent in the House of Representatives, I will remember that he was known throughout the State as "the third Senator from Florida." The newspaper people and the public figures used to call him that, and I can state that when he died, the people of my State felt his loss just as keenly as those of his own State of Illinois. They loved him, and they feel the loss of this great man along with his wife and his family, the people of Illinois, and all Americans.

I join as wholeheartedly as I can in paying tribute to a truly great American, EVERETT DIRKSEN of Illinois.

Mr. PERCY. Mr. President, EVERETT DIRKSEN was very partisan at times, but

at the right times he was absolutely non-partisan. I know of no Senator who is more fiercely partisan than the distinguished Senator from Texas (Mr. TOWER), the chairman of the Senatorial Campaign Committee, but he, too, throughout the years, has proved himself to be absolutely nonpartisan when it came to matters of national interest.

I am happy to yield now to the distinguished Senator from Texas.

Mr. TOWER. Mr. President, I thank my colleague from Illinois.

Those of us who are engaged in politics as a profession, I think, recognize that this is probably the most fascinating business in the world. It is also perhaps the most brutal and ruthless business in the world, and those of us who make a career of it have to have pretty tough hides. I think that any number of us are given to question ourselves from time to time as to whether or not it is ice water or human blood that courses through our veins. But I know that to survive in this business, you have to be tough. You have to turn and oppose "the slings and arrows of outrageous fortune." I know that we have to steel ourselves against our critics. I know that we have to exercise a degree of cunning, and sometimes a degree of insensitivity.

I thank God that we have had among us a sensitive, warm, and human man like EVERETT DIRKSEN, who was at once an astute and a tough politician. I think in the history of politics there has been no happier blend of humanity and toughness than was found in EVERETT DIRKSEN, a man of superior dedication to principle, never capable, in the callous phrase that we have heard here, of "rising above principle"; a man who did recognize that legislation is "the art of the possible," but who always found a point beyond which there could be no compromise; a man who loved all of his colleagues, and had an infinite capacity for love, even for those who vigorously opposed him in this hall; a man with a forgiving spirit—so rare in this brutal business we find ourselves in; a man who could be a great showman; a man who could kid everybody, sometimes when they did not know it; a man who could at once be a superior parliamentarian, in the best tradition of the Anglo Saxon people, who founded modern democratic political institutions as we know them.

He was one of the most beloved men in the United States—beloved not just because of his manner, but because of his accomplishments. I think the words that one poet said of another, in another time and another place, were, in his own time, fitting:

The Pilgrim of Eternity, whose fame
Over his living head like Heaven is bent,
An early but enduring monument.

Today, in paying our tributes to Ev, we have gone through an emotional experience.

I can remember as a green freshman in the Senate, a Member who came directly from a college classroom to one of the most responsible positions in government, that it was this kind and understanding man who took me by the hand. And how many other times did he take so many of us by the hand, those who came here awed and afraid and

unsure? How many of us can attribute whatever success we have had to his superior knowledge and understanding?

And in this experience today, we weep not for Ev DIRKSEN, because he has in giant stride achieved that rest which is undefiled and which fadeth not away.

We weep for ourselves. And at once we think better of ourselves because we had the privilege of being his colleague.

Mr. PERCY. Mr. President, among those for whom Senator DIRKSEN had deep affection, there is no question that right at the top of that list would be the distinguished Senator from South Dakota. A man who has made a powerful impact in the U.S. Senate and who worked very closely with his friend Ev DIRKSEN.

Mr. President, I yield to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I thank the Senator from Illinois.

In paying homage today to the late senior Senator from Illinois, our dear friend Ev DIRKSEN, I would like particularly to emphasize my participation in the ceremonies as a South Dakotan, for in a very great sense EVERETT MCKINLEY DIRKSEN had a strong association with the people of the State of South Dakota.

He had many, many friends in my State, not only those whom he knew personally, but also the great numbers who admired him as a national leader and respected him for his opinions and his viewpoints and his convictions.

Possibly Ev DIRKSEN's first association with South Dakota came during his college days when he was selling books, peddling them door to door to the farmers of the State of South Dakota to help pay his educational expenses.

At that time South Dakota was his territory. One of the areas in which he particularly centered his attention was in the northern part of South Dakota, in Edmunds County, near the county seat community of Ipswich.

As one who was doing the very same thing with the very same books for the very same company a few years later in Butler County, Ind., I know of the countless personal contacts and friendships which were developed while selling the People's Home Library books which were published by the Bacon Co. of Cleveland with the intriguing little slogan, "Bacon's books bring home the bacon."

EVERETT DIRKSEN was a successful salesman then, as he has been an outstanding salesman throughout his career of public service. And he made a personal impact on the people in the northern part of South Dakota because, as I became acquainted with him personally when we served together in the House of Representatives for all but the 2 tough years when he was troubled by impairment of his eyesight and had to return home, people would question me about that curly headed young man from Illinois who sold books in South Dakota—EVERETT DIRKSEN. They followed him as though he were one of their own, and they watched his ascendancy to pre-eminence here on the Potomac River and took pride in the fact that it was he who traveled the prairie roads of South Dakota selling what we used to call the "PHL."

There was another cause for the great-

ness, in my opinion, of Ev DIRKSEN. And it has been alluded to here this afternoon and has been alluded to through countless speeches and prayers in tribute to Ev DIRKSEN since his untimely passing. And that is the quality of friendship, commingling with a quality of humor.

Certainly these perhaps most of all were found in abundance in Ev DIRKSEN, for he was a tremendously warm, generous human being which, as we recall his service, was perhaps demonstrated best on those occasions when, though a parting of the ways would come on legislative or political issues, there were never any recriminations or back-biting. In fact, if one left him on a particular issue one day, the next one was always a fresh one. It was a new tomorrow. Each of those disagreements actually strengthened the bond which united us on other issues on which we found ourselves going along shoulder to shoulder.

I refer to Ev DIRKSEN as a giant of the Senate. I think the best measurement of this comes in the knowledge we have that the loss of Ev DIRKSEN marks the end of one era and the beginning of another in the history of the Senate or, for that matter, in the history of this Republic.

The Senate, of course, continues its functions as it always has, but it is not the same without Ev DIRKSEN, as it was never the same after we lost, for example, Bob Taft of Ohio and other men who likewise had earned the title of giants of the Senate.

We miss EVERETT for many reasons, but those of us who served with him, I think, miss him most of all for his great friendship and undiminished capacity to embrace within that friendship all those who were privileged to be his associates.

The country as a whole misses him because he stood forthright and foursquare for a fundamental national policy which always put the people of this Nation first, a policy predicated on preserving liberty and advancing individual opinion for all citizens by building upon and strengthening our Constitution.

In the later years, EVERETT DIRKSEN came back to South Dakota often, sometimes to hunt for the famous ringneck pheasants of our State, but more often to hunt for votes for the Republican ticket which he so loyally championed from coast to coast and border to border.

As a frequent beneficiary of EVERETT DIRKSEN's campaign efforts in South Dakota and as one who has had the privilege of being invited to his State of Illinois to lend whatever assistance I could to his political endeavors, I have had the good fortune of sharing many happy hours in a delightful friendship that goes back three decades, starting in the House of Representatives, as a result of our learning early in our congressional career that we shared together the common experience of selling books from house to house—he in South Dakota and I in Indiana.

In looking back over the years when he was a visitor to our State and I a visitor to his, perhaps the most memorable occasion was when he invited me to deliver a kickoff speech announcing his senatorial campaign in 1950.

EVERETT was returning to the political battleground from a self-imposed retire-

ment. We all know the story of the events of those years when he retired from the House because of his eye affliction and then achieved the miraculous recovery which led to his decision to seek the Senate seat. We have heard him say many times that this was a recovery created by prayer.

I have participated in and attended hundreds of political functions, but the one near Pekin, Ill.—EVERETT's hometown—at the tricounty fairgrounds, on a happy Sunday afternoon, will always stand out in my mind for the genuine warmth and good will of the thousands of people at the fairgrounds to give him a sendoff. On that day he launched what in a sense was the beginning of a new life, as he moved to the Senate from the House with a renewed vigor and subsequently became one of our most respected national leaders.

I stayed with the Dirksen family the night before this Sunday afternoon meeting at the fairgrounds near Pekin, Ill. I recall at dinner that night when he and Louella and his charming daughter, Joy, and I were eating in the family dining room, and I was kidding him about the fact that we were all so happy to have him returning to the field of active politics again.

He told about how he really got back into politics. He said that many Republican leaders in Illinois and personal friends and others had been urging him to run. He was disinclined to start in a second career in politics. He said he finally called the family board of directors together to vote on it. There were just three—Louella, Joy, and EVERETT. He voted first, and he voted "no." They voted next, and they voted "aye." So he said, "By a 2-to-1 vote, it was determined I should make the race, because they knew me better than I really know myself. They know my life is in politics. They know I would never be quite happy if I didn't yield to these requests on the part of my associates. Gladly and freely and fully, I now have entered into this great contest for the senatorial seat from the State of Illinois."

Certainly, EVERETT DIRKSEN was not only a great national leader and a great statesman but a great Senator as well. He was one of those giants of history in every sense of the word—a brilliant floor leader, a masterful legislator, a patriot with a remarkable sense of duty, and a man of unimpeachable honor.

EVERETT DIRKSEN has been described as a unique man, one whose like shall not be seen again. Fortunately, EVERETT DIRKSEN was a product of a unique country, which has a remarkable capacity for producing unique and brilliant leaders. We have had them in the past, as we shall have them in the future. So, while EVERETT DIRKSEN passes this way only once, there happily are many more gallant men to pick up the standard of this great fallen warrior for freedom, who continue on the same road of undiminished patriotism, helping to build an even greater and better America.

This Republic is both better and greater because of the service and because of the presence and because of the inspiration of EVERETT DIRKSEN.

Mary joins me in extending to Lou-

ella and to Joy our deepest condolences, commingled with congratulations on their relationship to a great American. This country is safer and stronger and sounder because EVERETT MCKINLEY DIRKSEN passed this way.

Mr. STEVENS. Mr. President, on the first Sunday of September, late on an afternoon when the very first leaves of autumn were beginning to turn, EVERETT MCKINLEY DIRKSEN died.

In the waning days of the most turbulent decade this Nation has ever known, the Nation lost one of the most articulate and able leaders it had possessed.

It seems, in retrospect, that we have always had him with us. I was a boy of 10 when he came to the House of Representatives. He won his party's nomination and subsequently a Senate seat in 1950: the year I graduated from law school. It seems he has been with us always.

Under six administrations he has been there when the Nation needed him. He saw and presided over the transformation of this country from the sleeping isolationist giant of the 1930's to our present position as the most prosperous and powerful nation on earth.

He was called a conservative, an appellation that brought more distinction to the word than it did to him. In a dynamic and magnificent way, he believed in and fought for, the freedom of man; the dignity of man; the greatness of man. He believed that the chains of bondage holding men down must be broken—whether these chains were an insular and monolithic Federal Government, or the chains of bigotry and racial hatred.

He did not fit the comfortable mold so readily prepared for politicians who are termed "conservative." He fought hard for the 1964 Civil Rights Act and was instrumental in its passage—an occurrence that led many to ask: "Is this a new DIRKSEN?"

It was not a new DIRKSEN. It was the same man, unafraid to do what he thought was right—and, as always, doing it extremely well.

He said once—upon being questioned about his changes in position on various issues—"If a man doesn't change his mind, he is either a fool or dead." The remark in many ways epitomized the man. He was the essence of practical politics—but managed to never lose sight of the greater goals for the people of this Nation.

Perhaps an even greater key to this man's character was his reply to another query concerning what he thought his greatest legislative achievement had been. DIRKSEN replied—this is an approximate quotation:

Although it is perhaps a negative distinction, I am most proud of the bills which I prevented from being enacted.

On another occasion he remarked:

The American people can thank God that only 6 to 8 percent of all legislation introduced becomes law.

He realized that the most basic ingredient of democratic freedom lay in the absence of excessive regulation. He knew that it was perfectly possible for

a free society to legislate itself to death. He believed that the accomplishments of a government cannot be measured in inches of statutes, and that the freedom of man could not be measured as a ratio of Federal regulation.

Yet, when events and circumstances warranted, he would not hesitate to support and work for laws as sweeping as any in history. He set a high standard, and the Nation stood taller because of it.

He looked and sounded like a Senator. He was in the great tradition of this body; a statesman, an orator, a leader of his people. His impact on the Senate and the Nation will be felt as long as free men meet together and call themselves Americans.

His sense of humor was unailing. Not unconsciously did he cultivate his old-fashioned and courtly image. His carefully tousled silver hair; the booming stentorian voice; and his eloquent and ornate style of speaking, all served as a gentle reminder that no one, no matter how high, should be afraid to smile at themselves. And in this age of the fashionable condemnation of America, he knew, too, the difference between the smile and the sneer.

EVERETT MCKINLEY DIRKSEN. Even his name rolls off the tongue like silver bells, bringing back reminders of great debates, crises averted, and difficulties conquered.

In the beginning of this autumn, EVERETT DIRKSEN has left us. His legacy of honor, courage and fortitude are a treasure of all generations of Americans to come. We who knew him stand humble today; humble but not bowed. For if he taught one thing, it is that we must never be bowed. Believing in what is right, we will go on, working for those things EV DIRKSEN believed in.

His life was devoted to America. This devotion resulted in a better America. He certainly would ask no more than that—and we who stand here today, with many great tasks undone, can do no more than carry on, as he would have.

After every autumn comes the spring. Every apparent death beneath the snows of winter bears within itself the fruit of life for the coming summer. We must take a lesson from the good American earth, which EVERETT DIRKSEN loved so well. We must see to it that the ideals and hopes which he cultivated so lovingly in the people of this Nation are never lost.

If we do this, then we will carry on his work successfully. We will insure that the bright dreams and high ideals of EVERETT MCKINLEY DIRKSEN are never lost beneath the drifting snows of winter, but rather, like the seeds in his garden, grow ever stronger in the promise of never-ending summer.

Ann and I enjoyed being with Ev and Lou Dirksen. We shall cherish the memories of being with them in their home and together with them at social functions. But, the moment I shall not forget was that moment when I was first on this floor—a newly appointed Senator—and he said to me:

Let me walk you down the aisle.

And EVERETT MCKINLEY DIRKSEN stood by me while I took my oath as a U.S. Senator.

He will, I feel, be standing by me so long as I am privileged to serve here.

Mr. PERCY. Mr. President, EVERETT MCKINLEY DIRKSEN was tough, he was tenacious, and he had great legislative skill; and that combination made him the man that he was. He also recognized toughness and tenacity and skill in other men; and though some other men possessed a different approach, saw problems differently, and came up with different conclusions, nonetheless, they were able to work side by side toward many times a common goal. He certainly recognized in the distinguished senior Senator from New York the very qualities for which we are paying tribute to EVERETT DIRKSEN today, and I am happy to yield to the distinguished senior Senator from New York.

Mr. JAVITS. Mr. President, I am grateful to my colleague for his very gracious statement in yielding to me.

I hope very much that Senator PERCY is right about his appraisal, because I considered EVERETT DIRKSEN one of the most illustrious Members of the Senate.

The passing of EVERETT MCKINLEY DIRKSEN marks the end of an era. A distinguished public servant and talented political partisan, he led as a friend and out of the regard of his colleagues. As such, he is irreplaceable. Senator DIRKSEN was uniquely a legislator. Indeed, the greatest compliment often paid to the memory of such great leaders as Sir Winston Churchill is to say that they were first and foremost, "House of Commons men." Much of the same thing can be said of EVERETT DIRKSEN. His first and greatest love was the Congress of the United States. His skills were those of a parliamentarian. Both in the Senate and the House, EVERETT DIRKSEN used his considerable intellectual powers to persuade, to inform, to cajole, to entreat, even on occasion to threaten—but always to stimulate action.

I served briefly with EVERETT DIRKSEN in the House, but I knew him best as a Senate colleague. All my service in the Senate was spent with him, and for most of that time he served as the leader of my party. Thus, I had the opportunity of working closely with him and of intimately observing his many qualities.

It is a nostalgic memory for each of us to think of EVERETT DIRKSEN telling the story of how he gained the votes for cloture on the Civil Rights Act of 1964. The very apogee of that story was how, when he finally had just one more vote to get and he had used every conceivable argument and every conceivable point of self-interest for the future, he finally had to appeal to the past. And he appealed to the last Senator on the ground that he "owed him one"—that is, the Senator owed EVERETT DIRKSEN one, and this was the moment he wanted to collect. As we all know, those are always the toughest votes. But EVERETT's character was so impressive that it could not be denied to him.

This, to me, represents the most vivid memory of EVERETT DIRKSEN.

The keenness with which EVERETT DIRKSEN understood every nuance of what we were negotiating was a matter of tremendously refreshing quality to me.

I often thought that the floor of the Senate was EVERETT DIRKSEN's jousting ground. This was where he came in the morning, full of anticipation, to find a lance worthy of his own, and on occasion he was not disappointed.

EVERETT DIRKSEN and I did not always agree, but he was a pragmatic and sensible man, who abhorred rigid ideologies. He was always capable of change and utilized the art of compromise skillfully and creatively. Thus, through almost four decades he had an important role in shaping the major laws which affect the lives of every American. I remember most clearly his role in the long and difficult struggle to enact the civil rights bills of 1964, 1965, and 1968. Indeed, I believe that history will consider the Civil Rights Act of 1964 to have been his crowning achievement, and for this the Nation should always be grateful to him.

But I do not believe that EVERETT DIRKSEN will be identified in American history with any particular piece of legislation. Rather, he will be thought of as the epitome of a very unique American political tradition—and we are unlikely to see his like again. For the flowing and mellifluous oratory of which he was so capable was of the past, but in legislative practice, he was very much of the present and future.

He was capable of exercising superbly the art of political and legislative compromise. He knew, as President Nixon said, that his friends are not always his allies and that his adversaries are not always his enemies. While he disagreed, he never hated. He played the game very hard and tough, but without personal animosity. Thus, he was able to move back and forth between contending groups and Senators, to build new and often very different coalitions, issue by issue. Most importantly, he was able to establish a series of most constructive partnerships with the four different Presidents—two of them Democrats, two of them of his own Republican Party—who held our Nation's highest office during Senator DIRKSEN's long tenure as Senate minority leader.

He was a man of extraordinary character—an unforgettable and majestic voice, a ringing and literary oratorical style. When he spoke, we all listened—every Senator, every member of the Senator's staffs, the entire Senate gallery. We listened, not because we might agree with him or even could be persuaded by him on the particular issue to which he was addressing himself, but to learn and to be impressed and refreshed and often amused—by his sparkling wit and style.

Finally, it must be said that EVERETT DIRKSEN had a quality which is most unusual among politicians and public servants, a quality which we, who served with him—and the press and the public, generally—will sorely miss. He had a sense of humor about himself and therefore a sense of perspective.

What newspaperman will forget EVERETT DIRKSEN going up to the Press Gallery after the Tuesday Republican Caucus, tucking his feet under him, a feat he seemed to perform effortlessly, and then giving forth, as he put it, with wisdom and information, whatever he

would like to plant with the press that day.

He had a dramatic feeling for the long corridor of history and for the broad currents of political philosophy. He used humor—often self-deprecatingly—as a reminder to himself and to his colleagues that no matter how serious one's purpose, one is still a man entirely capable of erring.

EVERETT MCKINLEY DIRKSEN had a deep and abiding love for this Nation—for its history and its promise, for its strengths and its weaknesses.

To his wife, Louella, his daughter and son-in-law, I would say: I had real affection for EVERETT and I miss him sorely—that is the ultimate test. I feel so, too, does the Nation and the world. I thank the Senator for yielding.

Mr. PERCY. Mr. President, the distinguished Senator from Hawaii has always presented a point of view that is exceedingly important. A fellow member of the Committee on the Judiciary and a beloved colleague, I am happy to yield to the Senator from Hawaii.

The PRESIDING OFFICER (Mr. GURNEY in the chair.) The Senator from Hawaii is recognized.

Mr. FONG. I thank the Senator for his kind words.

Mr. President, Senator EVERETT MCKINLEY DIRKSEN was one of the most colorful and remarkable men ever to serve in the U.S. Congress. His sudden passing, just when he appeared to be recuperating so well from surgery, shocked, and stunned us all. He had been so durable during other serious illnesses that somehow we expected him once again to recover.

As we try to sort out in our minds the full impact on his passing, we are acutely aware that Congress has lost one of its most distinguished and able Members, my party has lost one of its most effective leaders, and our Nation has lost one of its staunchest patriots.

EV DIRKSEN served in the House of Representatives for 16 years and in the Senate for 18, the last 10 of these in the post of minority floor leader for my party. His influence as minority leader far exceeded what could be expected from a captain with a crew that for the entire decade numbered less than a majority and at one time was outnumbered 2 to 1. Time and again he demonstrated his legislative skill.

Many historic pieces of legislation bear the Dirksen imprint. We all know of his great efforts in the enactment of the 1964 Civil Rights Act and the 1965 Voting Rights Act. Both landmark bills were due much to EVERETT MCKINLEY DIRKSEN as any other person in Government. His efforts salvaged many vital measures.

It was EV DIRKSEN's first year as minority leader that Hawaii became a State and I was elected to the Senate. EV DIRKSEN had voted for statehood for Hawaii, and he was pleased that the people of the islands selected a man of his party as one of Hawaii's first two Senators.

While EV DIRKSEN was indisputably Republican, he viewed his obligation as floor leader not solely as leader of a party but first and foremost as citizen of his country.

He often said there was one debt great-

er than the Federal debt and that was the debt he owed his country. In uniform in war and in public service in peace and war, I believe EVERETT MCKINLEY DIRKSEN repaid that debt with interest.

EV DIRKSEN was a man of courage. He had the courage to battle for his views no matter what the odds against him and to champion a just cause even though it might be unpopular at the moment.

He had the courage to change his views. He agreed with Emerson that "a foolish consistency is the hobgoblin of little minds."

He had the courage to laugh at himself and not to take himself too seriously.

He had the courage to carry on despite many physical ailments. During the years of off-and-on illnesses, his sheer determination and dedication to duty enabled him to continue.

Big in stature and big in heart, EV DIRKSEN was a smalltown boy from the prairie land of Illinois. But he could take the measure of the big city boys and show them a thing or two. He could match wits and words with the best of his competition.

And with what great voice he spoke. How we all shall miss that trademark of his, the articulation which demanded and obtained the attention of all within earshot.

But behind the rumbling rise and fall of the Dirksonian oratory; beneath that rugged exterior was a gentle man, a man who loved nothing better than to work in his garden among his flowers or watch the wild birds. He was, as we all know, the champion of the lowly marigold.

EV DIRKSEN was as American as apple pie and watermelon and marigolds.

He was unique, made of the stuff which will leave an indelible mark upon our Nation's highest legislative body. The name of EVERETT MCKINLEY DIRKSEN is indeed assured an honored niche in the history of America, for he walked long and tall on the center stage of public life.

EV DIRKSEN will not easily be replaced. His devoted public service, his wisdom and absolute commitment to this Nation will be sorely missed. An incomparable man has left us.

With hearts full of sorrow, my wife Ellyn and I bid a final aloha to our good friend EV DIRKSEN. We extend our deepest sympathy to Mrs. Dirksen, to their daughter Joy and her husband, our colleague Senator BAKER, and to all the family in this sad time of bereavement. We hope they will derive much comfort from the many expressions of high esteem accorded their beloved EVERETT DIRKSEN.

Mr. PERCY. Mr. President, I wish to announce that the distinguished Senator from Kentucky (Mr. COOPER) informed me earlier he had to leave for Kentucky shortly after noon today, to fulfill a longstanding engagement, and that he will make a statement paying his respects to our late minority leader upon his return.

I should also like to announce and indicate that the distinguished Senator from Alaska (Mr. STEVENS) would have liked to have stayed to make his eulogy

but he had to leave the Chamber because of a committee assignment and will insert his comments in the RECORD.

Mr. President, I am very pleased to recognize the distinguished Senator from Rhode Island (Mr. PELL). EVERETT DIRKSEN did not serve on the Foreign Relations Committee, but he had a deep interest in the foreign affairs of our country and I know that he respected the great contribution made by the Senator from Rhode Island in this area.

Mr. PELL. Mr. President, I rise to say how sad it is that EVERETT MCKINLEY DIRKSEN is no longer among us.

His "joie de vie," his warm humor and oratorical prowess, and his wide and sincere friendship, all endeared him to Senators on both sides of the aisle.

He was liked by those with whom he disagreed just as he was liked by those with whom he did agree.

I know that I miss him very much.

I extend all my sympathy to his family and friends upon his death.

Mr. PERCY. Mr. President, I am happy to yield to a Senator from the sister State of Michigan, a man for whom I have the highest regard, the Senator from Michigan (Mr. GRIFFIN).

Mr. GRIFFIN. Mr. President, how does anyone speak adequately of that gallant man, EVERETT MCKINLEY DIRKSEN?

What words are of use for such a purpose?

Do we say that he was strong and wise?

Do we list his merits and achievements, one by one, and then stand back in the hope we have captured his image?

If we tried, Mr. President, we could only fail.

The essence of such a man cannot be summed up in words; not a man like the late, great Senator from Illinois.

He was honest, he was patient, and he was fair.

Simple virtues, these. Virtues that make mere acquaintances the closest of friends. But such words do not begin to describe the person, the legend, the spirit, that was EVERETT DIRKSEN.

In his wisdom, God has not seen fit to bless us with others in his mold.

His was a rarity of spirit, a gentleness of tact, a brilliance of wit, and a depth of understanding that shall not soon be witnessed again—and we are the poorer for it.

He was a politician marvelously skilled at reconciling differences—bringing together differing viewpoints into a productive whole.

He was a brilliant orator with a rumble in his throat who could evoke word-pictures as vivid as life itself.

By his life, and by his death, EVERETT MCKINLEY DIRKSEN set an example; he illuminated goals, and he left us a worthy heritage. He was a man who evoked passion; he was a man who felt compassion.

He symbolized and reflected the greatness of America.

In this Chamber, we knew him as a giant among lawmakers.

His family knew him as a loving husband and a devoted father.

The Nation knew him as a dynamic leader loved by all.

He was a good man and a great American.

We mourn his loss. We salute his memory.

Mr. PERCY. Mr. President, there are many members of the majority party with whom EVERETT DIRKSEN worked and had a high regard. He worked closely, indeed, with the hard working floor leader of the majority party, the Senator from West Virginia (Mr. BYRD), and I am honored, indeed, at this time to recognize the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President—

Let fate do her worst.
There are relics of joy,
Bright dreams of the past
That she cannot destroy.
They come in the nighttime
Of sorrow and care,
And bring back the features
That joy used to wear.
Long, long be my heart
With such memories filled,
Like the vase in which roses
Have once been distilled.
You may break, you may shatter
The vase, if you will,
But the scent of the roses
Will hang 'round it still.

It is hard for us to visualize a U.S. Senate without the presence of the remarkable Senator from Illinois, the late EVERETT MCKINLEY DIRKSEN. It is as if a pillar had been torn away, a pillar that furnished it central strength and stability, fashioned with grace and elegance and skill. But the memory of his smile, his voice, his effervescent spirit, his matchless sense of humor, will linger on as long as we who served with him still live.

All of us greatly admired EVERETT MCKINLEY DIRKSEN. We admired him for his resonant voice, his effectiveness as an orator, his dexterity as a debater, his skill as a legislator.

As an orator, he ranks at the pinnacle in the tradition of great American political orators.

As a politician, he served his party well and he served his Nation well—first as a Member of the House of Representatives for eight terms and then thereafter in the Senate, serving from 1951 until his death.

As a legislator, he had few peers.

As a leader, he had few equals.

He served as minority whip in 1957. He was elected minority leader in 1959, a post he occupied with distinction during this past decade.

Throughout this time, there have been many in the Senate serving on both sides of the aisle who, in working with him, knew that he possessed an infinite store of knowledge with respect to legislative business. It was not mere appearance, nor was it happenstance that this was true. EVERETT DIRKSEN, while serving first as a Member of the other body, served on the District of Columbia and the Territories and Immigration Committees. Later he served on the Committee on Banking and Currency, on the Appropriations Committee, and also on special committees on the reorganization of the executive branch of the Government.

In the Senate, he served on the Judiciary Committee, the Appropriations Committee, the Committee on Rules and

Administration, the Committee on Labor and Public Welfare, Finance, and other committees.

I felt a warm personal affinity for EVERETT DIRKSEN. In my relationship with him I found him to be always very considerate and cordial and understanding.

There are a great many tributes, deserved and fully appropriate, which can and should be paid to the memory of EVERETT MCKINLEY DIRKSEN and his service to his country. I believe there is no greater tribute that can be paid to a great statesman than to call attention to his personal expression of his deep belief in a Supreme Being and to his personal conviction of the virtue of prayer for all Americans. This can be said of our late departed colleague, EVERETT MCKINLEY DIRKSEN.

Senator DIRKSEN, as we all know, introduced a bill to provide for a constitutional amendment to permit voluntary, nondenominational prayer in public schools. Many of us are privileged to have had the opportunity to serve as co-sponsors of the measure here in the Senate.

Few men have won such wide recognition, nationally and internationally, for their adroitness and skill and expertise in handling delicate problems in human relationships. Perhaps therein lies the ultimate truth of Senator DIRKSEN's unique capacity and the real measure of the effectiveness of his own successful years in public life—he cared enough for others to spend patiently his time and energy to weave together a more perfect pattern of human understanding and cooperation among men.

Senator DIRKSEN is missed. He will be missed. We are all privileged to have served with him here in the U.S. Senate.

I know we all shall always treasure our personal experience with this Senator, who I believe will be ranked by history as one of the greatest Members of this body.

EVERETT DIRKSEN was a good man, who served his country and his people. Loved and respected by all who knew him, he will always be remembered as a kindly man, from whose life will flow throughout the years ahead rich and tender blessings for all of the people of this Republic.

I saw the sun sink in the golden west;
No angry cloud obscured its latest ray.
Around the couch on which it sank to rest
Shone all the splendor of a summer day.
And long, though lost to view, that radiant
light,
Reflected from the sky, delayed the night.

Thus, when a good man's life comes to a close,
No doubts arise to cloud his soul with
gloom,
But faith triumphant on each feature glows,
And benedictions fill the sacred room.
And long do men his virtues wide proclaim,
While generations rise to bless his name.

Mr. President, to Mrs. Dirksen, to his daughter, and to his son-in-law, a distinguished Member of this body, my wife and I extend our heartfelt sympathy.

Mr. PERCY. Mr. President, the distinguished senior Senator from Oregon was a classmate of mine.

I know my own senior colleague held my classmate in affection and high regard.

I yield now to my colleague from Oregon.

Mr. HATFIELD. Mr. President, I appreciate the opportunity that has been extended to me by my friend the Senator from Illinois, now the senior Senator from Illinois, and join with him and other Members of this body in paying tribute to Senator EVERETT MCKINLEY DIRKSEN.

At certain crucial times in our history there appear men who through their example and their oratory serve as an affirmation of the values of an age. EVERETT MCKINLEY DIRKSEN was such a man. With the passing of the distinguished Senator from Illinois, a chapter has ended in the annals of this great deliberative body. To quote the Honorable LESLIE ARENDS, a man to whom EVERETT DIRKSEN was a close personal friend:

Senator Dirksen will forever stand tall on the pages of history of our day with the Clays, the Calhouns and the Websters of yesterday. It is not whether he or they were right or wrong in what they said; it is that they were fearless in what he and they believed and eloquently persuasive in expressing their beliefs.

There were many instances when I was not in agreement with the Senator from Illinois, but one can never say that he did not fight mightily for what he believed in or thought right. And there is not one man who can say that EVERETT DIRKSEN did not love this Nation and its people—although over the years both were a source of disappointment to him—and for 42 years devoted himself entirely to building this Nation and his State of Illinois into a better place for all men.

In political creed Senator DIRKSEN harked back to the days of Edmund Burke, the great British parliamentarian, who said it was his business to consult with his people, but it would be a betrayal of his conscience and a disservice to them if he failed to exercise his independence of judgment.

In his rugged individualism I am always reminded of the poem, "Invictus," by William Ernest Henley, in which Ev DIRKSEN found close identification in the words:

I am the Captain of my Fate—and I am
the Master of My Soul.

Appropriately, the poem was read by EVERETT DIRKSEN in his album entitled "Man Is Not Alone." His solace in his position of isolation was with God, and in the Bible Senator DIRKSEN found great comfort and assistance when the burdens of his office weighed heavily on his shoulders or his history of ill health crowded in on him and interfered with his prodigious capacity for hard work.

Thirty-seven years ago he came to the House of Representatives, and throughout his years with that body and the Senate he left an indelible mark on the history of this country. Just before his 70th birthday he summarized his philosophy as this:

You become reconciled to the fact that, first of all, change is eternal, but there is one essential and fundamental thing to which I cling—that the essence of government is the freedom of the people.

As evidence of this personal goal, he was instrumental in affecting major issues of our time: most recently the Nuclear Test Ban Treaty with Russia and the Civil Rights Act of 1964.

The position of the Senate Republican leader, in which capacity he served for 10 years, is characterized not only by the power of the office but also the stature of the man. In an article entitled "If Man Die, Shall He Live Again?", he eloquently expressed his religious convictions:

Except for the handiwork of the Great Designer, nothing in this world is created, and nothing is destroyed. . . .

In autumn the gaily colored leaves fall gently to the earth, not to be destroyed but to be embraced by nature for future use. . . .

It is the Resurrection of spring. It is an answer to the ageless question of Job "If man die, shall he live again?" Surely he shall, as surely as the day follows night, as surely as the stars follow their courses, as surely as the crest of every wave brings its trough.

Surely shall EVERETT MCKINLEY DIRKSEN.

Mr. PERCY. I yield to the distinguished junior Senator from Delaware.

Mr. BOGGS. Mr. President, it has been almost 2 months since Senator EVERETT MCKINLEY DIRKSEN passed from the earth, but his memory lingers in these halls and in this land.

With his death, the American people lost a statesman, his party lost a great leader, we in the Senate lost a valued colleague, and his family lost a dearly loved one.

EVERETT MCKINLEY DIRKSEN was a great American leader who left his own imprint on most of the landmark legislation that has been passed through this Chamber in the last two decades. His influence and his good judgment were, in considerable measure, responsible for the enactment of many of those important bills.

As an advocate, he was without peer. Often his eloquent and reasonable oratory held us enthralled and carried the day for his point of view.

He also often was ahead of his time in his evaluation of the American mood. He recognized 8 years ago that the new generation was different from the present one. He said at Gettysburg on the 98th anniversary of Lincoln's address:

What strange doubts assail this timid generation of today as it beholds the challenges to both liberty and equality.

We seem beset with fear, not faith, with doubt not confidence, with compromise not conviction, with dismay not dedication. We are drenched with literature of fear and doubt. Survival has become the main theme.

My deepest sympathies go to Mrs. Dirksen and her family. I know that, as deeply as we feel this loss, theirs is so much greater.

This Chamber will be a lesser place without the former senior Senator from Illinois. But I am confident that recollections of his skill, his humor, his eloquence, and his honesty will serve as a memorial that will echo through these Halls for years to come.

Mr. PERCY. I yield to the distinguished junior Senator from Idaho, Mr. JORDAN.

Mr. JORDAN of Idaho. Mr. President, I join Senators in mourning the passing

of Senator EVERETT MCKINLEY DIRKSEN, a witty and sagacious statesman who always kept the Nation's interests in the forefront, and a warm, stalwart friend to us all.

I first met Senator DIRKSEN in Boise in 1951, when I was Governor and he came to Idaho to deliver a Lincoln Day speech. He had only recently been elected to the Senate, but he was recognized as a nationally prominent Member of Congress because of his active role in the House, his oratorical gifts, and his demonstrated political ability in unseating the powerful Senator Scott Lucas.

Senator DIRKSEN came to my office and we visited for a couple of hours. Here I was first impressed not only by the warm friendliness of the man, but also by his sincere religious faith. He told me about the near blindness that had forced him to quit his House post in 1947.

The Man Upstairs must have felt that I had other work to do—

He said, with simple conviction—because my sight was restored and I was able to resume my career in Government.

The State of Illinois, the Nation, and the world have good reason to rejoice that the temporary curse of blindness was removed from this great man at what was the beginning of his richest years in Congress.

The eloquence of Senator DIRKSEN frequently obscured for observers the true nature of his success as a Senator and a congressional leader.

He was, first of all, a prodigious worker, a man who really looked at issues from all sides and who assiduously did his homework. Few realize how hard he worked at his job. He was an early riser and his senatorial duties frequently kept him at his desk far into the night. I do not know when he got any sleep, but he was on the job when it counted, even though he had more than his share of sickness and disabilities.

Senator DIRKSEN did much of his own research on legislation. Here he relied on his retentive memory and his keen analytical mind. These abilities, coupled with his long experience on the Hill, helped insure that few things got by him, and helped place his imprint on much of the major legislation of the past decade.

Senator DIRKSEN's great abilities were demonstrated during his service as minority leader under two Democratic Presidents. Because of the tight balance in the Congress, Presidents Kennedy and Johnson had to rely on him, and in that position of the balance of power he became one of the most influential Members of the Congress, a position he continued to hold under President Nixon. In his difficult role of the leader of the "loyal opposition," he never failed to keep the country's interests foremost in his mind and his legislative actions. This accounts for much of his influence and for the warm, bipartisan respect the country has for him.

Some of his critics have described the Senator from Illinois as indecisive or wishy-washy because he changed his mind on certain major issues. This most assuredly is not a fair characterization.

One of Senator DIRKSEN's great abili-

ties as a statesman was that he remained flexible on great public issues. He refused to be locked in on a position until he had an opportunity to hear and weigh all the evidence. He also had mastered the art of political compromise, knowing from experience when and how to make a compromise to accomplish a desired objective.

Senator DIRKSEN was most persuasive, both on and off the floor. But he was no arm twister, and never abused his influence or imposed on a friendship. During my tenure in the Senate, he never once asked me for a vote, and I have never known of his twisting any Senator's arms.

One of his favorite quotations was, "The oil can is mightier than the sword," and his political life demonstrated the truth of that maxim.

This does not mean that he did not fight for his principles. He did. Everyone knows that he was tough and tenacious in debate, when the issues were joined. But he did not hold grudges, and he came up from a licking with a smile and a determination to let bygones be bygones and get on with the business at hand. Here his marvelous sense of humor was a dependable rudder.

Truly, he was unique among the great leaders of this century. His prestige and his dedication have influenced the course of the major issues of his day. Always he put what is good for the country above politics. And he could always relieve the tensions of the day by a dissertation in flowing rhetoric on why the marigold should be our national flower.

Mr. PERCY. I yield to the distinguished Senator from New Jersey.

Mr. CASE. Mr. President, EVERETT DIRKSEN was a most unusual person, unique in his time.

Over his long legislative career, he contributed indispensable leadership on many matters, among them the 1964 Civil Rights Act. I remember well the long months of meetings in his office and the final sessions in which agreement was reached with the administration on the specific provisions of that act. In those sessions Senator DIRKSEN displayed the many-sided negotiating skills for which he was so noted.

At its finest, his ability to work out acceptable compromises exemplifies a, perhaps the, basic element in our political system—the give and take through which widely differing views and interests are accommodated in a peaceful, orderly way, both as between our two major parties and within each of them.

EVERETT DIRKSEN loved the Senate, he loved the legislative process, and he loved his own part in it. In this, despite his physical ills, he was fortunate, for few men find the happiness in their work that he found in his.

Mr. PERCY. I yield to the able junior Senator from Pennsylvania.

Mr. SCHWEIKER. Mr. President, it is most appropriate that the Senate has set aside time today for eulogies in memory of a great Senator, a great humanitarian, and a great American, the late Senate minority leader, EVERETT M. DIRKSEN.

Few men have served their country so well, and so long, as Senator DIRKSEN,

and his sudden death came at a time when he was still serving actively and vigorously as he had for many years in the Senate.

Presidents, Senators, and Representatives alike respected his views, and recognized the significant and constructive role he played in the passage of many important, and often controversial, bills. In the early sixties, for example, he helped to champion important and far-reaching civil rights legislation, and it is accurate to say that without his active leadership many of those important measures would not have passed Congress.

I also commemorate the important role he played in the smooth working of the two-party system. As one of the most important Republican leaders in Washington during the past Democratic administrations, he did not hesitate to provide bipartisan support for important bills, and he provided a channel of communication between the Democratic administrations and the Republican Party, which is a vital part of our democratic form of government.

As a colorful spokesman, as a champion of many causes, as a constructive legislator, and as a warm human being, EVERETT DIRKSEN left a mark on Congress that will never be replaced. The Senate has lost a distinguished leader, and the country has lost a distinguished man.

Mr. PERCY. I yield now to a colleague of long standing in this body, a beloved friend of the former minority leader, the senior Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, the passing of Senator EVERETT MCKINLEY DIRKSEN has deeply saddened the hearts of people everywhere—especially in Congress, where he served with great distinction for more than 35 years. Few men in the history of the Nation have left a deeper imprint on legislation passed by Congress and on the policies of the Nation than Senator DIRKSEN.

He was a man of many talents—all of which he made good use of. He was a tremendously hard worker and deeply devoted to his country, his responsibilities as a legislator and to the Republican Party.

Ev, as he was affectionately known by everyone, was a most effective orator and debater. His outstanding effectiveness as a legislator was due not only to his great intellect and his unusual ability, but also to hard work and devotion to duty. Not much legislation of major importance passed Congress in his time in which he did not have a part in its enactment.

Our beloved friend and colleague, Senator DIRKSEN was an unusual and colorful person. He had a keen mind and a great store of knowledge on almost every subject. Beginning as a young man, he was a great student of the Bible. Through his love of the stage, he delved deeply into the writings of Shakespeare and other literary greats. He often drew on this store of knowledge in making his points—whether it was on the floor of the Senate or in speeches elsewhere all over the Nation. Ev was a truly memorable and outstanding personality.

EVERETT DIRKSEN was a true Christian. Although he often engaged in heated debates, I do not believe he ever bore any

ill will or hatred toward anyone. This even-tempered, personable, and lovable way of his was in a large measure, responsible for his extraordinary effectiveness.

EV DIRKSEN, through the quarter of a century that I was privileged to work with him, was a good and true friend—one I will always remember and miss greatly. He has left a deep imprint on our lives and on this Senate that will not soon be forgotten. He was truly one of the alltime great Members of this body.

I extend my deepest sympathy to his beloved wife, Louella; his daughter, Joy; our colleague Senator BAKER and all of his family. May the world always be kind to them.

Mr. PERCY. I yield now to the distinguished Senator from Louisiana.

Mr. ELLENDER. Senator DIRKSEN was born and reared in a small country town, Pekin, Ill., where he attended elementary and secondary school. Upon graduation from high school, he studied law at what was then a small law college at the University of Minnesota. It was not until he reached Congress in 1933, during the depth of the great depression, that he began to acquire national stature.

Through self-study, he blossomed into one of the great orators of our time and of the Senate. He was a student of the Bible and of the classics. Often his Senate colleagues listened in rapt attention as he used very effective quotations to strengthen his points.

Senator DIRKSEN was an excellent story teller and was able to draw upon his personal life, as well as literature, to entertain his listeners while at the same time, fortifying his position during Senate debates.

He was a colorful and outstanding leader and I doubt that he had a peer in his ability to bring together men with differing views. He knew well the value of compromise and prided himself upon his ability to find some good in both sides of important public questions.

He was a remarkable spokesman for Illinois, his party, and the Senate, and I know that all of us here will miss him.

We live in a time when national attention is focused on the problems of our cities and those who live in our great urban areas. It seems to me that we are sometimes prone to forget that historically a great part of our national strength has always come from the small towns and rural areas. Senator DIRKSEN was the product of such an environment. I believe that he would like to be remembered as a country boy who made a lasting imprint on our national life. There have been many like him in the past, and I expect there will be many in the future.

To his wife and family, I extend my sincere regrets at his passing.

Mr. PERCY. I yield to the distinguished Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I join with Senators in expressing the sorrow and sense of loss felt by the Senate and the entire Nation at the death of the late Senator EVERETT M. DIRKSEN.

I had the honor of serving with the Senator from Illinois on the Commit-

tee on Finance. Both in the committee room and on the floor of the Senate, I came to respect the Senator for his strengths as a legislator and as a leader.

As minority leader, Senator DIRKSEN led his party in this Chamber for 10 years. His role in the Senate leadership was instrumental in securing final congressional passage of the Nuclear Test Ban Treaty of 1963 and the historic Civil Rights Acts of 1964 and 1968.

His influence as minority leader was well established, but his fame as an energetic and eloquent speaker was known throughout the Nation. Who can forget his impassioned appeals to establish the marigold as the national flower, or his best-selling patriotic recordings.

The United States is grateful for the essential part EVERETT DIRKSEN played in the Nation's affairs for more than a decade. As Representative, Senator, and national leader, his was a leading role, and Congress and the country have lost a remarkable man, a good friend, and an outstanding leader.

Mr. PERCY. I yield to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, of significance to those of us who are old enough to remember the baseball greats of bygone years is the inscription on the statue of Christy Matthewson in the Baseball Hall of Fame at Cooperstown, N.Y.: "Matty Was Master of Them All."

This is the expression that we who served with and watched EVERETT MCKINLEY DIRKSEN through long years instinctively apply to him: "Ev was master of them all."

We are not content to speak of him as "colorful," though he was colorful. We are not satisfied to call him eloquent, though his superb vocabulary and his inexhaustible knowledge of history, the classics, and of people made him almost incomparable as an orator. These terms fail to do EVERETT DIRKSEN justice. The Congress of the United States has known many profound scholars, many eloquent tongues, many striking and forceful personalities. But rarely, if ever, has it known one who combined all these qualities with both the capacity and the habit of unremitting toil that made him the master of his subject whenever his voice was raised whether in committee, on the floor, or in the public forum.

We elders, when we indulge in the golden recollections of those whom we have loved and lost, are prone to dwell on the impressions of the earlier years. I first saw and learned about EVERETT DIRKSEN when I was a delegate to the Republican National Convention of 1944 when he was a candidate for the presidential nomination. Some of us from back in the sticks said "Who is DIRKSEN?" My own Congressman replied:

If you were in Congress, you would know, for he is running at the request and with the backing of every Republican Member of the House of Representatives.

Two years later I entered Congress. I saw him then as perhaps the most powerful Member of the House of Representatives. Whenever the door of the cloakroom opened and someone whispered, "DIRKSEN is up," every Member flocked to the Chamber to hear him. And in that body, where time is at a premium, there

were always cries of "give him more time." But my most vivid recollection was seeing him leave the office building at night with a bulging briefcase, prepared to spend hours in studying legislation. Then came those sad days when we all, Democrats and Republicans alike, with a sense of our own personal tragedy watched him falter with failing eyesight and go into what he and we expected was his last retirement.

I need not speak of our years with him here in the Senate for those we all share. It was then that I came to cherish him, not so much as a leader and counselor, but as a never-failing friend. It was then that we all loved to sit with him and enjoy his wisdom and wit and humor. It was those hours of companionship that cause each of us to share with his beloved wife and daughter the sorrow and the pride.

Over whatever seas he is sailing
Whatever strange winds fan his brow,
What company rare he's regaling
I know it is well with him now.

And when my last voyage I am making
May I go as he went, unafraid
And, the Pilot that guided him taking,
May I make the same port he has made.

Mr. PERCY. I yield to the Senator from Arizona.

Mr. FANNIN. Mr. President, true statesmanship, they say, is the art of changing a nation from what it is into what it ought to be.

That is the context in which I remember our late beloved minority leader, EVERETT MCKINLEY DIRKSEN.

He was a man of many parts.

He was the man from Pekin. Born in the Illinois heartland of America before the turn of the century, he was the product of America. Educated in the public schools of his hometown he turned to the practice of law after having served his country as a doughboy and an officer in the First World War.

EVERETT DIRKSEN was able to assume many roles in the compass of his life. He was part lawyer, poet, actor, orator, soldier, teacher, and exhorter. This magnificent blend of talent and ability found a wonderful instrument in the voice and actions of our fallen leader.

He loved to quote from the Bible. I think that harked back to his childhood and his reverence for the power of words.

He was fond of Shakespeare, the greatest of all English dramatists. That was the actor in him recognizing the flow and sweep of history as unfolding drama.

He loved the Senate, for in it he found that peculiar niche that suited no one better than this man from Illinois.

He followed public opinion much as a skilled coachman follows his horses with a firm hold on the reins and guiding them in the proper path.

EVERETT DIRKSEN was sincere in soul; in action, faithful; in honor, clear; his titles were honestly gained. His character, enobled by his leadership, was approved and praised.

Now, we pause to mourn for him.

We miss him as a friend, comrade, and esteemed leader; but I know that his wife, Louella, his daughter, Joy, and other members of the family, including the Senator from Tennessee (Mr. BAKER),

miss him in a way which we cannot measure, as loving husband and beloved father. Mrs. Fannin joins me in extending our heartfelt sympathy to them.

His devotion to making the marigold our national flower is almost legendary. Far fewer realized how genuinely he loved flowers and cultivated them at his home.

His wit and charm blossomed under the most difficult and trying circumstances and we all often recall the tension breaking moments which he would introduce into heated debates that served so well to cool tempers and quiet voices by a moment of laughter.

His great power was with words. His supreme skill was with the language. It will be by his words that we remember him. It was his use of the language to inspire, to lead, and direct. Many may emulate, but none can surpass his ability in this field and I feel especially powerless to use that same language, which he used so magnificently, to pay him tribute. We cannot do it.

My friend, the Senator from North Carolina (Mr. ERVIN) often says:

If a man requires a eulogy, he does not deserve one, and if he deserves one, he does not require it.

So it is with my friend and departed colleague EVERETT DIRKSEN. He richly deserves an eloquent eulogy and we, by his departure, are left unable to supply it.

May I, then, quote from one of his own, wonderfully extemporized eulogies for a departed brother, and so use his words to express our emotion.

We have lost a valuable leader. We have lost a staunch patriot. We have lost a valued public servant.

All hail and farewell, and a deserved salute for the constructive contribution which he made to his community, to his State, and to his country.

He was unique, Mr. President. The man who, in private, admitted he would have liked to follow a Shakespearean career, carved out for himself a far larger and more important role, and played it well.

He would have liked, I think, the short speech which Hamlet makes about his fallen father-king. In its stark simplicity yet poignant majesty the prince says what we may repeat about our departed friend, EVERETT MCKINLEY DIRKSEN.

He was a man, take him for all in all, I shall not look upon his like again.

Mr. PERCY. I yield to the distinguished senior Senator from Oklahoma.

Mr. HARRIS. Mr. President, EVERETT MCKINLEY DIRKSEN was one of this Nation's great legislators. He pursued his legislative goals with determination, intelligence and wit, and, in doing so, he won the respect of his colleagues and the public which he served so faithfully.

We who were privileged to serve with him in the U.S. Senate gained much knowledge and insight on legislative procedures and on the powers and responsibilities of the Congress. This experience has benefited us and has benefited the Nation, for Senator DIRKSEN was more than the minority leader of the Senate. He was an individual institution in the Senate and in the Nation and was revered by all of us.

Mr. PERCY. I yield to the Senator from New Hampshire.

Mr. MCINTYRE. Mr. President, few men in the history of the United States have attracted such widespread affection as Senator EVERETT MCKINLEY DIRKSEN of Illinois. Indeed, the U.S. Senate thought so highly of the late minority leader that his colleagues bestowed upon him the rare honor of lying in state in the Capitol rotunda, only the fourth time such a privilege has been extended to a Member of Congress. But such was the respect felt for this distinguished man by his congressional colleagues.

When one thinks of Senator DIRKSEN, it is his unique and colorful personality that first comes to mind. Who can ever forget that deep, melodious voice as it rang through the Senate Chamber, begging attention to its every word? A thespian who could hold audiences spellbound with his forensic style, he shunned prepared texts, relying instead on his knowledge and his taste for literary embellishment.

A patriot, he was an eloquent defender of American traditions, principles and institutions.

A man of rare wit, he was a master of the anecdote. And while his great flair for political satire could be biting at times, he seldom used it as a vindictive weapon, more often than not making himself the target of his humor.

And who can ever forget his love for the marigold and his perennial struggle to make it the national flower?

While all these fond memories of Senator DIRKSEN will always hold a place for him in our hearts, it was his great legislative skills—so often hidden by his flamboyant personality—that will assure him of a place in history.

His talent for compromise and reconciliation, combined with an ability to rise above partisan politics in moments of critical importance to the United States, earned him that place.

He will probably best be remembered for his key roles in passage of the Nuclear Test Ban Treaty of 1963 and the Civil Rights Act of 1964. In both instances, he chose to ignore partisanship, delivering instead the necessary Republican votes to assure the success of these historic measures. These were truly his greatest moments.

While time has somewhat softened the shock of Senator DIRKSEN's death, I still deeply feel his loss and miss the zest and color his refreshing individuality brought not only to the Halls of Congress but to the entire Nation.

EVERETT MCKINLEY DIRKSEN will be sorely missed, but never forgotten.

Mr. PERCY. I yield now to the distinguished and able Senator from Kansas.

Mr. PEARSON. Mr. President, each individual human is unique but EVERETT MCKINLEY DIRKSEN was more unique than most.

Senator DIRKSEN was one of the greats of the U.S. Congress and he will be recorded in history as one of the more important public figures in the 20th century.

He was a modern man, in love with today but he was also keenly interested in and deeply respectful of the past. And one of his most important contributions

was his ability to convey that interest and that respect to those of us who served with him in the Congress and to the American people as a whole. And it seems to me that this was an extremely worthwhile thing, especially today when we are undergoing such a critical reexamination of our present and our past.

His magnificent voice and soaring rhetoric were his trademark. But these characteristics merely served to complement other basic traits which were the source of his strength and the cause of his success as a man and as a servant of the public trust.

I believe he was deeply religious. I know he was, without embarrassment or sophistication, duly patriotic. He instinctively liked people and they in turn cared for him. Politics came to him naturally and I suggest that he became as skilled and as adept in the art of the possible—said to be the essence of politics—as any living man. He had an enormous capacity for hard work—a capacity which seemed to increase rather than diminish with age.

He continued to grow throughout his life and thus he became one of the most effective Senate leaders in history and in his twilight years one of the most powerful men in the Nation.

We in the Senate shall miss him as a leader, but we shall also miss him as a friend and counselor. Certainly I shall never forget his warm friendship and the wise counsel he gave to me, which was so valuable and so much appreciated during my first years in the Senate.

We all benefited from his understanding, experience, wit, and extensive knowledge of the legislative process. And we are all the worse that he is not here today.

Mr. President, there are two short statements which come about as close, I believe, to describing the essence of EV DIRKSEN's character as any set of words can do. One is by the Senate DIRKSEN's counterpart, the distinguished majority leader (Mr. MANSFIELD) who said of his colleague:

His word was good.

Those four words not only tell a great deal about the man but they also represent for me one of the finest tributes that can be paid a man in public life.

The other statement was by Senator DIRKSEN himself when he on one occasion remarked:

There is one debt greater than the Federal debt and that is the debt Dirksen owes his country.

To me, this reveals his great humility, his great patriotism, his great dedication.

We here today express our indebtedness and that of the country to Senator DIRKSEN, but for him the relationship was the other way around. This goes a long way in explaining the career of EVERETT MCKINLEY DIRKSEN, a dedicated statesman, an inspirational leader, a beloved friend.

Mr. PERCY. I yield to the distinguished Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I join Senators today in paying tribute to a Senator who was a most distinguished

Member of this body. When Senator EVERETT MCKINLEY DIRKSEN died, we lost a great and loyal national leader, and the Senate lost an admirable and highly esteemed fellow Member.

Senator DIRKSEN's strong character was a vibrant force in this Chamber for many years. He was, in the truest sense of the word, a fine citizen, an able Senator, and a great American.

Whatever side he took during the consideration of important legislative matters, it was with the sincere belief that he was acting in the best interests of the Nation. For it was the Nation that he put first—an America which he loved and respected, a republic which he worked hard to steer along paths charted by our wise and revered Founding Fathers.

His conservative viewpoint often served as an impressive barrier against unsound proposals and untested philosophies, but he never sought to obstruct or slow the cause of real progress.

If his adherence to basic American principles and his conservatism marked him as a member of the "old school," then I earnestly hope that this brand of American thought and tradition never fades from the political scene.

EVERETT DIRKSEN had a distinctive flair for eloquent expression, a flair sometimes referred to as showmanship. This mode of conduct was a natural part of him, a manifestation of his personality and individuality—and not merely a contrivance to gain attention.

All of us were impressed by his intriguing style of expression. His eloquence, his profound logic, and his warmly human manner were strong assets in the forceful persuasion he exerted in support of the causes that he chose to promote.

Two additional outstanding attributes of EVERETT DIRKSEN's were his unflinching faith and his remarkable capacity for doing his homework well. Every Senator can testify to his drive and ability to handle intricate and complicated legislation on the Senate floor.

The people of Illinois—his native State—whom he so faithfully served, loved and respected him for what he was—a remarkable and dedicated statesman whose services to his State and to the Nation were of that order and quality as to command the highest praise and commendation.

My association with the Senator began in 1935, when I first served in the House of Representatives. He began his first term in the House on March 4, 1933, and he served in that body for 16 consecutive years. His service in the Senate began on July 3, 1951. He carried out his duties and responsibilities faithfully and devotedly in Congress for 35 years.

It was also my privilege to serve with him on the Senate Committee on the Judiciary for a number of years. Serving on committees with a fellow Senator gives one an opportunity to more accurately judge his personal qualities, his statesmanship capacity, and his legislative accomplishments. I found him to be generous with his time and talents in any capacity that his services were required. He always approached his duties with

sincere dedication, and he served the welfare of our country according to his concepts of its best interest and security.

EVERETT DIRKSEN was a gallant champion. His vivid and influential contributions added one of the brightest chapters in the entire history of this Senate. He was a Senator who gave character and courage to all his duties in public life and who blended dignity with wit and human warmth.

His advice was constantly sought, and in giving it, he drew freely upon his extensive knowledge and rich experience. He was a man who loved nature and found much beauty in it. He could be gentle, but he could also act with the strength and determination of a man who knows no fear.

His life epitomized the essence of America—a free land where opportunity is open to all and where there are no limits to the goals which an individual can achieve. He was a living example of what can be accomplished by hard work and individual initiative in this great country of ours.

From a humble beginning, he rose to become one of the Nation's outstanding legislative leaders. His keen judgment, his colorful personality, and his sparkling oratory will be missed in this Chamber for many years to come.

I shall always remember EVERETT MCKINLEY DIRKSEN as a sagacious, resourceful, and compelling public speaker; as a gracious and eloquent colleague in the Senate Chamber; and as an experienced and capable tactician in the legislative arena. My life was enriched by having known and served with him for many years in Congress.

Mrs. McClellan joins me in extending our heartfelt sympathy to all members of the family.

Mr. PERCY. I yield to my respected colleague from Georgia.

Mr. TALMADGE. Mr. President, the Senate today honors the memory of Senator EVERETT MCKINLEY DIRKSEN. We all miss EVERETT DIRKSEN very much.

His passing took from the Senate a legislative leader of great talent and tremendous charm. We were not always together on every issue, and the same could probably be said of every Member of this body. But one could not serve in the Senate, on either side of the aisle, and not be very much aware of the presence and the influence of EV DIRKSEN.

He possessed a nimble mind and lively spirit that enabled him to be a captivating and colorful speaker. He was in my estimation the last of the Senate's old-fashioned orators, and it is not amiss to regard him as somewhat of a legend in his own time.

Senator DIRKSEN was a gentle and thoughtful man. I was recovering from an operation the first weekend of September, the weekend that our colleague passed away. That Sunday night I received at my home, carnations, that had been ordered sent to me prior to his death as a token of remembrance and good wishes.

Even as he lay critically ill at the hospital, he was not remiss in this thoughtfulness of others. I was deeply touched by this gesture of friendship.

I join the Senate today in mourning the passing of EVERETT DIRKSEN.

Mr. PERCY. I now yield to my able friend from Maryland.

Mr. MATHIAS. Mr. President—

One generation shall praise Thy works to another and shall declare Thy mighty deeds.

These words from the 145th Psalm epitomize the role of the great men, whom President Nixon has described as "the common property of the country."

Quoting a eulogy of Daniel Webster and delivering one for EVERETT MCKINLEY DIRKSEN, the President was himself participating in that historic sequence whereby one generation teaches another, and succeeding generations draw upon the wisdom of the ages. This process—using the light of the past to create the future—is a kind of photosynthesis of historical change. In recent years in America, perhaps the leading figure in this immemorial process has been EVERETT MCKINLEY DIRKSEN.

A man of Illinois, he was intimately familiar with the heroes of his State and particularly, of course, with its paramount son—Abraham Lincoln.

There were occasions when Senator DIRKSEN received almost universal acclaim, and other occasions when he seemed to stand as the only bulwark, or the only obstacle, depending on one's point of view, against some change which the rest of the country seemed to want. But whether he was riding the crest of the wave of popularity or bucking the tide, he acted with a sense of the past and a consciousness of the scrutiny of history, strengthened in daily association with its symbols in the Capitol and in the Senate Chamber.

Now his death leaves a grand canyon in the memory, in the Senate, and in the Nation's politics. It cannot be filled, for he cannot be imitated or replaced. There is no reasonable facsimile. Nor does his career and personality easily submit to the conventional language of eulogy.

For all his wide popularity and his senatorial following, DIRKSEN ultimately stood alone, outside the political catalog, evoking laughter and indignation along with his honors—but always secure in the dignity of the mystery of his land. Looking back into the canyon of our loss, one sees a marvelous shifting of light and shadow, clouds and colors across the variegated bedrock of America. DIRKSEN's mellifluous rhetoric, his endless repertory of maneuver, was a play of hues and chiaroscuro on rocks of principle, evolving, almost geologically, from the national experience.

Certainly no text of political science could have predicted or explained him. He was a product and a voice of some political and cultural alchemy of that region of the country now sometimes called the Heartland. More than a geographical area, it is a region of the national consciousness. When it changed, DIRKSEN moved, and history—in cumulative majesty—shifted. A civil rights revolution, a test ban treaty, a new internationalism were ratified. But until he moved, change stood in precarious suspension and looked back over its shoulder, nervously, at the senior Senator from Illinois, through whose bloodstream the

current of our history seemed mysteriously to flow.

Now his voice is still. The country moves in a widening gyre. DIRKSEN, who had held the center, is now at rest. But he retains his hold on our imagination and our memory. Looking into the canyon, watching the clouds and shifting colors, wondering about the mystery of the man, we ponder the mystery—and the greatness—of America. And in seeking an appropriate successor to his larger role in our politics, we are surprised by the dimensions of DIRKSEN's shadow, the measure of our loss.

Mr. PERCY. I yield to the distinguished Senator from Wyoming.

Mr. MCGEE. Mr. President, EVERETT MCKINLEY DIRKSEN is gone from the Chamber—gone, but certainly not forgotten. Nor will he ever be, for his powerful influence over 3½ decades of public service has been indelibly imprinted on the legislative history of this great Nation. His example remains fresh today and will be remembered so long as laws are made in Washington. Indeed, his actions as a leader in this hall present an example to those who would follow in the hope that the Government of the United States might always be a government of the people, by the people, and for the people, to borrow the phrase of an earlier giant in our history from Illinois.

EV DIRKSEN's legacy to us, then, is an example of political leadership. He knew what leadership entailed. Sometimes it meant standing fast and stubbornly resisting. Other times it meant compromising—drawing together those with differing opinions and leading them to the acceptance of a common position. It even led to changing positions on matters of significant impact. For this, EV DIRKSEN's detractors were often wont to criticize him. But his shifts in such areas as civil rights, foreign policy, and economics were not undertaken lightly. Instead, they represented much agonizing thought and careful consideration. When he acted, it was because he deemed the national interest demanded such change.

"Stronger than all the armies is an idea whose time has come," is the famous line of Victor Hugo's. No one better understood the reason for its immortality than did EVERETT DIRKSEN.

We who knew EV DIRKSEN as a leader of men also knew him as an individual. And what an individual he was. I believe that the chaplain of the Senate, Rev. Edward L. R. Elson, in his prayer at the services held last month at the National Presbyterian Church, expressed the thoughts of those of us who knew Senator DIRKSEN, when he said:

We thank Thee for Thy servant and our comrade, Everett, who has fought a good fight, kept the faith, finished his course and is at rest with Thee. For the nobility of his manhood, the magnanimity of his spirit, the hospitality of his mind, and the inclusiveness of his friendship we give Thee thanks. For his massive mind, his matchless speech, his powers of persuasion, and his parliamentary skills we give thanks to Thee. For his elevated patriotism and his manly piety, for his grace and dignity in public service we give thanks to Thee. For his prodigious energy spent in self-sacrificing public service, for his fortitude in suffering, and his witness to values

which are everlasting, we give thanks to Thee. May the integrity of his manhood, the radiance of his character, the warmth of his personality, his gentle but subtle humor and his sense of the divine in all things human, remain as an abiding legacy for all generations . . .

Mr. President, our eulogies cannot do justice to the memory of EVERETT DIRKSEN. In recent memory, perhaps one man in our midst was capable of that. But EV DIRKSEN is gone from our midst. And he was a humble man. Probably, he would have stuck with the words he used some years ago to describe his job and his life. He wrote:

It might be said that a Senator's work is never done. But he would not have it otherwise, for his is the privilege of serving not only the people of his State to the best of his ability, but also to serve the Nation.

EV DIRKSEN so served, and his life's work will long be remembered. By his example, his work goes on.

Mr. PERCY. I yield to the able Senator from Maryland.

Mr. TYDINGS. I knew EVERETT DIRKSEN as a master legislator, a skillful adversary, a determined advocate, and a warm and good friend.

It was our lot to oppose each other almost continuously for the past 4 years on one of the central national issues of our time. In Congress and in State legislatures from one corner of our Nation to another, the fate of the one-man, one-vote rule dominated our relationship. I supported this theory of representative government. The main effort to reverse it bore his name—"the Dirksen amendment."

Senator DIRKSEN liked to win, and he gave no quarter in legislative battle. But he was also magnanimous and generous. Despite our differences and our hard contests, I frequently sought his advice. He never begrudged it. He was a kind and thoughtful counselor, a gentleman, and a friend.

The news of Senator DIRKSEN's death came as a shock, for just days before he was in the Chamber, speaking with his usual eloquence. In spite of frequent illness, Senator DIRKSEN remained a superb legislator, a skilled leader, and the respected spokesman of his party in this body. The Senate will not be the same without Senator DIRKSEN. We shall miss his quick wit, his keen intelligence, and his great parliamentary skills. We shall remember him as one of the great Senate leaders of our times, and I believe that that is how he would like to be remembered.

I feel that Senator DIRKSEN's greatest moments came at the beginning of this decade: In 1962 he supported the bond issue that saved the United Nations from bankruptcy; in 1963 he backed the Nuclear Test Ban Treaty; and in 1964 he voted for the Civil Rights Act. In each of these instances, the Senator's support and leadership made the difference between success and failure for this landmark legislation. In each instance, Senator DIRKSEN was initially skeptical and under partisan pressure to oppose. But in each case the Senator ultimately stood above party, took an historical perspective, and moved our Nation forward. He

understood that a Senator must be more than a sum of the interests of State and party. Such is the stuff of great leadership, and today we mourn the passing of a great leader.

Mr. PERCY. I yield to my distinguished colleague from Hawaii.

Mr. INOUE. Mr. President, the passing of EVERETT MCKINLEY DIRKSEN was a loss to the people of America, but it was an even greater loss to his Senate colleagues. For EVERETT DIRKSEN was—more than any other Member of this body in our time—a Senators' Senator.

During his years in this body, he has left his mark on so much of the legislation which has been enacted. We in Hawaii will particularly remember him for his crucial support of some of the key issues which have confronted this Nation during our decade of statehood—as well as his support for the measure which gave us statehood. It was his support which made effective civil rights legislation a fact rather than a dream during this decade. His approval was the key to the passage of the Nuclear Test Ban Treaty. We could list many more, for during these years Senator DIRKSEN was center stage on almost every piece of major legislation considered by Congress.

He will be remembered most, however, by those who have shared these labors not for the positions he upheld or the contributions he made in the form of amendments, laudatory though so many have been, but for the inconsummate flair and skill with which he made his presence known. In support he was a shining knight—in opposition he was a lovable rascal as well as a most worthy and respected opponent.

We shall miss EVERETT DIRKSEN, as will our Nation's people. But we will carry with us a host of happy memories of the days and years that we have been privileged to share together in these legislative halls. And when most of the history of this period is long forgotten, the name of EVERETT MCKINLEY DIRKSEN will continue on the lips of those who follow.

Mr. PERCY. I yield to the distinguished Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, with Senators on both sides of the aisle, I join in expressing the sincere sense of loss we feel at the absence of our friend and colleague, Senator EVERETT MCKINLEY DIRKSEN.

EV DIRKSEN and I first came to Congress together as freshmen Representatives in the 73d Congress, following our election in 1932. Though our views on many issues differed, we maintained a close personal friendship over the years.

EVERETT DIRKSEN's service to his country was long and illustrious. As Representative, as Senator, and as minority leader he was always most knowledgeable. It can truly be said of him that he was skilled and experienced in the science of Government.

Throughout his final few years in the Senate, he attained the heights of greatness and enjoyed the affection and admiration of millions of Americans. He suffered great pain during the last few years of his life and was frequently hospitalized. In the end he passed on painlessly, peacefully, and suddenly. Just as

was written in 2 Timothy IV he could have truly said:

I have fought a good fight. I have finished my course. I have kept the faith.

During the last 10 years of his service as a Senator of the United States, it seems probable that his speeches in the Senate and his votes as senior Senator from Illinois and minority leader of his party in support of civil rights legislation and his speeches and all-out support of ratification of the Limited Nuclear Test Ban Treaty between our Nation and the Soviet Union will be the most remembered.

EV DIRKSEN will long be remembered in the hearts of all who knew him, worked with him and had the privilege of his friendship. The Nation has lost one of its finest public servants. No words of mine can assuage the anguish and bereavement of his family, but Mrs. Young and I express our heartfelt sympathy to Mrs. Dirksen and to their daughter, Mrs. Howard Baker, for the great loss that they, together with our Nation, have sustained in his passing.

Mr. PERCY. I yield to my colleague from Alabama.

Mr. ALLEN. Mr. President, I know that the people of Alabama want me to participate in honoring the memory of Senator EVERETT MCKINLEY DIRKSEN, and to convey for them a sense of their high esteem for his life and works.

It is a matter of sincere regret that I cannot speak with the same authority as can Senators who over the years have enjoyed a close association and friendship with Senator DIRKSEN. I necessarily speak from the limited acquaintance of those of us who entered the Senate at the beginning of the 91st Congress.

Yet, limited as this acquaintance may be, it began from a firm foundation of respect. All Alabamians respected Senator DIRKSEN. We came to know him over the years primarily through knowledge of his positions on important national issues and for his leadership role in helping resolve those issues.

I think it a mark of the character of Senator DIRKSEN that Alabamians could disagree with him on particular issues, just as they disagreed among themselves, but could agree and did agree in according him utmost respect in recognition of the integrity of his motives and the sincerity of his convictions. Such a respect transcends the issues and it transcends ephemeral public opinion. Such respect is a tribute to his character, and it is evidence of no mean achievement in political leadership—one to which all of us aspire.

Mr. President, my initial respect for Senator DIRKSEN was quickly allied with sincere admiration—a result attributable, in part, to exposure to his eloquence. I have never listened to Senator DIRKSEN in debate that the experience did not call to mind the words of Montaigne, who said:

I would have my voice not only reach my listeners but perhaps strike them through.

And just as surely as the eloquence of Senator DIRKSEN made his audience captive so also did his words "strike them through." But it was not alone his elo-

quence that I admired. I think my admiration was as much due to his incomparable dedication to the duties of a Senator and to those of minority leader in particular.

Mr. President, all of us know that responsibilities of the minority leader carry with them arduous, time-consuming duties under the best of circumstances, and we know that these can become doubly arduous and doubly important during periods of turbulent and rapid changes in our Nation. So very often as I sat and listened to Senator DIRKSEN, I recalled the trying circumstances under which he labored as minority leader in years past; and I came to appreciate more than ever the importance of Senator DIRKSEN's leadership during those crucial years.

Mr. President, Senator DIRKSEN served as minority leader during a period in our history when the leadership of a victorious national political party had firm control of both the executive and legislative powers of Federal Government. A majority of the members of the Supreme Court were of the same political philosophy as the victorious party in control of the executive and legislative powers. The bars of separation of powers were down. At such times there is danger that national legislation may be enacted on whim and caprice uninhibited by checks and balances. Our system of checks and balances is meaningful only so long as there is genuine separation of powers between the legislative, executive, and judicial branches of Government. At the time of which I speak separation was more in appearance than in fact. During this period Senator DIRKSEN, in the role of minority leader, vigorously challenged each revolutionary innovation and warned of each new delegation of power. He was tireless in his efforts to check what seemed to me at the time to be an almost frenzied delegation of legislative powers without adequate safeguards on the powers delegated.

Mr. President, I believe most sincerely that unless our people are prepared to deny the past as mentor and guide that there must be in the Senate a courageous, dedicated, and competent opposition to defend fundamental principles of our Government to the end that these principles be neither abandoned nor temporarily forsaken for whatever reason. This was the role that Senator DIRKSEN performed so admirably and it is to his eternal credit that although overwhelmed by numbers time after time, he did not lose his taste for battle. He did not flee the fray but time and again marshaled his forces and prepared to give battle again on another front on another day.

Mr. President, these are the considerations that invoked in me an unashamed admiration of Senator DIRKSEN to add to my great respect for him. These considerations lead me to believe that the measure of Senator DIRKSEN has not yet been taken. I doubt that his contemporaries can take that measure. I suggest that from the perspective of time—when more people better understand the period in which he served as minority leader and when the real issues are dis-

passionately evaluated—at such time, Mr. President, I believe that many of his positions will be vindicated and that a whole Nation will gladly bestow the coveted laurel, "A Great Statesman," and revere his memory. On behalf of all of the people of Alabama I salute his memory.

Mr. PERCY. I yield now to the able Senator from New Mexico.

Mr. ANDERSON. Mr. President, the voice we are missing here today is that of EVERETT DIRKSEN himself. Since his untimely departure, the Chamber has been without the eloquence and soaring rhetoric that only he could impart. His style was perfectly suited to occasions such as this today, when an extra measure of grace and spirit was needed. And so it is today, when we miss him the most, that we need him the most.

I welcomed Ev DIRKSEN to the Senate in 1951, now almost two decades ago. During the course of those years, he became and remained a valuable friend and trusted colleague. Although we sat on opposite sides of the aisle, and although EVERETT DIRKSEN was known as a shrewd and effective operator when the need arose, he never let petty partisanship dominate him.

In retrospect, we could recall his invaluable contributions to the passage of the Nuclear Test Ban Treaty, or the Civil Rights Act of 1964, or innumerable other monumental pieces of legislation. These historic legislative landmarks give permanent proof of Senator DIRKSEN's abiding sense of decency and of his statesmanship in the national service. It is because of these contributions that he will be remembered by future generations.

And yet, for those of us who knew EVERETT DIRKSEN well, and worked with him day by day, we find that we remember him as much or more for his never-failing wit, his flowing eloquence, that indefinable quality we know simply and inadequately as "style." This is how we knew him, and this is how we will remember him.

Mr. PERCY. I yield to the able Senator from Wyoming.

Mr. HANSEN. Mr. President, millions of words have been spoken and written about the subject of today's observations. And within recent weeks many thousands of others have been added to those of past years, in connection with the death of Senator DIRKSEN.

The passion of momentary judgment during the years of his life, particularly in the zenith of his career as Republican leader of the Senate, and the somber assessments that always accompany the finality of death, when all contest is stilled, will doubtless both be measured by the historians of the future in their judgment of EVERETT MCKINLEY DIRKSEN. What we say here today no doubt will add little to their evaluations.

Nonetheless, I should like to offer my comments about this kindly, dedicated, and worthy man and colleague, for what ever worth they may be, for the moment or for the future, and based on my comparatively brief relationship with him over a period of some 2½ years.

My lasting impression will always be, first, of one imbued with kindness and

with a tolerant and generous regard of his fellow man, and of that person's foibles and entrapments. Ev was particularly concerned with those seeking to cope with difficult or unfamiliar situations.

EVERETT DIRKSEN was essentially a kind man—with a kindness that was not just the basic distillation of sympathy, but of solicitude combined with a desire to be helpful as well, where assistance might be rendered when indicated.

For that very reason, he also had to be a simple man despite the popular impression conveyed by many observers; for it was clear that his value system was one based on fundamentals long established in our society.

His obvious and unrestrained love of a particular type of flower has been pointed to in various ways; yet this esthetic, spiritual association with the marigold also establishes both his basic simplicity and his reverence for the mysteries and wonders of nature.

This real quality in his makeup also has been misconstrued in his political leadership, especially with respect to his occasional tendency to change his mind about an issue; yet, had he not been an honest and simple man with the moral courage to alter a previous decision or stand on a matter, then he would have been something else. It is one thing to remain steadfast in one's views; it is something else to refuse to consider or to accept the advice, suggestions, recommendations, or views of others.

In his lifetime, some described his great power of oratory, one of the most remarkable gifts that has been given to any public leader in the world in our time, as old fashioned. But none denied its effect. There were frequent descriptive references to his voice as organ-toned, indicative of the fact that mere words failed to adequately convey the real measure of its power. Senator DIRKSEN was likened to giants of the past such as Henry Clay or, more often, Daniel Webster; but he was none of these. He was, in his own right, his own man—and history will so record him.

Here in this Chamber, in this great building that symbolizes our Nation and its works, he for many years added immense dignity to all legislative endeavor. His keen mind cut through the emotion that can so often cloud issues in debate, and helped lay the facts before those who required them—with persuasive logic.

EVERETT DIRKSEN was the minority leader, but he was adept at compromise without forsaking basic principle, and often he was the leader of the entire Senate—a Senate willing to be led at times by a minority leader of his integrity and dedication to our great country.

He was the leader of a loyal opposition during terribly trying years when it could be extremely unpopular to offer opposition; yet his strong stands gave the Senate and the people of America time to reflect and reason—time to hear all sides of a question and often time to reconsider—and to find a better way.

History, ultimately, will record that EVERETT DIRKSEN was more often right than wrong; and even when wrong, he caused Americans to think and to find the path that was the right one. For that

reason, his contributions to all of us—but above all, to the glory and majesty of the United States of America, which he revered—are vast and immeasurable.

He will always be loved by all of us; but most of all, he should be loved by the people of America, for whom he rendered so much in a relatively brief span of years.

Mr. PERCY. I yield to my colleague from Massachusetts.

Mr. KENNEDY. Mr. President, I rise today to join my colleagues in the Senate in paying tribute to one of the most capable and hardworking and forceful Members ever to serve in this body. Senator EVERETT DIRKSEN of Illinois set a standard of service to his State, to his party, and to his Nation, to which all of us can aspire, but which few of us can ever hope to achieve.

He had a talent for leadership, an insight into history, and a capacity for action which together enabled him to play a key role in one of the most productive eras the Congress of the United States has ever known. He loved the two-party system and he worked hard to keep it strong and to use its power at the right times and in the right places. But he often recognized that national interests could supersede partisan interests, and on those occasions he would not hesitate to put partisan interests aside.

For those of us who entered the Senate when his star was already in its ascendancy, he was a teacher and an example and an inspiration. He tutored us, just by being himself, in the art of eloquence, the skill of advocacy, the science of compromise, and the power of persistence. As a national official, as a Senator, as a lawyer, and as a man, he was of first rank. We will all remember him well, and we will miss his presence here.

Mr. PERCY. I yield to the able junior Senator from New York.

Mr. GOODELL. Mr. President, how a man is remembered often rests in the legacy he leaves behind him. Our late beloved colleague, Senator EVERETT MCKINLEY DIRKSEN, left to his country a legacy of public service and a legacy of life that will not be forgotten.

With undue modesty EVERETT DIRKSEN once characterized himself as "a garden variety Republican." We who knew him and served by his side in the Senate would never accept this as an accurate description of the man. Surely, he was no less than a skilled legislator, a powerful politician, and, as President Nixon said in his eulogy, "a remarkably likable man."

Throughout his years of public service, he deftly combined legislative ability and political acumen to leave us his legacy of leadership.

Few men equal his accomplishments in a congressional career spanning nearly 40 years. Through dedication, hard work, and a disciplined mind, EVERETT DIRKSEN quickly rose to prominence as a leader in the other body where he served for 16 years. The Senate, however, was his natural arena and, since his election to this body in 1950, no other Member equaled his leadership capacity.

As a legislator, he believed in the most basic of legislative principles—acceptable compromise. He said:

Legislation is always the art of the possible. If you follow a course of solid opposition, you can create a stalemate but that is not in the best interests of the country.

With this attitude he pored over bills, line by line, to create acceptable compromises. With this attitude, he steered critical legislation through Congress such as the United Nations Bond Bill of 1962, the Nuclear Test Ban Treaty of 1963, the Civil Rights Act of 1964, and the Voting Rights Act of 1965. Without Senator DIRKSEN's "art of the possible," these major legislative victories may not have occurred.

As a political leader, Senator DIRKSEN devoted his considerable energies in and out of Congress to the Republican Party. For almost three decades he worked for Republican election victories. In the Senate, he was fated to serve always as the minority leader—leader of the loyal opposition. But, he became a friend and counsel of Presidents and no Member of this body had a greater impact during the years of Democratic administrations. His influence extended far beyond the numbers of the minority party.

Senator DIRKSEN's conception of what was best for our country changed throughout his service. He often said that "change is eternal" and he was the first to admit that his earlier opinions did not stand up. This flexibility, often in the face of conflicting pressures from his constituency, was respected for no one doubted his devotion to this country. In 1963, Senator DIRKSEN surprised the Senate by voting for the Nuclear Test Ban Treaty, a treaty he had previously opposed. His explanation reveals the independence of a man never too old to change his mind even amidst strong opposition.

He said:

It is no easy vote. In my office are probably 40,000 letters, and on my Capitol desk are petitions containing 10,000 names in opposition to the treaty. But I must equate those against the whole number of electors in my state. Moreover, I have admonished them over and over again that, regardless of the entreaties and presentations that have been made to me, I feel that I must follow a type of formula laid down by Edmund Burke, the great parliamentarian and prime minister of Britain, when he said it was his business to consult with his people, but it would be a betrayal of his conscience and a disservice to them if he failed to exercise his independent judgment.

So today my statement that I shall support the treaty is an exercise of my independent judgment based upon what I think is best for my country.

Those of us today who feel we must exercise independent judgment have a firm precedent in the life of Senator DIRKSEN, who often exercised strong convictions in the face of strong opposition. As Senator DIRKSEN once said:

We must stand up and be counted in our generation.

Cooperation, enthusiasm, and strength were part of EVERETT DIRKSEN, the leader. These qualities were also inherent in his legacy of life—in EVERETT DIRKSEN the "remarkably likable man."

I shall always remember him as a man who enjoyed life—a man who went about his life's work with joy and en-

thusiasm. This enjoyment pervaded his diverse activities no matter if that work happened to be steering a major piece of legislation through the Congress, orating before an enthralled audience on subjects ranging from marigolds to missiles, tending to his garden at home, or even making best selling record albums.

This enthusiasm was matched by a personal strength and determination which allowed him to overcome critical physical affliction. He confounded medical experts predicting loss of his eyesight. He retired from the other body, spending 2 years to recover from this affliction. When he recovered, he ran for the Senate and defeated the majority leader in that election. Later, he was continually bothered by a succession of recurring illnesses. But he never allowed these difficulties to interfere with his life's work and succeeded in spite of them.

Which one of us never felt Senator DIRKSEN's strength and enthusiasm? Because of this he was an effective leader. But because of it he also was a friend. No one of us agreed with him on every issue. And so we would drift into opposing camps for a time. But it was his style and ultimately his strength to never oppose so vigorously as to lose a friend.

We have lost a friend. We have lost a leader. But in this loss, we feel a deep respect and admiration for his memory.

Many have said that Senator DIRKSEN was a product of an earlier era, a touch of Americana in the space age. These phrases are no disservice to his memory. He served his country and spent his life with a robustness and vigor that could only be the spirit of America. He faced the failures and successes of his life with a dogged determination to correct and perfect himself. This is the essence of his legacy. May we take this legacy and have the strength to apply it in our deliberations as public officials and individual men and women.

Mr. PERCY. I yield to a colleague who was for many years a friend of the man we are honoring today. The distinguished senior Senator from Utah.

SENATOR EVERETT DIRKSEN—A GIANT OF A MAN

Mr. BENNETT. Mr. President, the death of EVERETT MCKINLEY DIRKSEN last month brought a sense of loss to the Senate—and to me in a very personal way—that will be felt for a long time to come. This Chamber will always remain a little empty without him.

Senator DIRKSEN's untimely passing has deprived the Senate and the Nation of one of its most vibrant personalities. He had come to be almost everyone's image of what the U.S. Senate was and still is.

It was not just the commanding presence, resonant voice, or patented Dirksen style that made him so vital. It was rather his forthright love of America and her noblest traditions, and his devotion to his service here on behalf of the people of Illinois.

He was unquestionably fired by a deep and very real patriotism, which fortuitously was recorded for posterity in the record albums he cut. Although some

cynical commentators derided Senator DIRKSEN's unabashed Americanism, those of us who knew him well can testify to its efficacy in motivating this great statesman to help make possible the landmark legislation associated with his name.

For all his flamboyance and drive, it was Senator DIRKSEN's great genius for necessary political compromise both within his own party and between the two political parties that resulted in so much significant legislation.

On a personal basis, it was an honor to be among those who came into the Senate with EVERETT DIRKSEN in 1951, to have served with him on the Senate Finance Committee, and to have lived in the same apartment building with him and Mrs. Dirksen for many years. And, in the Senate, it was a privilege to work alongside this giant of a man whose tolerance and understanding provided so much to all of us. Truly, he was a Senator's Senator.

Senator DIRKSEN dedicated more than a third of his life to service in the House of Representatives and the Senate. Although the system inevitably carries on in the absence of any man, his passing has left a void in each of us.

The Senate is poorer for his passing. I ask unanimous consent to have printed in the RECORD an editorial published in the Salt Lake Tribune of September 9, following Senator DIRKSEN's death.

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

GRAND OLD MAN OF POLITICS

No question about it. EVERETT MCKINLEY DIRKSEN will be missed. He was one of the most powerful men in Washington, a past master of political strategy, a resourceful party leader, and, perhaps most important of all, a man who was not afraid to change his mind. His death this week at the age of 73 will be mourned across the nation.

When DIRKSEN was elected to the House of Representatives in 1932, he was an isolationist, as were many of his fellow Americans. But the nation changed and so did he, and as a senator he was a staunch supporter of the foreign policies of Presidents Eisenhower, Kennedy, Johnson and Nixon. He also moved from conservatism to a middle-of-the-road position as the years passed.

DIRKSEN served more than a quarter of a century on Capitol Hill—16 years in the House followed after a two-year "recess," by 19 in the Senate where, in 1959, he was chosen majority leader. A year later, however, the Republicans lost control of the Senate and for the rest of his career he was minority leader.

Ordinarily, that is not a position of much influence except in party affairs. DIRKSEN played the game differently. Democrats Kennedy and Johnson often relied on Republican DIRKSEN for help on legislation and he usually delivered. He rallied the votes needed to break the filibuster against the civil rights bill of 1964 and played a key role in winning ratification of the nuclear test ban treaty. Interestingly enough, on several occasions Republican Nixon found himself at odds with Republican DIRKSEN.

Much has been made of DIRKSEN's oratorical style which was florid and somewhat old-fashioned. That may have been one reason the senator adopted it. He was a showman who thrived on attention. He also knew how to use the English language with telling effect. When he spoke, despite the clouds of words, his meaning was perfectly clear.

We leave it to the historians to add up

the pluses and minuses of DIRKSEN's career. But we can with confidence say that he leaves a great vacancy. How could it be otherwise when he was at the center of affairs for so long and so intimately involved in almost everything that went on in Washington? He was in truth the grand old man of American politics.

Mr. PERCY. I yield to the able gentleman from Arizona.

Mr. GOLDWATER. Mr. President, to try to express my thoughts and my emotions wrapped up with EVERETT DIRKSEN is an impossible task from the very outset, because my mind does not know the words to express the feeling in my heart.

I first remember this wonderful man on the roof of the Adams Hotel in downtown Phoenix on a bright, moonlit night, the sky studded with the brilliant stars of the desert. He was talking to me, urging me to run for the U.S. Senate, and this was my first interest in obtaining the position I now hold. I decided that night to do it, and told him I would, and from that moment there was just a wonderful, warm, and close friendship that few men ever have the pleasure of experiencing.

He once called himself my political godfather, and I would have to admit that this is true in every sense of the word, because I cannot remember a time when I went to him for advice and counsel that he did not give it his wholehearted wisdom. I remember, in particular, his counseling me during the troubled days of 1963 when I was trying to make up my mind whether or not to seek our party's nomination, and his advice was always sound, was never pushy, was always restrained, but the message came through that he thought I should do it, and this decision on his part is one of the major reasons I made the race.

I remember the night he came to my apartment in 1964 to read to me the nominating speech he had prepared after I had asked him if he would place my name in nomination in San Francisco. I do not mind saying that there were tears in my eyes as he read this straightforward, simple, and plain message of nomination, and the night that he made it in the Cow Palace, in San Francisco, will remain with me forever as one of the highest moments of my life.

I followed him as chairman of the senatorial campaign committee and his help was ever present. He volunteered and served briefly on the Labor and Public Welfare Committee to help us work out a bill to help end the abuses practiced by some of the leaders of labor. No one will ever know his major contributions to the conference that produced the Landrum-Griffin bill, and I feel that he, with all deference to the others, more than any other member, was instrumental in putting together a bill which readily won the approval of both Houses.

Having served with him in politics for so long, it is not easy to think of continuing to serve without him. He had become so much a part of my life, and the life of the Senate. We will all miss him; I, perhaps, a little more than most of the rest. As I said at the outset, I wish there were words to convey what I really feel, but I think as Louella and the other members of his family read this, they will know

in their hearts what I am trying to say.

Mr. PERCY. I yield to the able Senator from Nevada.

Mr. CANNON. Mr. President, once again we stand on this floor in sorrow to pay our respects to a departed colleague—a true, loyal and devoted patriot of our Nation.

The many years EVERETT MCKINLEY DIRKSEN served as statesman and Republican leader attest to his devotion to our great Nation and to the well-being of its citizenry.

He was motivated by the highest principles of representative government of which he was a part. He translated his firm belief in the basic tenets of democracy into actions which benefited the Nation, his State, and his constituency.

He was an American who cultivated the chivalric virtues of public life—love of combat in statesmanship, high sense of honor, practical acceptance of the standards of party loyalty, and acceptance of political life as a game to be played according to the rules.

Senator DIRKSEN's service to his country will be sorely missed by his colleagues as well as the Nation. Presidents leaned on EVERETT DIRKSEN to provide the needed margin of support in some of the most important and historic legislation of our times. His eloquence and wit often cut through to the heart of our complex national issues and exposed the core of these problems to the American people.

The memory of EVERETT DIRKSEN will long live in these Halls and in the Nation. To his family I extend my deepest sympathy.

Mr. PERCY. I yield to the distinguished Senator from Georgia.

Mr. RUSSELL. Mr. President, in the span of more than three and a half decades in which the people of Georgia have permitted me to serve in this body, I have had a unique opportunity to be closely associated with a great many Senators. High on the list of those whose memory I shall always treasure is our late colleague and my distinguished friend, EVERETT MCKINLEY DIRKSEN.

While there may have been some who were as colorful, he was unique among the figures who have passed across this stage. Through the miracle of modern communications, he was a familiar figure in every household in the country and his characteristic style and oratory endeared him to the American people. The affection with which he was held was as great in Winder, Ga., as it was in Pekin, Ill. He was loved and respected by the public at large and, as a result, the respect of the American people for this body was enhanced.

When he spoke, the Nation listened, and his eloquence was a source of national strength. His voice broke through the barrier of cynicism that characterizes so much of the spoken and written word today, and what he had to say about the values and traditions that we as a nation cherish was good for Americans to hear.

As much as he was a man of the public, he was also a Senate man and a fierce guardian of the qualities and characteristics that set this institution apart from other legislative bodies. It was always a comforting feeling to be on the same

side with him on any issue and his passing has left a void in this Chamber that we can ill afford.

I feel uniquely qualified to speak about one of his more admirable traits—his capacity for dealing with physical infirmities. He had the tenacity and drive to keep his shoulder to the wheel in spite of discomfort and suffering, and he was fighting to return to his leadership desk when he received his final call. We often swapped treatments and worldly remedies, but in the final analysis he always knew his physical well-being was in the hands of providential power. I believe I know how he accepted death because I knew so well how he had lived.

Mr. PERCY. I yield to the distinguished Senator from Maine.

Mr. MUSKIE. Mr. President, EVERETT MCKINLEY DIRKSEN was a skillful, resourceful, and eloquent spokesman for his party and for the causes to which he dedicated his life.

To those of us who fought battles against him from the other side of the aisle, he was fair and he was thorough.

On other occasions, I had the honor to participate in Senate debate on the side which Senator DIRKSEN helped to lead. I know that if it were not for Senator DIRKSEN there may not have been a Civil Rights Act in 1964. I know that if it were not for Senator DIRKSEN there may not have been a Nuclear Test Ban Treaty.

The minority leader never deserted what he believed to be the best interest of the American people. And for that reason, few public figures have ever generated greater affection from so many Americans.

Mrs. Dirksen and her family have my deepest sympathies, and his colleagues and the public will always miss his presence in the Senate Chamber.

EVERETT MCKINLEY DIRKSEN: A UNIQUE FIGURE

Mr. CHURCH. Mr. President, it is appropriate that we set aside time to pay our respects to the late Republican leader of the Senate, who served his party and his country in such a memorable way.

Everett Dirksen brought the embellishment of the past to the politics of the present. His grandiloquence made him a unique figure, an authentic product of an earlier period who remained prominent and powerful to the moment of his death.

We will not see the likes of him again.

Mr. PERCY. Mr. President, I believe that I can speak for hundreds of thousands if not millions of women in Illinois who not only knew EVERETT DIRKSEN, but also have known his wife, Louella Dirksen. They have heard her speak, and they have seen her stand in, on occasion, for EVERETT DIRKSEN when he was unable to appear. She has traveled with him through the years throughout the State of Illinois. The affection and regard in which she is held, and the admiration the people of Illinois have for her, know no bounds. It would not be proper, in the eulogies that have been offered, to close without paying great tribute to Louella Dirksen, not only for what she has meant to our State, but for what she meant to EVERETT DIRKSEN. At times of illness, at

times of disappointment and at times of despair, she always stood by his side and provided the necessary resilience and inspiration to help and sustain him.

His daughter, Joy Baker, has shared a life of politics. She had, I suppose, the same fortune that children of other politicians became a Member of this body, than she otherwise would have. But she has been understanding and patient, and a great contributor; and she certainly knew what she was getting into when she married a politician, and that politician became a Member of this body.

The fact that we are politicians does not necessarily mean, though we are away from our children more, perhaps, than people in business and other professions, that we cannot inspire them; and, certainly, Joy Baker has had the opportunity to be inspired, not only by her father but by her husband.

Senator DIRKSEN's great pride in his son-in-law and colleague, Senator HOWARD BAKER, was apparent for all to see. They shared mutual respect and admiration.

Lastly, EVERETT DIRKSEN's two grandchildren, Darek and Cynthia, were the great joys of his life. Nothing pleased him more than to be able to be with them, to tell them stories, and to expound to them on life, and they had great affection and regard for him. I was very pleased indeed that they were able to be present in the Capitol today, as they have been many times before, to observe their grandfather work in the place he loved to be, the floor of the U.S. Senate.

Mr. BAYH. Mr. President, for 35 years EVERETT MCKINLEY DIRKSEN unselfishly and devotedly served his Nation as an elected representative with honor, dignity and everlasting credit. Now he has been removed from our midst. Although his influence upon the work of the Senate and on Federal legislation will endure for generations, the voice of one of our most eloquent Members will no longer echo within these halls. The loss of this remarkable statesman from the land of Lincoln is mourned not only by his colleagues but by the general public which respected and admired him for his many lasting contributions to the general public.

Endowed with a brilliant legislative mind, blessed with an entertaining sense of humor, and gifted with a distinctive style of oratory, Senator DIRKSEN became a legend within our times. He continually endeavored to serve the best interests of the Nation through his leadership and support for countless measures of significance, whether sponsored by his party or not, which he believed would be of public benefit. He was truly a patriot, dedicating his life to the formulation and enactment of legislation designed to improve society and the common weal.

It was my pleasure to serve for nearly 7 years on the Judiciary Committee and several of its sub-committees with Senator DIRKSEN. Although our positions on policy issues did not always concur, I found him to be a remarkable man and a devoted servant of the people, always searching for the best solutions to all problems confronting us. He was noted

for his reverence for the law and his belief in upholding the fundamental concepts and basic provisions of the United States Constitution. I am personally indebted to Senator DIRKSEN for his work on the Subcommittee on Constitutional Amendments, especially his assistance in helping secure Congressional approval of the 25th amendment to the United States Constitution.

In later years Senator DIRKSEN exhibited his many diversified talents through occasional public entertainment appearances. He performed in this capacity with unmatched skill. His ability to find humor hidden within the most trying issues, his distinguished oratorical style, and his flamboyant charm endeared him to the hearts of all America. Seldom has a Member of Congress been more respected or better known by people from all sections of the country as well as his home State.

The Senate and the Nation has suffered a grievous loss with the passing of Senator DIRKSEN. The citizens of Indiana join me in expressing our sadness at the death of this great man and in extending to Mrs. Dirksen, her family, and to all the citizens of Illinois our deepest sympathy.

EXECUTIVE COMMUNICATIONS, ETC.

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

STATUS OF APPROPRIATIONS BILLS

A communication from the President of the United States, relating to the status of appropriations bills; to the Committee on Appropriations.

REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report on the enforcement of title II (extortionate credit transactions) of the Consumer Credit Protection Act of 1968 for the fiscal year 1969, dated October 1969 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF EXPORT-IMPORT BANK OF THE UNITED STATES

A letter from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report of the Bank on its operations from July 1, 1968 through June 30, 1969 (with an accompanying report); to the Committee on Banking and Currency.

PROPOSED AMENDMENT OF SECTION 3731, TITLE 18, UNITED STATES CODE

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 3731 of title 18, United States Code, relating to appeals by the United States in criminal cases (with an accompanying paper); to the Committee on the Judiciary.

PROPOSED AMENDMENT OF TITLE 18, UNITED STATES CODE

A letter from the Attorney General, transmitting a draft of proposed legislation to amend title 18 of the United States Code to prohibit certain uses of likenesses of the great seal of the United States, and of the seals of the President and Vice President (with an accompanying paper); to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

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

By Mr. COTTON, from the Committee on Commerce:

Dean Burch, of Arizona, to be a member of the Federal Communications Commission.

By Mr. PEARSON, from the Committee on Commerce:

Robert Wells, of Kansas, to be a member of the Federal Communications Commission.

Mr. MAGNUSON. Mr. President, as in executive session, from the Committee on Commerce, I report favorably sundry nominations in the Coast Guard. Since these nominations have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations, ordered to lie on the desk, are as follows:

David A. Potter, and sundry other officers, for promotion in the Coast Guard;

Alan B. Pell, and sundry other Reserve officers, for assignment in the Coast Guard;

Louis K. Bragaw, Jr., and sundry other officers, to be members of the permanent commissioned teaching staff of the Coast Guard Academy; and

Tomas W. Wolfe, and sundry other officers, for promotion in the Coast Guard.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Henry J. Costanzo, of the District of Columbia, to be Executive Director of the Inter-American Development Bank;

Scott Heuer, Jr., of the District of Columbia, to be Inspector General, Foreign Assistance;

Anthony Faunce, of Massachusetts, to be Deputy Inspector General, Foreign Assistance;

Thomas Patrick Melady, of New York, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Burundi;

John F. Root, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Ivory Coast;

Robert E. Wleczorowski, of Illinois, to be U.S. Executive Director of the International Bank for Reconstruction and Development; and

Samuel C. Adams, Jr., of Texas, to be an Assistant Administrator of the Agency for International Development.

BILLS INTRODUCED

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

By Mr. MATHIAS:

S. 3091. A bill to provide authority for subsidized transportation for Public Health Service employees affected by the transfer to the Parklawn Building in Rockville, Md.; to the Committee on Government Operations.

By Mr. TYDINGS:

S. 3092. A bill to amend the Federal Trade Commission Act to extend protection against fraudulent or deceptive practices, condemned by that act, to consumers through civil actions, and to provide for class actions for acts in fraud of consumers; to the Committee on Commerce.

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

By Mr. CRANSTON (for himself, Mr. MURPHY, Mr. MUSKIE, and Mr. NELSON):

S. 3093. A bill to create marine sanctuaries from leasing pursuant to the Outer Continental Shelf Lands Act in areas off the coast of California adjacent to State-owned submerged lands when such State suspends leasing of such submerged lands for mineral purposes; to the Committee on Interior and Insular Affairs.

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

S. 3092—INTRODUCTION OF A BILL TO BE KNOWN AS THE "CONSUMER CLASS ACTION ACT"

Mr. TYDINGS. Mr. President, last spring I introduced in the Senate, legislation, S. 1980, designed to provide consumers with an effective means, the class action, for fighting the consumer fraud and overreaching practices that are sometimes perpetrated against them. In July, the Senate Subcommittee on Improvements in Judicial Machinery of which I am chairman, held hearings to consider the merits of this legislation.

Testimony was heard from an impressive group of witnesses, including among others, Congressman ECKHARDT, who had introduced a companion bill in the House of Representatives, Virginia Knauer, Special Assistant to the President for Consumer Affairs, Ralph Nader, the "consumer watchdog," and Bess Myerson Grant, commissioner of the Department of Consumer Affairs for the City of New York. Each of the witnesses called for the creation of an expeditious and effective private procedural remedy for consumer frauds, a remedy that will make it economical to litigate violations of consumer rights, a remedy sufficiently attractive in its potential financial award to enlist the aid and support of the private bar.

All of them agreed that the solution most readily at hand is the "class action" and, in particular, the broad, modern class action rule available in the Federal courts. A class action compensates for a single consumer's inability to litigate a small loss by enabling representatives of a group with similar injuries to place a group injury in issue.

The legislation that I introduced would give consumers the benefit of the Federal class action rule by permitting class actions based on violation of State consumer protection laws to be brought in Federal courts regardless of the domicile of the parties or the amount in controversy.

In her testimony before my subcommittee, Mrs. Knauer, speaking for the administration, suggested legislation to permit consumer class action suits for the broad range of practices defined as "unfair or deceptive" under the decisions interpreting the Federal Trade Commission Act. Although her proposal was somewhat different from the legislation that I had introduced, Mrs. Knauer joined the other witnesses in approving the underlying philosophy of my bill.

The administration has not, as yet, sent to Congress a bill embodying Mrs. Knauer's proposal and it is, therefore, not clear exactly what form that legislation will take. Since the hearings, however, I have had the opportunity to study the testimony of Mrs. Knauer closely and to discuss her suggestions in depth with representatives from her office. I have concluded that the proposal is a valuable one, one that complements the legislation that I introduced last spring. Congressman ECKHARDT and I have now drafted a bill that combines Mrs. Knauer's proposal with our own. Today, I am introducing this bill for appropriate reference. I invite the administration to study this new bill carefully and to work with us for the enactment of strong consumer class action legislation by this Congress.

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

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

The bill (S. 3092) to amend the Federal Trade Commission Act to extend protection against fraudulent or deceptive practices, condemned by that act, to consumers through civil actions, and to provide for class actions for acts in fraud of consumers, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3092

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 "Consumer Class Action Act".

SEC. 2. Section 5 of the Federal Trade Commission Act (15 U.S.C. 45) is amended by adding at the end thereof the following:

"(m) Consumers who have been damaged by unfair or deceptive acts or practices in commerce are hereby authorized to bring consumer class actions for redress of such damages. Such actions shall be brought as consumer class actions in accordance with section 4 of the Consumer Class Action Act."

SEC. 3. (1) Congress hereby declares that the protection afforded under the existing Federal Trade Commission Act is not sufficient to prevent unfair and deceptive acts perpetrated against consumers and that consumers should be allowed to sue directly for redress in the case of such practices. Congress, therefore, finds and declares that class actions are the most effective machinery for redress of consumer rights.

(2) Congress further finds and declares that many substantive rights to protect consumers are established in the laws of the States, but there is no remedy by which many persons, each having a small claim, can obtain effective redress under State law. Therefore, it is in the public interest to embrace as Federal law certain State recognized rights and afford a uniform Federal process, by consumer class actions, as an effective remedy.

(3) Congress further finds that the lack of an effective process and remedy in these respects impairs the free flow of consumer goods in commerce and that there is an overriding Federal interest in achieving candor and fair dealing in the marketplace, an interest which, if not protected, clogs the entire economy.

SEC. 4. (a) (1) An act in fraud of consumers which affects commerce is unlawful

and the district courts of the United States shall have original jurisdiction without regard to the amount in controversy to entertain civil class actions for redress of such unlawful acts.

(2) For the purposes of this section an "act in fraud of consumers" is—

(A) an unfair or deceptive act or practice which is unlawful within the meaning of section 5(a)(1) of the Federal Trade Commission Act, or

(B) an act that gives rise to a civil action by a consumer or consumers under State, statutory or decisional law for the benefit of consumers.

(3) "Consumer" means any natural person who is offered or supplied goods, services, interests in land, or intangibles primarily for personal, family, household, or agricultural purposes.

(b) In the case of any class action brought upon the basis that a deceptive act or practice which is unlawful within the meaning of section 5(a)(1) of the Federal Trade Commission Act has violated consumers' rights, the court shall in construing the terms "unfair or deceptive," give great weight to the interpretation given such terms by the Federal Trade Commission and by the Federal courts in applying section 5(a)(1) of the Federal Trade Commission Act; except that nothing in this Act or the amendments made by this Act, shall be construed to require the court to await administrative action by the Federal Trade Commission before applying Federal law to the facts of the case.

(c) In the case of any class action brought upon the basis of a violation of consumers' rights under any State law the court shall, in deciding such action, apply the following criteria:

(1) State law relating to the consumers' rights under State statutory or decisional law is adopted as Federal law.

(2) Federal law applicable to each class shall be fashioned upon the law of the State and the State statutory and decisional construction shall be applied as if jurisdiction of the Federal court were based on diversity of citizenship.

(3) In cases of conflict between State statutory and decisional construction and Federal law the latter shall prevail, and Federal law governing the case shall be fashioned from State law not in conflict, as near as may be, and from Federal law.

(4) If, prior to the date of enactment of this Act, a cause was not subject to removal under section 1441 of title 28, United States Code, the adoption of State law as Federal law by this Act shall not authorize the removal of such a cause on the jurisdictional basis of a Federal question.

(d) Whenever a class of consumers prevails in a class action under this Act, including the amendments made by this Act, the court shall award to the attorneys representing such class a reasonable fee based on the value of their services to the class. An award of attorneys' fees is to be made in addition to the damages or relief recovered by the class except that attorneys' fees may be awarded from money damages or financial penalties which the defendant owes to members of the class who cannot be located with due diligence. Such attorneys' fees awarded by the court shall not exceed 10 percent of the total judgment unless failure to award a greater amount would be manifestly unjust and not commensurate with the efforts of counsel.

S. 3093—INTRODUCTION OF THE CALIFORNIA MARINE SANCTUARY ACT OF 1969

Mr. CRANSTON. Mr. President, I introduce for appropriate reference, for myself and Senators MURPHY, MUSKIE,

and NELSON the California Marine Sanctuary Act of 1969.

Last January's blowout of the Union Oil drilling operation beneath platform A in the Santa Barbara channel was a tragedy. But the rupture which is still leaking oil into the channel waters hides a bitter irony: the Union lease lies immediately seaward of a State-created marine sanctuary, where the granting of leases for petroleum development has been banned by California.

This Santa Barbara sanctuary was one of five marine sanctuaries established in 1955 in response in part to the recognition of the dangers involved in oil drilling.

Almost all of southern California is protected, the largest sanctuary from Newport Beach stretching down the historic coast of Orange and San Diego Counties to the Mexican border. The fabled offshore islands of San Clemente and Santa Catalina were set aside as were the heavily used metropolitan beaches of Los Angeles and the magnificent stretches of Santa Barbara—now coated with oil. The rugged and unspoiled coast of San Luis Obispo County completed the 1955 actions.

In 1963, two additional northern California coastal sites were made sanctuaries: Monterey Bay, which played such a major role in California's early history as well as the desolate grandeur of the Big Sur shoreline and the wild, redwood lands of Humboldt and Mendocino Counties.

Today these seven sanctuaries account for almost a fourth of the entire California coastline. They prohibit oil drilling on an estimated half of the tidelands suspected or known to contain oil deposits.

Mr. President, environmental pollution is at least superficially a local problem. In the far-off seats of Government and industry, it is not difficult to fall into broad generalities about national interests being so important that some incidental contamination can be overlooked. But do not try to tell that to those who must breathe, eat, and sleep in the muck which is excreted throughout our Nation daily in the name of social progress.

I believe that the right of our people to protect their life system must have priority over other values. Thus, I believe our Federal policy must be to support and sustain stronger State laws and regulations, for without Federal conformity, State laws may be useless in protecting the local environment.

The recently issued reports on the President's Panel on Oil Spills—the Du Bridge Panel—made the same point:

As a general practice it would seem advisable that the Federal standards for safety and possible environmental damage should be at least as strict as the standards in the state whose waters are contiguous to the Federal waters.

Santa Barbara is an excellent example of failure to follow this advice. It did the people of California little good to set aside the State sanctuary when just beyond it the Federal Government proceeded to lease the stage where this year's Santa Barbara tragedy was enacted.

I agree with the conclusion reached by President Nixon's Panel on Oil Spills when it recommended that "prompt and meaningful efforts be made to incorporate the opinions, advice and policies of State and local governments into the plans for development of the Federal offshore mineral resources."

To this end, I believe that the Federal Government should not grant leases in the areas of Federal jurisdiction seaward of the California tideland sanctuaries.

The California coastline is both a State and a national treasure. It is gravely threatened by the immediate development of its oil resources.

In its October 19 report, the President's panel makes the case simply and succinctly with this blunt warning:

The United States has neither the technical nor the operational capability to cope satisfactorily with a large-scale petroleum spill in the marine environment. The technology does not exist to prevent virtually all of the oil in a massive spill from being deposited on shore.

California's relatively unstable tectonics add to the dangers of drilling on our coastline, according to the Du Bridge report:

Further, it appears that there are not at present adequate earthquake design guidelines for the California coast.

Certainly we can expect that techniques for safe drilling on the ocean floor and for control and containment of accidental spills will be developed in the future. Further, I am encouraged by technical progress toward ocean floor completion of oil wells, which will eliminate the unsightly towers which now pockmark the Santa Barbara Channel. When these advances are made, when the new techniques have been proven safe and workable, then both the State of California and the Federal Government can and should reconsider the need for their sanctuaries.

But until that year comes, I believe the legislation I introduce today is vitally needed.

The effect of this bill will be to prohibit further leasing for the extraction of oil and gas in those portions of the Outer Continental Shelf which are seaward of California's marine sanctuaries. At the present time only the Santa Barbara sanctuary has seaward leasing operations. This bill will not affect these operations. It does not terminate any existing lease nor the right to drill under any existing lease.

The purpose of this act is to prohibit the further issuance of leases in those areas which are seaward of California marine sanctuaries. This protection is effective until the State of California determines that the prohibition of leasing established pursuant to this bill is not desirable.

If more marine sanctuaries are created by the State of California subsequent to the enactment of this bill, the further issuance of leases for oil and gas production in the area seaward of the new sanctuaries will be prohibited. But any lease in this seaward area which was issued before the creation of the State sanctuary would not be affected.

This bill only restricts the Secretary of Interior's power to grant leases for the extraction of oil and gas from those portions of the Outer Continental Shelf which are seaward of marine sanctuaries. It would not apply off coastal areas which California does not itself seek to protect by establishing sanctuaries within its own jurisdiction. It does not limit or in any way affect the Secretary's procedures for issuing leases, granting rights of way or renewing leases. This bill does not alter the Secretary's jurisdiction over leasing and drilling operations. Scientific exploration of the Outer Continental Shelf for purposes other than oil, gas, or mineral recovery is in no way prohibited.

It should also be emphasized that this bill does not grant to California any title to or jurisdiction over any portion of the Outer Continental Shelf.

Although the bill is silent on the question of how far seaward the sanctuary should extend—as written the ban would apply to all areas in the Federal jurisdiction—I am aware that a prohibition on drilling at the outer limits of U.S. jurisdiction may not be required in order to protect the coastal Federal and State sanctuary areas. I urge that the committee deliberating on the bill request evidence and opinion on this question.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

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

The bill (S. 3093) to create marine sanctuaries from leasing pursuant to the Outer Continental Shelf Lands Act in areas off the coast of California adjacent to State-owned submerged lands when such State suspends leasing of such submerged lands for mineral purposes, introduced by Mr. CRANSTON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 3093

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 "California Marine Sanctuary Act of 1969".

Sec. 2. The Congress finds and declares that the shoreline of the State of California, and the lands beneath navigable waters and the outer Continental Shelf off such shoreline, are rich in a variety of natural, commercial, recreational, and esthetic resources of immediate and potential value to the present and future generations of Americans; that many of these areas are in danger of damage or destruction by commercial and industrial development; and that it is the policy of Congress to preserve, protect, restore, make accessible for the benefit of all the people, and encourage balanced use of selected portions of such areas.

Sec. 3. Effective as of the date on which the State of California notifies the Secretary of the Interior of the enactment by such State of any law providing that leases will not be issued by such State for the exploration for or extraction of oil, gas, or any other mineral in any area extending from the coastline of such State to the edge of lands beneath navigable waters within such State, the Sec-

retary shall suspend, for the duration of such State law, all further leasing, pursuant to the Outer Continental Shelf Lands Act, for the exploration for or extraction of oil, gas, or any other mineral in the portion of the Outer Continental Shelf seaward of such State area. The Secretary shall determine such seaward portion by extending seaward the boundaries of such State area in a parallel manner adjusted as determined by the Secretary to conform to lease tract boundaries.

SEC. 4. Any suspension of leasing in any area pursuant to section 3—

(1) shall, upon notification by the State of California of law enacted by such State requesting termination of such suspension with respect to all or part of such area, be terminated by the Secretary of the Interior in accordance with such request, or

(2) if terminated pursuant to clause (1) shall be reinstated upon any such notification of any such law requesting reinstatement.

SEC. 5. Nothing in this Act shall be deemed—

(1) to authorize the Secretary of the Interior to terminate any lease or to refuse to renew any lease with a right of renewal; or

(2) to prohibit or limit any presently existing power of the Secretary of the Interior to grant rights of way; or

(3) to prohibit any exploration or development of the Outer Continental Shelf for purposes other than the recovery of oil, gas or other minerals; or

(4) to grant to the State of California any title or jurisdiction over any portion of the outer Continental Shelf. Sec. 6. For the purposes of this Act—

(1) the term "lands beneath navigable waters" has the meaning prescribed in the Submerged Lands Act;

(2) the term "Outer Continental Shelf" has the meaning prescribed in the Outer Continental Shelf Lands Act;

(3) the term "coastline" means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters; and

(4) the term "lease" means any permit, contract or any other form of authorization.

SEC. 7. If any provision of this Act, or any section, subsection, sentence, clause or circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase or individual word to other persons and circumstances is not affected thereby.

ADDITIONAL COSPONSORS OF BILLS

S. 1958

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Oklahoma (Mr. HARRIS), I ask unanimous consent that, at the next printing the name of the Senator from Alabama (Mr. ALLEN) be added as a cosponsor of S. 1958, to provide for an equitable system for fixing and adjusting the rates of compensation of wage board employees.

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

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 Iowa (Mr. MILLER) be added as a cosponsor of S. 2674, to amend title 37, United States Code, to provide for the procurement and reten-

tion of judge advocates and law specialist officers for the Armed Forces.

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

TAX REFORM ACT OF 1969—AMENDMENT

AMENDMENT NO. 256

INCREASE SOCIAL SECURITY BENEFITS BY 15 PERCENT

Mr. HARTKE. Mr. President, for many Americans, retirement means poverty. A man works hard and well, and his reward for a lifetime of work is humiliation, deprivation, and economic fear. It is a sad truth of today that many elderly people fear a life of economic insecurity more than they fear death itself.

Three out of 10 persons over 65, in contrast to one in nine persons under 65, are living in poverty at this time.

This problem of extremely low incomes is further aggravated by the fact that more Americans are spending more years in retirement periods of indeterminate length and uncertain needs, thus causing a mounting strain on the limited resources which they had when they began retirement.

Yet serious as the situation is today, it will deteriorate even more dramatically in the years ahead unless something is done—and done quickly. National economic growth, while putting added dollars into the pockets of the workers, increases pressures on the retiree. A rise in earnings of 4 percent annually—a not unrealistic assumption in this era of inflation—means that consumption levels will approximately double in the next two decades, placing those on fixed incomes at a serious disadvantage in the marketplace.

This disadvantage is newly deepened by inflation—a cruel acid of our society. The cost of living rose by 5 percent last year and will exceed 6 percent this year. Our elder citizens have had \$3 billion in purchasing power taken away by inflation from their pensions since 1965. Present inflation has already robbed social security recipients of the 7-percent increase in benefits most recently approved by Congress.

This pauperization of our elderly will continue unless something is done now. For these reasons, I submit an amendment intended to be proposed by me to the tax reform bill, H.R. 13270, an immediate across-the-board increase in social security benefits by 15 percent. A lot more needs to be done, but we should not fail to do at least this.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 256) was referred to the Committee on Finance.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 29, 1969, he presented to the President of the United States the following enrolled bills:

S. 210. An act to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna; and

S. 1689. An act to amend the Federal Haz-

ardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. HRUSKA. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Warren H. Coolidge, of North Carolina, to be U.S. attorney for the eastern district of North Carolina for the term of 4 years, vice Robert H. Cowen.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, November 5, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

LIBERALIZATION OF FEDERAL TRADE COMMISSION RULES

Mr. KENNEDY. Mr. President, last Friday, the Federal Trade Commission announced a number of changes in its rules concerning release of information to the public. These changes liberalize FTC policy concerning disclosures of advisory opinions, pre-merger clearance requests, and certain applications under outstanding orders. Many of these issues were discussed by the Commissioners last month before the Subcommittee on Administrative Practice and Procedure. I am pleased to see the Commission responding in such a timely and constructive manner.

One rule change provides that all ex parte communications to the Commission relating to the decisional processes are to be placed on the public record. Specifically, the new procedure provides that all communications, oral or written, received by any Commissioner or Commission employee involved in the decisional process, shall be made a part of the public record.

The subcommittee inquiry into Commission procedures pointed to the urgent need for this procedure, and it should do much to dispel any public anxiety over possible appearances of impropriety in the course of the FTC's decisionmaking process. Rather than inhibiting communication to the Commission, it provides safeguards for the public and for parties involved in Commission proceedings.

The FTC is currently considering proposed changes in its rule relating to access to and confidentiality of information under the Freedom of Information Act. We will be looking forward to progress in this area to conform the Commission's disclosure policies in every respect to the "letter and spirit" of the act.

I feel certain that Senators will be interested in the Commission's activities in this area. I ask unanimous consent that the release be printed in the RECORD.

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

[A news release from the Federal Trade Commission, Oct. 24, 1969]

FTC LIBERALIZES PUBLIC INFORMATION DISCLOSURE POLICIES

The Federal Trade Commission today announced important changes in its rules of practice which greatly increase information available to the public on advisory opinions, per-merger clearance requests, applications under outstanding orders for approval of proposed divestitures or acquisitions, and other administrative actions by the Commission.

The rule changes are another step taken by the Commission to conform its disclosure policies to both the letter and spirit of the Freedom of Information Act.

To an increasing degree, the Commission is publicizing its actions as fully and speedily as possible, giving the public opportunity to submit views on various proposals, and taking these views into consideration in making its rulings.

Every effort is being made to formulate a maximum disclosure program that is both balanced and fair—i.e., one that gives full recognition to the public's right to know how the Commission is carrying out its law enforcement responsibilities, without unnecessarily injuring the reputation of the businessmen and companies regulated by the Commission or disclosing their trade secrets.

One of the major rule changes deals with the publication of the FTC's advisory opinions as to the legality of proposed courses of action. Under the old rule, only a digest of the advisory opinion was published and it did not identify the requesting party or disclose material as to which confidentiality had been granted.

The new rule provides that the advisory opinions themselves and the requests for them will be made public when the opinions are rendered by the Commission, and will include the names of the requesting parties and details of the request.

Before making any of this material public, however, the Commission will consider any requests made to it that all or part of this material be held confidential, and will make its decision on these requests with due regard to its own rules, any existing statutory restrictions, and the public interest.

Another revision deals with the procedure for handling requests for advice concerning proposed mergers and applications for approval of contemplated divestitures, acquisitions, and similar transactions subject to Commission review under outstanding orders.

Upon receipt, as announced on August 6, 1969, all of these requests and applications, together with supporting materials, are placed on the public record and made the subject of a press release, subject to FTC rulings on confidentiality requests based on the same criteria used in advisory opinion matters.

A new rule has been added providing that in the future, the Commission will also place on the public record, immediately upon receipt, all communications, written or oral, concerning the proposed mergers or other transactions received by any member of the Commission or by any employee involved in the decisional process. In the case of an oral communication, the recipient will immediately furnish the Commission with a memorandum in writing setting forth the full content of the communication and the circumstances under which it was received, and the memorandum will be placed on the public record.

Within 30 days after the request or application and other materials are placed on the public record, any interested member of the public may file with the Commission objec-

tions or comments concerning the proposal, which will also be made a part of the public record.

When the Commission gives its advice regarding the proposed merger or has responded to an application for approval of a proposed acquisition or divestiture, the advice or response and the Commission's supporting reasons will be published.

Under another rule revision, the Commission will announce its determination to issue a complaint when the complaint is sent to the proposed respondent under the consent order procedures rather than, as is presently done, defer making the complaint public until the time a consent order is provisionally accepted or the complaint is formally issued under the adjudicative procedures.

These revised rules and related revisions are being published in the Federal Register.

Chairman Dixon is opposed to publishing advisory opinions and requests therefor, including names and details, when the opinions are rendered by the Commission. Additionally, he is opposed to placing on the public record as soon as they are received requests for advice concerning proposed mergers under the advisory opinion procedure. He objects to these provisions for the reason that he believes these changes in the Rules would discourage parties from coming to the Commission and asking for binding advice. He believes that these provisions will place a greater load on the Commission from the point of having to consider matters after action has been consummated.

NOBEL PRIZE IN ECONOMIC SCIENCE RELATES TO CONGRESS ACTION ON TAXING AND SPENDING

Mr. PROXMIRE, Mr. President, the award of the first Nobel Prize in Economic Science to Dr. Ragnar Frisch of Norway and Dr. Jan Tinbergen of the Netherlands has recently been announced. The selection of these two distinguished European econometricians as the Nobel Prize winners is a recognition of the importance which has come to be attached to the scientific aspect of economics. It is also a recognition of the achievements of these two scholars in relating economic theory to contemporary policy needs.

Econometrics is the application of mathematical and statistical techniques to the analysis of economic data. Properly practiced, it is far from being an ivory tower activity. Indeed, because it requires the scholar to base his investigation on observed data, use of the econometric approach assures that attention is focused on how the economy actually behaves.

One of Professor Frisch's outstanding achievements is his analysis of business cycles and particularly of the way in which the normal pattern of the economy is disrupted by a sudden external stimulus, such as a war or political upset. The practical importance of this question is apparent today as we continue to struggle with the imbalances in the U.S. economy which have resulted from the 1965-66 jump in military spending.

Professor Tinbergen has pioneered in the development of dynamic aggregate economic models, the kind of models which aid in understanding and quantifying the effects of policy actions in a dynamic, growing economy. Such models have now come into widespread use and

are proving their value as an aid to rational policymaking.

Although the United States has not moved as rapidly as some of the European countries to incorporate the techniques of econometrics into its policymaking machinery, there have been advances in recent years both in the quality of the economic data available and in the skill and understanding with which it is used. The Federal Government has cooperated with university economists in the development of models of the U.S. economy, and econometricians have been brought into the Government's statistical and economic agencies. The tradition of government service which has been established among academic economists has brought and continues to bring distinguished econometricians to the Council of Economic Advisers, both as members and as staff personnel.

The Council of Economic Advisers, the Bureau of the Budget, and the Treasury have worked together to develop a model of the U.S. economy which is now in regular use for forecasting the economic outlook. These forecasts are revised promptly when new quarterly data become available, and the model is particularly designed to facilitate analysis of the quantitative effects of contemplated policy recommendations. The Federal Reserve Board has now begun to incorporate into its regular economic forecasts the information obtained from the more complex model it has developed in cooperation with the Massachusetts Institute of Technology. Forecasts based on models developed outside the Government, such as the University of Michigan model and the Wharton School model, are also utilized by policymakers. The largest and most complex model of the U.S. economy has been developed recently at the Brookings Institution. It too will be of great value to policymakers.

The Joint Economic Committee, of which I have the honor to be vice chairman, has consistently supported the use of quantitative analysis as an aid to rational economic policy. Ever since its establishment, the committee has concerned itself with improving the quality of our statistical data, because dependable econometric analysis requires reliable data with which to work. The Joint Economic Committee has also sponsored and encouraged numerous analytic studies, including the now famous 1959-60 study of "Employment, Growth, and Price Levels," a study which has become a standard reference in the libraries of economists and policymakers.

Today there is a need for Congress to make arrangements to more systematically avail itself of the information which econometric models make available. Congress has the responsibility to make rational decisions with respect to taxes, expenditures, wage and price policy, and a host of other difficult economic problems. These decisions should be made in the light of all available information and with the fullest possible understanding of their consequences. We do the Nation a disservice if we ignore the quantitative information now avail-

able from economic models. The Joint Economic Committee can appropriately take the leadership in making this information systematically available to Congress. Together with my colleagues on the committee, I plan to press vigorously toward this objective.

NATO NORTH ATLANTIC ASSEMBLY

Mr. PERCY. Mr. President, from October 15 to 22, as a delegate from the U.S. Senate, and rapporteur of the NATO Balance of Payments Subcommittee, I had the privilege of attending the NATO North Atlantic Assembly meetings in Brussels, Belgium. These meetings bring together legislators from the member countries of NATO to talk over mutual concerns and problems and to plan together for solving these problems and making the NATO Alliance stronger. The delegation from the Senate was led by the distinguished Senator from Alabama (Mr. SPARKMAN).

One of the major problems mentioned time after time by American delegates at the Assembly meetings was U.S. troop commitment to NATO in Western Europe and the problems of financing that commitment. Twenty-five years after the end of World War II the United States still has in excess of 300,000 troops in Western Europe and total military personnel, including wives and dependents, of about 600,000—more Americans than are currently in Vietnam. This commitment costs the United States about \$15 billion a year in budgetary terms and is a \$1.5 billion drain on our balance of payments.

This NATO commitment is a major cause for the conscription of our young men into military service; it has contributed to inflation at home and to the unbalancing of the U.S. budget in most years since 1944. It has also led to the threat of inhibiting American tourism abroad as well as involuntary restrictions on American investment and lending abroad for many years.

And this sacrifice seems unnecessary to many Americans at home as well as to delegates to the Assembly meetings. It is being made by the United States for a Europe freer from military conscription, freer from inflation and unbalanced budgets, prosperous beyond anyone's wildest expectations 25 years ago with a surplus in balance-of-payments accounts. And it is being made in behalf of a Europe that has essentially not fulfilled even the commitments to NATO that it has solemnly made, much less assumed the degree of burden-sharing that conditions and circumstances would warrant.

I warned the Economic Committee of the Assembly, on which I serve, that I did not plan to continue voting to support the balance-of-payments cost or even the full budgetary cost for our NATO expenditures at their present level without substantive changes in financial arrangements between countries involved in the common defense of Europe. The alternative I posed to the other member countries of NATO was to develop a plan to make more feasible the continued existence of American forces in Europe on a more equitable and practical basis in

the years ahead. This means that Western Europe must pay for more of its rightful share of the NATO union costs if that union is to survive.

Work on such a plan actually began a year ago at the November 1968 meetings of the Assembly. At that time the Assembly unanimously passed a resolution stating that multilateral approaches be examined which offer practical means of achieving more permanent political, military, and economic stability in future handling of the military balance-of-payments effects within NATO. The basic principle was that no country should gain or lose, on the balance of payments, from its military commitment to NATO.

This past June the Economic Committee of the Assembly suggested that a plan for a military balance of payments offset arrangement be worked out for military expenditures within NATO and appointed me rapporteur—working chairman—of a special Balance of Payments Subcommittee to devise such a plan. Working with the U.S. Treasury the basics of such a plan were worked out and presented to the Assembly this fall. The main points of the plan are that a clearinghouse be set up by NATO accurately to identify the balance-of-payments gains or losses to each NATO country as a result of its commitment to the common defense, and to provide the structure for adjustment of the balance-of-payments gains or losses; that this structure be set up and commence its work by July 1, 1970, so that balance-of-payments adjustments can automatically be made to begin on July 1, 1971, and in all succeeding years; that in the interim the existing bilateral arrangements between various NATO countries be continued until such time as the new adjustment mechanism takes effect; furthermore, that in computing military balance-of-payments gains or deficits of member countries, included shall be the full costs of official expenditures for goods and services for use within the host country's territory as well as spending by personnel—other than local nationals—and dependents for local goods and services and also official expenditures for goods, such as major equipment, for use outside the host country's territory; that official expenditures for goods and services within the host country's territory—including the pay of local national employees, construction, contractual services, and materials and supplies for official use within the country—shall be paid for as a budget expense by the host country; that spending by personnel and dependents for local goods and services and official expenditures for goods for use outside the host country's territory shall be paid for in blocked currency for military procurement or other purchases that clearly have an element of additionality.

This plan was unanimously approved by all the members of the Economic Committee. For the first time, other members of the NATO Alliance affirm the principle that they must help support U.S. troops in Europe through direct budgetary contributions as well as help offset the balance of payments effects of our commitment in Europe.

This plan is now being referred to

member governments so that by February 1, 1970, all pertinent data and information can be gathered to see what the total budget and balance-of-payments costs are of all countries within NATO. It is then planned to establish a structure by July 1, 1970, which will automatically calculate and compute financial adjustments among member nations of NATO. This procedure would officially take over to resolve financial adjustments within NATO as soon as the existing bilateral arrangements between the United States, United Kingdom, and Germany expire on July 1, 1971.

I believe that significant steps have been taken toward putting the U.S. commitment to NATO on a sounder financial footing. European countries realize that unless they contribute more to the defense of NATO the pressure within the United States will be overwhelming for scaling down some of our NATO troops.

I am most grateful for the support I received from other members of the U.S. delegation, both House and Senate, and from the administration. I plan to continue working toward the goal of financial rearrangements within NATO so that our European partners will pick up a larger share of the cost of maintaining U.S. troops in Europe.

Mr. President, I ask unanimous consent that the motion adopted by the Economic Committee continuing the work of the Balance of Payments Subcommittee, the recommendation adopted by the Economic Committee outlining the details of the financial adjustments to be made in the future, and the speech I made at the North Atlantic Assembly, outlining the necessity for such a financial rearrangement, be printed in the RECORD.

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

A MOTION ADOPTED BY THE ECONOMIC COMMITTEE ON BALANCE OF PAYMENTS, NORTH ATLANTIC ASSEMBLY

The Economic Committee: Has examined the statement, resolution and recommendations of Senator Percy relating to a plan for offsetting military expenditure within NATO; considers that they constitute a practical rearrangement of military expenditure which is desirable and right in principle; recommends for examination by the Economic Committee the proposals put forward by Senator Percy; calls on the members of the Committee to consult their governments on the subject and to make reports to the Committee and to Senator Percy by no later than 1 February 1970; recognizing the importance of and necessity for accurate statistical data relating to the military expenditures involved, recommends that the mandate given to the Sub-Committee should be renewed in order to enable it to continue its examination of the problem and to make a further report to the Economic Committee next year.

AN ECONOMIC COMMITTEE RECOMMENDATION ADOPTED BY THE ECONOMIC COMMITTEE ON BALANCE OF PAYMENTS, NORTH ATLANTIC ASSEMBLY

Whereas the North Atlantic Assembly at its annual meeting in November 1968 recommended that multilateral approaches be examined which offer practical means of achieving more permanent political, military and economic stability in future handling of the military balance of payments effects within NATO;

Whereas in Ministerial Sessions the North Atlantic Council held that the solidarity of the Alliance can be strengthened by co-operation between members to alleviate burdens arising from balance of payments deficits resulting specifically from military expenditures for the collective defense;

Whereas the Economic Committee of the North Atlantic Assembly at its June 1969 meeting suggested that a plan for a military balance of payments offset arrangement be worked out for military expenditures within NATO;

Whereas a Balance of Payments Sub-Committee of the Economic Committee was appointed to work to develop such a plan;

Whereas, the balance of payments difficulties of certain members of NATO have worsened in the intervening period since June thereby endangering continuing troop support in Europe at the same level as currently maintained;

Whereas the Balance of Payments Sub-Committee has studied all recommendations submitted to it;

Whereas the Sub-Committee reaffirms the principle that no country should gain or lose balance of payments wise from its NATO expenditures for the common defense; *Recommends,*

That a clearing house be set up by NATO accurately to identify the balance of payments gains or losses to each NATO country as a result of its commitment to the common defense, and to provide the structure for adjustment of the balance of payments gains or losses;

That this structure be set up and commence its work by July 1, 1970, so that balance of payments adjustments can automatically be made to begin on 1st July 1971 and in all succeeding years;

That in the interim the existing bilateral arrangements between various NATO countries be continued until such time as the new adjustment mechanism takes effect; *Furthermore,*

That in computing military balance of payments gains or deficits of member countries, included shall be the full costs of official expenditures for goods and services for use within the host country's territory as well as spending by personnel (other than local nationals, and dependents for local goods and services and also official expenditures for goods, such as major equipment, for use outside the host country's territory;

That official expenditures for goods and services within the host country's territory (including the pay of local national employees, construction, contractual services, and materials and supplies for official use within the country), shall be paid for as a budget expense by the host country;

That spending by personnel and dependents for local goods and services and official expenditures for goods for use outside the host country's territory shall be paid for in blocked currency for military procurement or other purchases that clearly have an element of additionality.

APPENDIX TO THE MINUTES OF A MEETING OF THE SUBCOMMITTEE ON BALANCE OF PAYMENTS, BRUSSELS, OCTOBER 15, 1969

(Statement by Senator PERCY (USA), Rapporteur)

It is significant that we meet in Brussels today on October 15, 1969. This is, as you well know, a self-proclaimed day of moratorium in the United States to protest our deep involvement in a tragic war in Southeast Asia which millions of Americans feel has required a sacrifice of American lives and resources far in excess of what should reasonably be expected of us.

In all candour let me report to you that in my personal opinion there is a deep underlying feeling on the part of millions of Americans that there should be a reassessment of our NATO involvement. Today, a

quarter of a century after the end of World War II, there are just as many Americans in Europe as there are in Vietnam, costing billions of dollars annually.

This NATO commitment requires the drafting of our young men into military service; it has contributed to inflation at home; the unbalancing of the U.S. budget in most years since 1944. It has also led to the threat of a tax on, or the cutting off of, American tourism abroad as well as involuntary restrictions on American investment abroad for many years.

And this sacrifice by the United States seems unnecessary to many Americans. It is being made for a Europe free from military conscription, free from inflation and unbalanced budgets, prosperous beyond anyone's wildest expectations 25 years ago with a surplus in its balance of payments accounts, and furthermore a Europe that has essentially not fulfilled even the commitments to NATO that it has solemnly made, much less assumed the degree of burden-sharing that conditions and circumstances would warrant.

I feel it is only fair to advise you, in as blunt and straight forward a manner as legislative diplomacy will allow, that as one United States Senator representing 11,000,000 Americans in my own state of Illinois, I do not intend to continue voting to support the balance of payments cost or even the full budgetary cost for our NATO expenditures at their present level without substantive changes in financial arrangements between countries involved in the common defense of Europe. I can assure you I am not alone in this feeling.

What I can do beyond this commitment to action, however, is develop for and with you a plan that will make more feasible the continued existence of American forces in Europe on a fairer and more practical basis in the years ahead. The clear and unequivocal message that I want to share with you today is that a Western Europe that enjoys freedom and great affluence must pay for more of its rightful share of the NATO union costs if that union is to survive.

Today we continue our efforts to develop a plan to resolve the balance-of-payments problems caused by NATO countries' commitments to the common defense.

What we are seeking is not an agreement that will bring advantage to one party or another, but rather a sound and fair solution. Our basic principle is that no country should gain or lose, on the balance of payments, from its military commitment to NATO.

This is not a revolutionary new concept but rather one as old as the Greek city-states. In Thucydides' history of the Peloponnesian War is this account of an earlier alliance:

"The Athenians, Argives, Mantineans, and Eleans, acting for themselves and the allies in their respective empires, made a treaty for a hundred years, to be without fraud or hurt by land and by sea. . . .

"If an enemy invade the country of the Athenians, the Argives, Eleans, and Mantineans shall go to the relief of Athens, according as the Athenians may require by message, in such way as they most effectually can, to the best of their power. . . .

"The relieving troops shall be maintained by the city sending them for thirty days from their arrival in the city that has required them, and upon their return in the same way; if their services be desired for a longer period the city that sent for them shall maintain them. . . ."

We should not find it beyond our wit and will to achieve a solution which the city states of Greece were able to devise 2390 years before us.

The problems of the sending states have become even more acute in recent years. The U.K. has had serious economic difficulties and remains a deficit country in its inter-

national accounts. The deteriorating U.S. balance of payments has been a matter of concern for the past nine years. The situation is grounded in long-standing structural factors and has grown worse in recent months. The trade surplus on which we formerly relied to strengthen the payments position has been eliminated. Overall payments show a 10.7 billion dollar deficit at an annual rate for the first half of 1969. More than one-third of this deficit can be ascribed to net military transactions—3.7 billion on an annual basis. The deficit that can be directly ascribed to expenditures in NATO is 1.5 billion. This cannot be maintained.

Resolution of these payments problems is essential, not only for the U.S. and U.K. but also to maintain international monetary stability and for the U.S. to be able to continue its contribution to NATO forces in Europe.

Unless this payments problem can be resolved, there is only one alternative, U.S. troop withdrawals.

A year ago the Economic Committee began its work on this subject in hopes of creating a mechanism to multilaterally solve balance-of-payments problems within NATO before a crisis was precipitated. That crisis is now upon us. Unless procedures can be set up to eliminate the intolerable balance-of-payments strains within the Alliance, the United States will have to reduce its commitment to NATO. And I shall be among the first in the U.S. Senate calling for sufficient troop drawn down from Europe to relieve the crisis.

In June of this year we made a first step toward finding a solution to these problems by setting up the Balance of Payments Subcommittee. Over the summer the plan I presented to the Economic Committee was sent to governments for their comments. A number of these comments are now in hand. Even those countries that said the balance of payments problem was not applicable to them still recognized the danger to the Alliance as a whole if the problem cannot be solved.

Some of the specific problems expressed about the plan were that—

(1) An offset is not appropriate unless the spending country has a general payments deficit specifically caused by military expenditures on collective defense.

(2) We should not aim at a 100 percent offset.

(3) The U.S. has abandoned the concept of burden-sharing, and as procurement alone cannot cover the problem only bilateral solutions are possible.

These comments should be considered on their merits and we will be discussing them later along with other recommendations that this Subcommittee has received. None of these objections should, I feel, prevent us from moving ahead with our goal of a multilateral settlements basis. Our basic goal, to repeat, is to achieve a situation in which no country gains or loses on the balance of payments account as a result of NATO commitments with both receiving and sending countries carrying the budgetary burden. If, however, the country in surplus cannot spend its offset on military procurement or other clearly additional expenditures then we may well be talking about direct budget support as the next resort. In fact, it is my own personal view that official expenditures for goods and services for use within the host country's territory should be paid as a budget expense by the host country. Such a budgetary burden would be fair because it represents only a small portion of the total budgetary burden incurred by the sending state in maintaining its forces on the territory of its NATO partner.

A response received from several countries, as mentioned before, is that although the need for solving the balance of payments problem is readily apparent, it doesn't really apply in that country's specific case as there is no, or only a negligible, balance of pay-

ments gain or loss. This I feel however can easily be handled within a multilateral context. We can write in provisions that, for example, if a country's balance of payments gain or deficit is within a certain range that no adjustment would be necessary. If a country goes beyond those limits then the multilateral adjustments would be made. Or a country at its own option could waive settlement of its own deficit.

These provisions would retain the multilateral nature of adjustment, but would in effect reduce the number of countries actually using the clearing house. Any country in deficit through NATO expenditures but with an overall surplus could be excluded from eligibility for adjustment.

I feel that the multilateral approach still represents the only possible way to solve these problems. Our goal today should be to strive to produce recommendations to present to the Economic Committee to set up just such a multilateral mechanism to adjust NATO military balance of payments problems.

TAX REFORM ACT OF 1969—ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, yesterday, October 28, the Committee on Finance met in executive session and concluded its action on that part of the House-passed tax reform bill which affects private foundations and other tax-exempt organizations. In addition, the committee agreed that pension plans of professional service corporations should be included in the classification of corporations covered under the limitations of "H.R. 10 plans."

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. 28, 1969]

TAX REFORM ACT OF 1969—PRIVATE FOUNDATIONS, PART II: COMMITTEE DECISIONS

The Honorable Russell B. Long (D., La.), Chairman of the Committee on Finance, announced today that the Committee on Finance had concluded its work on that portion of the House tax reform bill dealing with the treatment of private foundations and other tax-exempt organizations. He reported that the Committee had generally approved the provisions of the House bill with respect to tax exempt organizations, but made some important changes in defining "private foundations" and "private operating foundations" and also in the Excess Business Holdings provisions.

A complete description of the actions taken at today's meeting follows:

PRIVATE FOUNDATIONS

Disclosure and Publicity Requirements.—The Committee generally adopted the provisions of the House bill which recognize the need for more current information, from more organizations which could be made readily available to the public, including State officials. It did amend the rules in some respects, however, as set forth below:

Filing Requirement—Churches and Smaller Organizations.—The Committee agreed to exempt churches from the requirement of filing annual information returns in view of the traditional separation of church and state. However, where the church is engaged in an unrelated business, it would still be required to file an unrelated business in-

come tax return. Also exempted from the filing requirements were organizations that have gross income of \$5,000 or less, where the organization is not required to file an information return under present law. These include local chapters and smaller "public-type" organizations, such as the Boy Scouts, garden clubs, etc. In addition to the two categories mentioned above, the Secretary could exempt other organizations from the filing requirements if he concluded that the information which would be obtained was not of sufficient value to require filing.

Public Disclosure.—The Committee adopted a recommendation that the names of substantial contributors not be disclosed to the public in the case of exempt organizations other than private foundations.

Such organizations would still be required to disclose these names to the Internal Revenue Service.

Change of Status.—The Committee adopted the provisions of the House bill which relate to notification to the Treasury by new exempt organizations and the treatment of existing private foundations, with the following changes:

Exceptions.—It agreed that churches would not be required to apply for exempt status in order to be tax exempt, nor would they be required to file with the Internal Revenue Service to avoid classification as a private foundation. It also decided that public educational or charitable organizations need not obtain exemption certificates or file for status as a non-private foundation where their gross income is \$5,000 or less. Under the House bill, the Treasury Department may exercise its discretion in exempting other classes or organizations, where this could be done without interfering with efficient administration.

Operation as a Public Charity.—Under the House bill a private foundation may change its status after five years if it distributes all of its property to a public charity or itself acts as a public charity for at least five consecutive years. The Committee adopted a recommendation that would treat a private foundation as a public charity during the entire five-year period involved, if it indicated that it would operate as a public charity for all five consecutive years. It provided that if the organization failed to act as a public charity any time during the five-year period it would then lose its status as a public charity.

Definition of Private Foundation.—In adopting the provisions of the House bill respecting the definition of a private foundation, the Committee made several important changes:

Support.—Because the definition of a private foundation contained in the House bill depends, in whole or in part upon the proportion of support received from public sources, the Committee believed that a definition of "support" should be added. It adopted the definition contained in the current regulations modified to include amounts received from the exercise or performance by an organization of its exempt purpose or functions. The present regulations indicate that support means all forms of support, including contributions, investment income, and net income from an unrelated trade or business.

In defining the one-third of the organization's support which must come from the public, the bill specifies that amounts received from any "person" which are in excess of one percent of the organization's support will not be considered as coming from the public. The Committee decided to include the greater of one percent or \$5,000 in public support. The term "person" as defined in the Internal Revenue Code does not include governmental units so that under the House bill an organization which has only one contributor whose support comes from government contract work might avoid classification as a private foundation. The Committee

agreed that amounts received from Government contracts be included in the public support test, only to the extent that they do not exceed the one-percent or \$5,000 test described above.

Foreign Foundations.—The Committee agreed that an organization which is formed outside the United States that meets the definition of a private foundation will be considered as being subject to the rules applicable to private foundations and to private operating foundations.

Foundations Related to Certain Publicly-Supported Exempt Organizations.—The Committee adopted the rule that a foundation operated in conjunction with a publicly-supported exempt organization (such as social welfare organizations, labor and agricultural organizations, business leagues, real estate boards, etc.), will be treated as meeting the public support test for purposes of being a public charity and would not be a private foundation.

Definition of Operating Foundation.—The Committee generally approved the provisions of the House bill which define "operating foundation". (These are organizations to which qualifying distributions may be made by other private foundations. They are not subject to the 5 percent minimum pay-out requirement and are required to expend their entire income. In addition, they qualify for the 50 percent charitable contribution deduction.) One of the tests in the House bill (and in existing law) relating to operating foundations would require that substantially more than half of the assets of the foundation be devoted directly to the active conduct of the activities for which it is organized or to "functionally related" businesses. ("Substantially more than half" was described in the House Committee report as being 65 percent.) To provide relief for those types of organizations which could not meet this test because the type of activity is such as not to require large holdings of operating assets (as in the case of a research organization), the Committee adopted a rule which would permit an organization to qualify as an operating foundation where its endowment based upon a 4 percent rate of return, is no more than adequate to meet its current operating expenses.

Hospitals.—The Committee deleted that portion of the House bill which provides that hospitals are to have the same status as churches, educational institutions, and public charitable organizations for purposes of tax exemption, charitable contributions, and other matters. The Committee decided to reexamine this matter in connection with pending legislation on Medicare and Medicaid.

Effective Dates.—The Committee adopted a series of changes with respect to effective date provisions contained in the House bill as follows:

(1) It determined that it would permit a private foundation to become a public educational or charitable organization without going through the procedures required by the change of status provision so long as the organization took such action with respect to its first year beginning after December 31, 1970. The date used in the House bill is May 27, 1969.

(2) The Committee postponed for one year the requirement that existing private foundations, operating foundations, and trusts with charitable interests must conform their governing instruments to the various limitations set forth in the bill by the start of the first year beginning after December 31, 1971. This date was extended to December 31, 1972. Foundations whose instruments could not be changed to comply with the income distribution rules or with the business ownership rules would not be affected by those rules until the instrument could be changed. Similar provisions already appear in the bill with regard to accumula-

tions and with regard to the provision requiring existing private foundations to reform their governing instruments in accordance with the language of the bill.

(3) The House bill provides that self-dealing rules will not apply to fair price sales to disqualified persons of property held by the foundation on May 26, 1969, if the foundation is required to dispose of the property in order to meet the business holding requirement. The Committee agreed to extend this treatment to exchanges and other dispositions where the foundation receives in return amounts equal to or in excess of the fair value of what was exchanged. The Committee also agreed that this rule as to sales of business holdings would also apply to later-acquired property received under wills executed before October 9, 1969, or where the property was received under the mandatory provisions of trusts or documents transferring property in the trusts if such provisions were irrevocable on October 9, 1969, and at all times thereafter.

Divestiture of Excess Business Holdings.—The Committee decided to adopt largely the rules of the House bill regarding divestiture of business holdings acquired in the future. However, it made substantial changes with regards to the rules dealing with current business holdings of foundations. The following changes were adopted:

Future Purchases.—The Committee adopted an amendment that would apply to future purchases of business holdings by private foundations. If a foundation buys voting stock of a business, it will not be permitted to cast votes for more than one-half of the stock acquired in this manner. This limitation will not apply to stock acquired by gift or bequest and will not apply to stock at present held by the foundation.

50-Percent Limitation.—As to existing holdings, the Committee decided that the combined holdings of a private foundation and all disqualified persons in any one business must be reduced to 50 percent by 10 years from the date of the bill. Where the combined holdings now exceed 75 percent, an additional 5 years is allowed before the 50-percent limit must be reached. This test must be met both as to combined voting power and as to combined value of all classes of stock taken together.

Bequests and Trusts.—Property acquired by the foundation in the future under the terms of a will executed before October 9, 1969, or under a trust which was irrevocable at all times since October 9, 1969, will be treated under the same rules as property now held by the foundation. However, in such a case, the 10-year and 15-year periods are to run from the date the foundation gets the stock from the trust or the estate.

Interim Disposition.—The Committee eliminated the rules in the House bill requiring disposition of part of the excess stock within two years and another part within five years.

Sales, Etc., of Excess Business Holdings.—The House bill permits fair-price sales of excess business holdings to be made by the foundation to disqualified persons. The Committee agreed that this was an appropriate way to facilitate the foundation's compliance with the excess business holdings rules. The Committee also provided that redemptions of stock by a closely-held corporation from a foundation to comply with these provisions would not trigger imposition of the accumulated earnings tax and it would not give rise to dividend treatment to other shareholders of the corporation. These rules will apply only in the case of stock already held by the foundation or acquired by the foundation under existing wills or trusts, as described above.

Program-Related Investments.—The Committee made it clear that a program-related investment is not to be treated as a business holding that must be disposed of. This applies only to investments (such as small busi-

nesses in central cities and corporations assist in neighborhood renovation) made for charitable purposes where the making of a profit for the foundation is not one of the major purposes.

Holding Companies.—The Committee decided that if a foundation owns stock in a holding company, the foundation will be treated as owning the investments held by the holding company, in addition to any stock it holds separate from the holding company. If the total exceeds the limitation permitted under the bill, then either the holding company would dispose of some of its investments or the foundation would have to dispose of some of its stock in the holding company.

Passive Income.—The Committee determined to make it clear that passive income sources need not be disposed of. For example, the holding of a bond issue would not be an excess business holding. Also, the holding of the stock of a company which itself derives essentially passive income in the nature of a royalty would not be treated as a business holding subject to the limitations of the bill.

Split Trusts.—The Committee provided that a non-exempt trust that is subject, under the bill, to many of the limitations of private foundations would not be required to dispose of excess business holdings if the beneficial interest of charities in the trust is less than 60 percent of the value of the trust.

OTHER TAX-EXEMPT ORGANIZATIONS

The "Clay Brown" Provision or Debt-Financed Property.—The Committee adopted those provisions in the House bill which would prevent a tax-exempt organization from in effect, selling its tax exemption in a transaction where it purchases a going business using little or no cash, liquidates it, leases it and pays the seller with the proceeds from the operation of the business.

Property Acquired Under Life-Income Contracts.—The Committee agreed that property acquired under life-income contracts should not be treated as debt-financed property. This kind of contract is used in situations where, for example, a school will receive a charitable contribution of an asset and will agree to give the donor the income from the assets for his life.

Holding Companies.—The Committee agreed that where a debt-financed building is operated by an exempt holding company for the benefit of its affiliated exempt organizations, the property of the holding company would not be considered as debt-financed property to the extent that it is used by the related exempt organizations in the performance of their exempt functions.

Use of Property.—The House bill exempts from the definition of debt-financed property, property all of which is used for the exempt purpose. The Committee agreed instead that debt-financed property should not include property, substantially all of which is used for exempt purposes. In addition, if less than substantially all of the property's use is related, then it would not be debt-financed property to the extent that it was used for exempt purposes.

Extension of Unrelated Business Income Tax to All Exempt Organizations.—The Committee adopted the provisions of the House bill which extend the unrelated business income tax to all exempt organizations. Under the present law certain classes of tax-exempt organizations are not subject to the tax. In adopting the House bill the Committee made the following changes:

Rents.—The Committee adopted two rules to insure that an exempt organization pays the unrelated business income tax on income attributable to the active conduct of an unrelated business. First, it decided that rent from personal property is to be excluded from unrelated business income only when the lease of the personal property is incidental to the lease of the realty; where the rent from personalty is 50 percent or more

of the total rent, all would be subject to tax. Thus, only "passive" rental income would be excluded from unrelated business income. Secondly, the Committee agreed to tax real property rentals as unrelated business income where the rentals are measured by reference to the net income from the property. It would exclude rentals based upon a percentage of gross receipts, however.

Related Income.—The Committee clarified the House bill by providing that related income includes income received from members for providing goods, facilities, or services not only to guests but also to the member's dependents.

Specific Deduction.—The Committee agreed that the \$1,000 specific deduction allowed in the present law in computing the unrelated business income tax will be available for each parish, individual church, district, or other local units in the case of a diocese, province of a religious order, or convention, or association of churches. This rule would be applicable to the extent that the parish, district, etc., realized the income itself.

Voluntary Employees Beneficiary Associations.—Since the House bill removes the 85% income test in the case of a voluntary employees beneficiary association generally (section 501(c)(9)) such an association is for all practical purposes identical to voluntary employees beneficiary associations whose members are U.S. Government employees (section 501(c)(10)). Under present law the 85% income test is not applicable with respect to this latter category. Consequently, the Committee combined both types of organizations into one category. In addition, the Committee also provided that those voluntary employees beneficiary associations who have pension and retirement plans for their members but who do not satisfy the 85% income requirement (which is removed by the House bill) will be placed back in an exempt category and would be subject to the unrelated business income tax.

Religious Organizations.—The Committee decided not to extend the unrelated business income tax to those religious organizations that have held certain properties 10 years or more if they pay out no less than 90 percent of their earnings each year and it is established to the satisfaction of the Secretary or his delegate that their rates or other charges and services are competitive with similar businesses.

Consolidated Returns—Holding Companies.—The Committee agreed that when an exempt holding company and a tax-exempt organization to which it is related file a consolidated return, the holding company will be treated as organized and operated for the same purposes as an exempt organization. Consequently, if the business activities of the holding company are related to the exempt purpose of the exempt organization, the income would be related business income and not subject to tax.

Taxation of Investment Income of Social, Fraternal, and Similar Organizations.—The Committee generally agreed to the House provisions related to the taxation of the investment income of these membership organizations with the following modifications:

Cost of Administration.—The Committee agreed that income will be treated as set aside for the specified benefits where it is used for the reasonable costs of administration of the benefit program as well as the payment of the benefits themselves.

Gain on Sale of Assets.—The Committee also adopted a recommendation which would exclude from the tax on investment income (to the extent the proceeds of the sale are reinvested in assets used for such purpose within a period of three years) the gain on a sale of assets used by the organizations in the performance of their exempt functions.

Masonic and Masonic-Related Organizations.—Masonic and Masonic-related organizations which today are exempt from tax as a "fraternal beneficiary association" (section 501(c)(8)), in the future should be placed in a separate tax-exempt category. This category would exempt a domestic fraternal society, order, or association operating under the lodge system where the fraternal activities are largely religious, charitable, scientific, literary, or educational in nature and where there are no insurance activities. The tax on investment income would not apply.

Interest, Rent, and Royalties from Controlled Corporations.—The House bill provides that where an exempt organization owns more than 80 percent of a taxable subsidiary, the interest, annuities, royalties and rents are to be treated as "unrelated business income" and subject to tax. Where the operation of the controlled corporation is "functionally related" to the exempt purposes of the controlling exempt organization, these types of income would be "related" income and would not be subject to tax. The Committee also adopted a recommendation which would provide a special rule where the controlled corporation is also an exempt organization. Under the rule, the payment received from the controlled corporation would not be subject to tax to the extent that the facilities rented or the money borrowed is used by the controlled corporation in the performance of its exempt function.

Limitation on Deductions on Nonexempt Membership Organizations.—The Committee adopted the provision in the House bill which would deny the deduction for expenses incurred in supplying services, facilities or goods to members of a taxable membership organization to the extent that such expenses were not related to income received from the members. Under this provision, no membership organization is permitted to escape the tax on business or investment income by using the income to serve its members at less than cost and then deducting the book "loss". In adopting the provision the Committee made the following modifications:

American Automobile Association.—Because certain membership organizations (such as the American Automobile Association) must compete with profit-making organizations that provide the same type of services at a loss, they must set their dues at the same loss level. These organizations offset the losses against income received from non-members (such as income from the sale of advertisements). In order to meet this problem, the Committee agreed that it will provide a special rule in cases of this type where the business practice is to provide comparable services at a loss.

Carryovers.—The Committee agreed that in cases where the deduction for furnishing services, insurance, goods, etc., to members exceeds the income from members the excess deductions can be carried over into succeeding years.

Effective Date.—The Committee adopted a recommendation that the provisions of the House bill relating to non-exempt membership organizations be effective as of December 31, 1970.

Income from Advertising.—The Committee adopted the language of the House bill which would provide that the income from advertising and similar activities would be included in unrelated business income even though the advertising is carried on in connection with activities related to the exempt purpose. The Committee adopted the approach of the House bill and instructed the staff to review the language to limit it to the matter specifically covered in the Treasury regulations.

Social Clubs—National Fraternities and Sororities.—The Committee agreed that the investment income of social clubs, particu-

larly the national organizations of college fraternities and sororities (as distinguished from their local chapters) should be exempt from the tax on investment income to the extent that such income is set aside for charitable, educational or religious purposes.

Thrift Shops, etc.—Under present law, an organization operated primarily to carry on a trade or business for profit is not exempt even though all its profits are payable to one or more exempt organizations. The Committee decided to allow an exemption for such an organization where substantially all the work in carrying on the trade or business is performed for exempt charitable organizations without compensation.

PENSION PLAN CONTRIBUTIONS

Professional Service Corporations.—The bill does not presently deal with the limits of pension plans except to provide that small business corporations (so-called Subchapter S corporations) must in the future follow in general the limitations of "H.R. 10 plans." In general, those plans limit current distributions to pension and profit-sharing plans to no more than 10 percent of the self-employed person's earnings from the business up to a maximum of \$2,500 in any one year. The Committee decided to impose essentially the same limitations upon pension plans of professional service corporations (generally, corporations under special State laws relating to attorneys and doctors).

PROHIBITION OF USE OF U.S. COMBAT FORCES IN SUPPORT OF LOCAL FORCES IN LAOS AND THAILAND

Mr. COOPER. Mr. President, on August 12, I submitted an amendment to S. 2546, the military procurement bill, to prohibit the use of U.S. forces in combat support of local forces in Laos and Thailand. The amendment was adopted by a vote of 86 to zero. The distinguished chairman of the Armed Services Committee (Mr. STENNIS), the manager of the bill, argued that my amendment would not accomplish fully the purposes which I intended. Whatever the merits of his argument, which I questioned in the debate, it is clear that the Senate understood its purpose and, I consider, expressed its support by its unanimous vote.

The distinguished senior Senator from Missouri (Mr. SYMINGTON) has taken the leadership in conducting hearings concerning U.S. military commitments and operations throughout the world. He is doing thorough and magnificent work. In view of the position of the Senator from Mississippi (Mr. STENNIS) and the letter of the Secretary of Defense which was introduced during the debate, that my amendment would not accomplish its stated purpose, I shall submit other amendments to appropriation bills which come before the Senate to prohibit the use of funds for combat support of U.S. forces of local forces in Laos and Thailand.

My substantive position is that no military operations in Laos or Thailand in support of local forces can be constitutionally carried on without approval of Congress.

We are in the war in South Vietnam. The President of the United States is seeking to end the war by negotiation and by positive steps in South Vietnam. We should not move step by step into new wars in Laos or Thailand as we did in

South Vietnam. The only certain constitutional way to prevent American involvement in such wars is through the power of Congress to deny appropriations.

ADDRESS BY DR. KOFI A. BUSIA, PRIME MINISTER OF GHANA

Mr. MCGEE. Mr. President, a recent distinguished visitor to Washington was Dr. Kofi A. Busia, Prime Minister of Ghana. I had the great pleasure of having an extended discussion with Dr. Busia which I found inspiring and informative.

Ghana deserves the admiration and cooperation of all the free countries of the world. She is one of the few countries which have slipped into domination by an authoritarian regime, emerged from this oppression through a military coup and then gone on to restore representative government after holding free elections.

During our discussion, Dr. Busia gave a vivid picture of the continuing hardships which must now be endured as a result of misrule by an authoritarian regime. The Nkrumah government has left Dr. Busia's government a staggering debt for which Ghana has little to show. As burdensome as it is to service this debt and to repay it, the Busia government is determined to meet the challenges which confront it. They deserve our continued interest and support.

I ask unanimous consent that the remarks of Dr. Busia at the National Press Club on October 21 be printed in the RECORD.

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

REMARKS BY DR. BUSIA

President of the National Press Club, Excellencies, Honorable Secretary, and Congressmen, I appreciate highly this opportunity given me to address the National Press Club. I feel highly honored, and I wish to thank you all for making it possible for me to express Ghana's appreciation to the World Press for the keen interest with which it followed and reported on our recent elections.

The elections were indeed a unique exercise, and we are very happy to have shown that it is possible for power to be transferred from a military regime that had seized it in a coup d'etat to a civilian government elected through orderly democratic processes. I think we may justifiably take pride in that achievement, and call the world's attention to it.

But you, gentlemen of the Press, will, I am sure, be following succeeding events in Ghana to find out how the new Government works. Will democracy succeed in Ghana? Can it work in Africa? It is our firm conviction that democracy can work in Africa as elsewhere. We believe the essential values of democracy are valid for all peoples. Our new Constitution guarantees the fundamental rights and freedoms of the individual in Article 12 which reads:

"Every person in Ghana shall be entitled to the fundamental rights and freedoms of the individual, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, that is to say,

"(a) life, liberty, security of the person, the protection of the law and unimpeded access to the Courts of law; and

"(b) freedom of conscience, of expression and of assembly and association; and

"(c) protection for the privacy of his home, correspondence and other property, and from deprivation of property without compensation;

and accordingly, the provisions of this Chapter shall have effect for the purposes of affording protection to those rights and freedoms, subject to the provisions of article 3 of this Constitution and to such limitations of that protection as are contained in those provisions, being limitations designed to ensure that the enjoyment of the said rights and freedoms by any individual shall not prejudice the rights and freedoms of others or the public interest." Because of our recent bitter experience of dictatorship and tyranny, the obvious bias of our Constitution is towards protecting the individual, and the taming of power. The doctrine of the separation of powers, so familiar to you, is accepted and embodied therein. We are determined to establish the sovereignty of the people and the Rule of Law as the foundation of our society. The Government which I have the privilege to head is pledged to uphold our Constitution and to give proof by what we do that democracy can flourish in our country. Our internal policy will be based on our yearning concern for every individual citizen. As I said to my countrymen in my inaugural address on the 1st October:

"We regard politics as an avenue of service to our fellow men. We hold that political power is to be exercised to make life nobler and happier for those who entrust it to us. We think the yardstick by which our success or failure should be judged must be the condition of the human being himself. We must judge our progress by the quality of the individual, by his knowledge, his skills, his behavior as a member of society, the standards of living he is able to enjoy and by the degree of co-operation, harmony and brotherliness in our community life as a nation. The roads we seek to build, the efforts we shall make to increase productivity in shop, farm, office, or factory, the water or electricity we wish to convey to the home, the health posts or hospitals or houses we shall endeavour to provide, are all, as we see them, aids necessary to achieve progress in individual and social life. Our goal is to enable every man and woman in our country to live a life of dignity in freedom."

To achieve this goal, we must grapple with grave economic difficulties bequeathed us by the Nkrumah regime. Ghana is paying dearly, and will have to do so for many years to come, for the corruption, the inefficiency, and the inordinate ambition of that regime. Let me emphasize here that the rejection of Nkrumah was not merely the work of a few soldiers and policemen. It received the unmistakable and massive endorsement of the people of Ghana who were the best qualified to judge in this matter. All who are outside Ghana should respect that verdict. Let no one outside Ghana, however well-informed and able he considers himself, presume to set his own judgment above that of the people of Ghana, so clearly expressed in a free and scrupulously fair election, and arrogate to himself the authority to tell the people of Ghana who their rulers should be. That arrogant presumption has no support in Ghana.

As a result of that corrupt regime, Ghana is now saddled with a national debt of just over 1,000 million dollars; it will take 13% of our total export earnings to service that debt on the basis of present agreements; the growth rate of our economy is less than one per cent, compared to a population growth of no less than 2.6 per cent per annum. In order to save us from bankruptcy, and to stabilize our economy, the National Liberation Council had to carry out deflationary policies, which inevitably added to our growing problem of unemployment. At the end of August this year, the register of unemployed carried

over 600,000 names on it, as compared with a total labour force of 2.4 million. Owing to continuing foreign exchange stringency, our existing industrial capacity is running at a low level; there are essential commodities we cannot make available to our people; and national development projects have to be postponed for lack of foreign exchange.

We are determined to face the situation with courage, and by the united effort of a determined nation we hope to overcome. We are aware that we cannot do so without help from outside. We hope that this help will be forthcoming, and I wish to appeal to you to spread a sympathetic understanding of our problems, and our position through your media.

As to our international policy, it will be based upon a vision of the brotherhood of all nations and peoples; upon the faith that all nations and peoples, in spite of cultural and historic differences, belong to the same species of man, share a common humanity, and can dwell together in brotherly amity. We shall not be tied to the apron strings of any country whether East or West. We shall make our own decisions and take our stand on all international issues on the basis of two considerations: the interests of our country within the context of our international obligations, and our consideration for the welfare and peace of the world on which our own progress and prosperity will ultimately depend. We consider philosophies and practices based on racial or cultural discrimination or segregation to be wrong and pernicious, and they may even constitute a threat to world peace; so we cannot support them wherever we find them given expression.

I am happy that my visit to the United Nations has given me the opportunity of meeting you. I thank you for listening to me. I hope that all of us, in our different spheres, according to our opportunities, will co-operate in building an international community of all peoples and races into a brotherhood in which in intercourse and action, we accept and attest to our responsibility for being each his brother's keeper.

Again, I thank you all for your hospitality.

PSYCHOTROPIC DRUGS—WTIC EDITORIAL

Mr. DOLE. Mr. President, on Monday, October 27, Dr. Margaret Mead, curator emerita of ethnology at the American Museum of Natural History and adjunct professor of anthropology at Columbia University, appeared before the Subcommittee on Monopoly of the Senate Select Committee on Small Business. Dr. Mead made a useful analysis of American attitudes toward psychotropic drugs. During her testimony, Dr. Mead made an editorial from WTIC-TV in Hartford, Conn., available to the committee, because of the pressing need for our society to come to grips with the problem of teenage drug abuse.

I ask unanimous consent that the WTIC editorial describing the action taken by the State of Connecticut be printed in the RECORD.

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

A WTIC EDITORIAL, OCTOBER 23, 1969

It's difficult to do, but try, if you will, to put yourself in the place of a Connecticut teenager who has been using marijuana, LSD or some other drug, and wants desperately to stop. You know you need help. You're trapped, but you don't know where to turn. Of course, the best person to turn to is your mother or father. But you don't want to

face your parents with the awful news that you have been on drugs. You know how it will hurt your mother and your father.

You don't want to go to the police because you've been breaking the law and you know many other people who have been breaking the law with you. You don't want to tell on anyone.

What do you do? Where do you turn? Thanks to a new law that just went into effect in Connecticut, the teenager in this difficult position now has somewhere to go and someone ready to help him . . . and no questions asked.

Since the first of October, if you are a young drug user, you can go to any city health department, any hospital or clinic and get the best of medical attention and treatment without the consent or knowledge of your parents. This is also true—and has been true for some time—of any teenager suffering from a venereal disease.

If you want to free yourself from drugs, you can seek help by approaching your school guidance counselor, school nurse or school doctor. Or, you can walk into any hospital or clinic or city health department and tell the person at the desk that you want to talk to someone about a problem with drugs.

A good place to go is one of the six clinics operated by the state. There are clinics in all sections of Connecticut: in Hartford at 2 Holcomb Street; in New Haven, 412 Orange Street; in Waterbury, 167 Grove Street; in Bridgeport, 50 Ridgefield Avenue; in Stamford, 322 Main Street, and in Norwich, in the Mitchell Building at the Norwich State Hospital. These addresses will be repeated from time to time on WTIC Radio and Television. The clinics are open weekdays from 8:30 in the morning to 4:30 in the afternoon. And we do hope the state will consider keeping them open later in the day and on Saturdays.

If you are a teenage drug user who wants to stop, take advantage of this new protection offered by your state. If you know of a teenager who has been taking drugs, let him know help is available. Tell him all this is confidential and tell him that since treatment is based on ability to pay, he or she won't have to be concerned about finding the money.

Please . . . spread the word about this new program, this new means of escape from drug dependence. You might save a teenager's life.

LEONARD J. PATRICELLI,
President, Broadcast-Plaza, Inc.

SENATOR PERCY ON THE NOISE PROBLEM OR THE QUIET REVOLUTION

Mr. PERCY. Mr. President, Americans are becoming increasingly aware of environmental din in our society, a problem that has been aptly termed noise pollution.

Not long ago, representatives from 19 communities near O'Hare International Airport met with me to express their concern over rising noise levels at this extremely busy terminal. They were particularly disturbed over the prospect of even more noise with the introduction in 1970 of the jumbo jet.

Responding to their visit, I was assured by FAA Administrator John Shaffer that the FAA would soon impose maximum noise levels on the jumbo jets as well as other commercial aircraft. Legislation passed last year grants the FAA wide powers to regulate ground noise resulting from the Nation's rapidly growing jet air traffic. Such rules, in my judgment, are absolutely vital to insure that technological developments do not harm the quality of our environment. Loss of

sleep, threatened commercial values, and general discomfort to people that results through noise pollution constitutes a major problem that must be solved within the next decade by comprehensive action.

Mr. President, the time has come for a "Quiet Revolution."

In the current issue of *Life* magazine, William Zinsser comments eloquently on the ironic imbalance in our national priorities. He notes that an oft repeated phrase "a nation capable of putting a man on the moon" should at least be able to redeem our polluted cities, educate our children, elevate our minorities, feed our hungry, and clean our environment.

The *Life* article also notes that the current budget request of the Department of Health, Education, and Welfare fails to contain a request for funds to study the effects of noise pollution, let alone to develop programs and noise-level standards to protect our environment. I sincerely hope this situation will be corrected before Congress takes final action on the HEW authorization. I intend to lend my full support to doing something about the noise problem in both the urban and rural environment.

Mr. President, I ask unanimous consent to have printed in the *RECORD* a news release by my office on this subject and the article entitled "Are We Hooked On Noise," written by Mr. Zinsser, and published in *Life* magazine for October 31.

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

[A news release from the office of Senator CHARLES H. PERCY, Oct. 9, 1969]

PERCY REPORTS FAA PLANS TO CURB JUMBO JET NOISE

The Federal Aviation Administration will soon issue noise abatement regulations for the new generation of jumbo jets, Senator Charles H. Percy (R.-Ill.) revealed today.

Percy said the regulations, which are expected to be published later this week, will cover maximum permissible noise levels for the new Boeing 747, the Douglas DC-10 and the Lockheed L1011.

Percy made the announcement after conferring with FAA Administrator John H. Shaffer regarding mounting jet noise pollution around Chicago's O'Hare International Airport, the nation's busiest. The Senator met this week with representatives of 19 communities near O'Hare Airport to discuss the steps that must be taken to cut noise pollution in the area.

Legislation passed by Congress in July, 1968, grants the FAA wide powers to regulate ground noise resulting from the nation's rapidly growing jet air traffic. The new set of FAA noise rules governing the jumbo jets—scheduled to be put into service early next year—are the first such rules to be issued by the agency, Percy noted.

Percy said he was assured by the FAA Administrator that the initial set of comprehensive noise rules would be soon followed by a second set governing the existing jet and piston air fleet. A final third set of regulations will cover the yet-to-be-built super-sonic jet transport, the Senator reported.

"These rules are absolutely vital to insure that technological developments do not harm the quality of our environment," Percy said.

"Loss of sleep, threats to real estate values and the general discomfort which results from noise pollution around busy airports and in other densely populated areas constitute a major problem that must be solved

within the next decade through comprehensive action," he continued.

"This must be done through the active cooperation between private industry and all levels of government," the Senator added.

Percy reported that the FAA planned to hold a joint meeting with high-level representatives of the National Aeronautics and Space Administration (NASA) at Langley Field, Virginia, on October 15th to discuss noise abatement problems. The FAA plans to propose a program that would cost \$400,000 for each jet engine aimed directly at cutting noise levels.

"At the present state of the art, the SST cannot be allowed to fly over populated areas of the United States at supersonic speeds," Percy said, "since the resulting swath of sonic booms on the ground would be unacceptable to the vast majority of Americans. Already several Western European nations have banned all but subsonic flights of the SST over their air space to protect their people," the Senator noted.

"Hopefully, new technological advances will permit the use of all aircraft over land areas at their design speeds. But, until then, the quality of the human environment must take precedence," Percy concluded.

[From *Life* magazine, Oct. 31, 1969]

ARE WE HOOKED ON NOISE?

(By William Zinsser)

A group of scientists met in Chicago earlier this year to hold a symposium on noise pollution and, presumably keeping their voices low, agreed that "environmental din" is doubling with every decade and will have us all on the ropes by 1975.

It might be a good thing if people's ears would "bleed," one environmental psychologist told the meeting, which was held by the American Medical Association. Then people might get aroused. It may take a disaster like the Santa Barbara oil slick to dramatize the situation. Otherwise, noise pollution could be the last straw, on top of air pollution and all the other pollutions, that might bring our society crashing down.

Well, I've never seen a bleeding ear and never hope to see one. Still, the man has a point, and it may be that America is entering a new phase of the democratic process—government by mishap. Santa Barbara proved that the country won't stop polluting its seas and beaches until it befools an entire region beyond the tolerance of man, bird and fish.

Therefore what the nation really needs is a Secretary of Disaster, whose job would be to turn blunder into victory. He would repair all the erosions of everyday life that Washington is too inert to cure. The first person with ear-bleed, for instance, would go to see him, or the first person driven mad by air compressors or jackhammers in the street, or by jets in the air, or by noisy plumbing in the next apartment. The Secretary would hustle them over to a joint session of Congress and get the necessary legislation started.

What makes modern noise so insidious, the symposium experts said, is that we're getting hooked on the stuff, as dependent as an addict for our daily level of din. "A vacuum cleaner that was nearly silent, while technically feasible, would not be likely to sell very well," suggested Ray Donley, an acoustical engineer, "because today's housewife wants to hear the sound of power."

Far be it from me to doubt the word of an acoustical engineer, but in this case I'll make an exception. The wall of a vacuum cleaner is one acoustical treat that I think our wives can live without. Are we to believe that Mrs. America actually revels in the decibel count of her machine as it sucks old scraps of dirt and food from under the sofa? She endures the vacuum cleaner's roar out of gratitude for its labor, and simply assumes that science hasn't yet found a way to shut it up.

But science *has* found a way—Mr. Donley let the cat out of the bag. Hey, everybody! A silent vacuum cleaner is technically feasible! Pass it on! The only catch, he says, is that no woman will buy it. Want to bet?

After all, it's not as if a silent vacuum cleaner will plunge the neighborhood into deathly stillness, the sort of place where you can hear a pin drop. Dropped pins just aren't being heard in America today. Background noise in the average community has risen so sharply that it exceeds the standards accepted by industry. So don't be surprised, ladies, if your husband starts leaving home early and returning late. He just wants to get some quiet down at the plant.

And don't try to tell him that a vacation in the country is any answer. It isn't—power tools have seen to that. A vacationer who wakes with delight at 8 to the singing of birds will be enraged at 9 by the whine of a power saw a quarter-mile away. The notion that one man with one saw should not be allowed to destroy the sanity of several hundred people evidently doesn't trouble our lawmakers; otherwise they would write some silencing laws into the manufacturing laws. Nor is going to the lake any better—Thoreau's broad margin of life has been whittled away by water-skiers. The outboard motor that pulls the water-skiers through his swoops and turns is one of the most strident creatures now loose in nature, and winter brings no relief. Then the 700,000 snowmobiles come out to play.

I'm not against water-skiing, or sawing, or any of these noise-making pastimes. I'm only against the noise that they make, which could be reduced if anybody cared enough. So what if the product would cost more? Anyone with enough money for power tools or an outboard motor is not hurting for dough. What's hurting is the central nervous system of whole communities. Authorities say that excess noise is a growing cause of, among other things, rapid heartbeat, mental illness, family strife, suicide and murder.

As for whether it's technologically possible to hush these machines, I'm assuming that it is. Any country that can achieve what its President calls "the greatest week in the history of the world since The Creation" should be able to manage such minor jobs of creativity—mere third-day stuff—as toning down the gadgets that are driving its citizens crazy.

I know this is the tritest thought now in the public domain: that if we can put a man on the moon, we should at least be able to redeem our cities, educate our children, elevate our minorities, feed our hungry, and clean our environment. Still, it's no less true for being a cliché, and I refuse to be shamed out of repeating it—anything to keep us from forgetting that our priorities are here on earth and our commitments to the quality of life.

Noise is now one of life's cruelest enemies. Yet the Department of Health, Education and Welfare didn't request in its last legislative package that Congress do anything about it. All hope, however, need not be lost. As one spokesman said, "HEW is undergoing a lot of reprogramming, and I think noise is going to get a very good looking at."

That may be the trouble right there. Washington is going to take a good look at noise. But is anybody going to listen?

A NATION OF MINORITIES

Mr. PROXMIRE. Mr. President, we are a Nation of minorities—minorities which have confronted major problems of war and peace, and self-government as a majority. The majority respects our pluralistic nature—we have even made of our heterogeneous origins a national strength and a point of national pride. We feel a natural sympathy for op-

pressed groups, we seek to preserve elements of our varied cultural heritage and weave them into our national fabric.

I wish to excerpt a statement made by former Chief Justice Earl Warren at a Conference on Continuing Action for Human Rights in December of 1968. Justice Warren said:

We have failed ourselves in not ratifying two conventions which were drafted as an expression of man's readiness to recognize the special protection which the minority deserves and needs. We as a Nation should have been the first to ratify the Genocide Convention and the Race Discrimination Convention. Instead we may well be near the last to ratify the Genocide Convention which has about 80 parties to it already and the Race Discrimination Convention will probably enter into force without the United States having made any serious move to accede to it.

This sad record and the responsibility for it lies squarely with those who have a parochial outlook on our world problems. They have failed to measure the climate of change in the world. They have failed to recognize that great men and great institutions do not stand still in the face of great changes.

WITH A VOICE OF PROPHECY

Mr. BROOKE. Mr. President, earlier this year, Rabbi Larry J. Halpern, of Temple Israel, Boston, Mass., delivered one of the most moving and inspired sermons I have ever read. The occasion was Rosh Hashana, the day of atonement. The text was the challenge flung down by the Prophet Amos to the worshippers in the temple many thousands of years ago. The message was as apt to the needs of our society as it was to the needs of theirs.

I ask unanimous consent that Rabbi Halpern's sermon be printed in the RECORD.

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

A ROSH HASHANA SERMON BY RABBI LARRY J. HALPERN, TEMPLE ISRAEL, BOSTON, MASS.

As the worshippers sat in their places, their minds focused upon their liturgy, their spirits at peace, soothed by the lilting refrains, an unexpected voice cut through the mood. With an urgency and power which would not be shut out, even by the most complacent, the spokesman strode to the pulpit. With a vibrance and directness all too infrequent in the sanctuary, the words of the speaker sprang forth.

"Thus saith the Lord:

"For three transgressions of Israel,
Yea, for four, I will not reverse it:
Because they sell the righteous for silver
And the needy for a pair of shoes . . .
And thus profane My Holy Name."

With these words, Amos challenged the Rosh Hashanah worshippers in 761 BCE. Challenged them as they sat amidst the opulence and regal splendor of the King's sanctuary in Beth El. Challenged them, frightened them, even angered them and in so doing began the tradition of prophetic calling which serves unto this day as the proud focal point, the source bed of our movement.

In our day, his echo is heard, his voice, his anger, his method revived. Worshippers confronting their God through the liturgy of their traditions are roused from their peace, the regal chambers of their hierarchies are

shaken by confrontation, by deliberation precipitated by James Forman's "Black Manifesto"—a manifesto not of the prophet's care, but the victim's plea—brought to shake the establishment. Brought with a demand for radical action now. Brought with the recognition that time and the established legalism serves those already in power, those who already have made it.

Unlike the prophets' words, these demands present an emphatic voice from among the oppressed. A voice that no longer will wait submissively for the white man's condescending ceding of rights which should come with birth. A voice that seeks earnestly to create pride where now there exists but anger, to develop peoplehood where now there exists but hunger. A hostile voice, yes; spoken in anger, true; with an exaggerated self-image, undoubtedly. Listen:

"We are saying that not only are we the vanguard, but we must assume leadership, total control and we must exercise the humanity which is inherent in us. We are the most humane people within the United States . . . only a black-controlled government can stamp out racism."

Hostile, angry, the speaker's self-image exaggerated. But a beautiful voice, bespeaking a new pride in daring to be heard. A voice that clearly states its theme—shattering our complacency by its directness, its validity.

"We, the black people . . . are fully aware that white racist America has exploited our resources, our minds, our bodies, our labor. For centuries we have been forced to live as colonized people inside the United States, victimized by the most vicious, racist system in the world."

"We are, therefore, demanding of the white Christian churches and Jewish synagogues, which are part and parcel of the system of capitalism, that they begin to pay reparations to black people in this country."

And, unlike our prophets' pleas for ethics, this voice, this declaration, brings its by now well-known demands for specific solutions—the essential demand for payment of five hundred million dollars (\$500,000,000), a sum computed on the basis of fifteen dollars (\$15.00) per black in the United States—sought not as an empty bribe, but to construct a new black community. To establish a land bank, a black-controlled press, to create black broadcasting outlets and a center for research focusing on the problems of the black community, creating training programs for its citizenry. In addition, these demands call for the establishment of groups which would organize welfare recipients, underwrite strikes and develop an International Black Appeal similar to our CJP, which would bring additional capital into the black community.

And because of its bravado, this proud voice has affected the white community—bringing police to the sanctuary, Jewish vigilantes to the streets of New York, evoking anger, fear or hostility from those gathered in worship this night. It has spurred policy statements from the National Community Relations Advisory Council and the Union of American Hebrew Congregations, hurried meetings in the councils of the powerful amid the guardians of the ledgers. It cannot be ignored.

But in our anger, how many have listened? Struck by the hostility of the message, how many have sought to understand? Alienated by the impudent demands of those not our own, how many have hearkened to its warning? On this day of beginning, of dedication, might we not listen to better view ourselves and our world?

Let me probe with you this document that together we might more fully understand what it says of white America, to Jewish Americans, and what it demands of all.

As one reads the Black Manifesto, he is aware immediately that the black society which authorized it holds a unique perspec-

tive on our society. One rarely brought to our attention—withheld by the blacks who seek the dollar through a pseudo-whiteness. A perspective present to those who are forced to live daily with marginality, devoid of any real hope for involvement. It is as Dr. Kenneth Clark has stated:

"The Negro in America, by virtue of the pervasive pattern of racial rejection, exclusion or a token and often self-conscious acceptance by a minority of white liberals has been forced into a degree of alienation and detachment which has resulted in . . . sharpened insights and increased sensitivity to some of the subtle forces which are significant in our complex social structure."

The black man sees our society as that of an "octopus of exploitation—tentacles stretching from Mississippi and Harlem to South America, the Middle East, Southern Africa and Vietnam; the form of exploitation varying from area to area, but the essential result the same—a powerful few have been maintained and enriched at the expense of the poor and voiceless colored masses."

None need have diagrammed this night the obvious atrocities committed by white society—the vicious cycle of poverty, poor education, inadequate housing and futility—each feeding on the other, renewing more of the same. The report of the National Advisory Commission on Civil Disorders is full of such material. Written by the Establishment, the horrors it depicts are all but beyond belief. Yes, none need go to far to be aware of the more insidious forms of racism which, too, are all-pervasive—the white control of black organizations, the spirit which brings "whitey" to believe he should select black methods, the patronizing suggestions, the unceasing erosion of pride so well depicted in Martin Luther King's famed "Letter from the Birmingham Jail": "When you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six-year-old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling up in her eyes when she is told that Funtown is closed to black children, and see ominous clouds of inferiority beginning to form in her little mental sky, and see her beginning to distort her personality by developing an unconscious bitterness toward white people; when you have to concoct an answer for a five-year-old son who is asking: 'Daddy, why do white people treat black people so mean?'; when you take a cross-country drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you; when you are humiliated day in and day out by nagging signs reading 'white' and 'colored'; when your first name becomes 'nigger', your middle name becomes 'boy' (however old you are) and your last name becomes 'John' and your wife and mother are never given the respected title 'Mrs.'; when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of 'nobodiness'—then you will understand why we find it difficult to wait."

Or that special form of racism found within so many minority immigrant peoples: "Why can't they raise themselves the way I did—the way my family did?" This special form of prejudice which ignores the facts of the black man's arrival in the United States bound in chains, his family unit destroyed, of the deletion from the Declaration of that passage condemning England for its support of slavery, of the Constitution's view of the black man as three-fifths of a man, of the skin—its easy recog-

nition branding its possessors as outcasts, of an economic system vastly changed from the time of our entrance into it, the once open-ended prospect for the unskilled now all but totally destroyed by technological advances.

This unique perspective given us through the black man's eyes is most difficult for us to accept. We are part of the haves. We, too, fear change which might jeopardize our hard-won gains. We, who used our own bootstraps, now fear those who possess none. We, who but short generations ago sought our rights—cajoling, working, striking and even threatening those in power—now find our vulnerable world shaken.

But accept it we must for it is right—all men must be free. And more, we Jews, we must sense this struggle as our own. We Jews today, for all our achievements—our wealth and our apparent power—are marginal beings, a people forced by its stigma to accommodate itself, to "fit in" to interstitial spaces. If marginality be defined as an absence of true power, if it be seen as the inability of a people or an individual to determine his or her own destiny, then we Jews are truly marginal. For all of our self-aggrandizing boasts, for all of our proper claims, we remain in these United States tenants—at will—living off the good will of our neighbors, sensing ghosts in every shadow, fearing change which all too often has made us its victims.

What finer example of Jewish marginality might we view than the spectre of the early American Reform Jew trading off his uniqueness, his rights, his individuality for a chance at position and wealth? How similar this is to the black man's conked hair, his use of lotions and creams to make his skin lighter. How obvious is our marginality, when with longing Jews enter into discussions of the "Secular Society"—a society so secular in fact it has a Sunday Sabbath and a "secular" Easter or Christmas. A society in which the Jew, with but the clay shell of power can be turned against the black, whose shell is but beginning. Until the Jewish teacher or social worker baited by the black, manipulated by the established press and all too often comforted by his own, falls out, destroying himself along with the black. Weakened by his fight, the Jew is undermined by his failure to sense that the black man's call for true brotherhood, true equality, is his only hope for permanent peace. How pleased must be the anti-Semites, the compromisers and the true holders of power when they view the disension, the furor of an Ocean Hill-Brownsville! As Michael Scott has written: "Could Hitler or Gerald L. K. Smith have dreamed of anything better . . .?" Mr. Scott has correctly sensed the ploy of the true powers—use the Jews to destroy the blacks; risk nothing; gain everything. He continues:

"Throughout history, the power to inflict harm was in the hands of anti-Semites. Black people in this country don't have that power, even if they wanted to use it. Is it black anti-Semites who have closed certain job doors to Jews? Is it black anti-Semites who operated the quota systems at Princeton and Harvard and Yale? Is it black anti-Semites who never nominated a Jew to run for President of the United States? Is it black anti-Semites who keep the oil wells in Saudi Arabia flowing?"

The answers are clear. Our marginality is obvious, our vulnerability, our susceptibility exposed.

When we Jews trade our prophetic calling, our concern for peoplehood, our Judaism for quicksilver—today's promise of acceptance becomes tomorrow's fond memories of what might have been. This night our black brothers are calling us to recognize that true brotherhood is not a compromise, a bartering of values, a gain for them equaling a loss for us. Rather they would awaken

us to the reality that true brotherhood, the promise which the United States claims to offer, is the common existence of many cultures, many value systems enjoy. It is *not* a grudging ceding of rights by the oppressor to the oppressed—the yielding of the innocuous pawned off as meaningful dialogue—but the existence of parallel units, capable of self-contained existence, interacting by choice, each possessed of sufficient power to be unique—to permit pride—each possessed of sufficient pride to permit progress.

In alliance for such goals must we Jews ever be found. The stakes are too great to sell our ultimate hope for a little bread and water, a dollar here, a job there. Survival brought with pride, maintained through dependency is not worth having. The United States has given much more than any other country in our history, yet far more has it promised and far more can it deliver. We, our children, our children's children, indeed the entirety of mankind stand to lose if we do not demand that the promise be fulfilled.

But it is not enough to see the racism which is a blight upon this nation's existence, to confront what so often threatens the comfortable ease we see just around the corner . . . if only the lid can be kept on things for a little longer. It is not enough to recognize the legitimacy of the black man's view of marginality and sense our marginality, our common share in his pursuit of the ideals of brotherhood. No, all of this, and for most of us, I believe, this is indeed a great ideal, is not enough unless we recognize our common involvement both in cause and cure—an involvement clearly articulated for us by the National Commission on Civil Disorders:

"What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it.

"The alternative is not blind repression of capitulation to lawlessness. It is the realization of common opportunities for all within a single society.

"This alternative will require a commitment to national action—*compassionate, massive and sustained*—backed by the resources of the most powerful and the richest nation on this earth. From every American it will require new attitudes, new understanding and above all, new will."

Our involvement in the cause of true brotherhood, stirred by our understanding of the true extent of the problem, motivated by our awareness of our position as oppressor and oppressed, must be on this Rosh Hashana unshakable. Our resolve must be unquestioned. With his Black Manifesto, James Forman has exaggerated, threatened without support, even demanded beyond his means. Yet, he is correct. Unless we are willing to seek an entire solution even unto institutional changes, we are ruined. Unless we are insistent that it be now, we are undone. Unless we are willing to risk even our hard-won status and wealth, we will obtain nothing.

You and I must go forth this year not dreaming of the Messianic Age, but acting as Elijah—paving the way. You and I must act unceasingly to remove the stumbling blocks which exist in our communities—the subtle prejudices, the voting bias, the restrictions which impede open-housing in our all too often gilded ghettos. You and I must rip away the impediments to freedom which are in our sway—committing our resources and giving active support. You and I must be able to end our racism, subtle though it may be, restricting natural inclination to direct others, reigning in our arrogant view that we alone can judge another's feelings, his needs or even his methods. At present, this is our

role: Committing our wealth voluntarily that we might learn all we can of the problem—studying, talking, making united demands of the powerful. In addition, our black brothers and sisters must be made aware of our complete support. Our recognition of his problems and manhood, removing his need for violence, allowing him to express his own selectivity to get on with the creation, the implementation of his world. Indeed, it is presumptuous for us to direct, ludicrous for us to believe that given a full opportunity the black man cannot guide his own life. The plantation psychology dies slowly, when minds have long been channeled in it; but die it must. Now is the time. . . . ours the generation!

James Forman has given unto those who are open the first step which must be taken. He has made demands of the synagogue. Now, our answer. We must begin and begin *here* where such protest began. Here where we do have control we must see the needs and make the demands for change. We must renew our synagogue's unstinting commitment to morality for all. We must support this Temple's involvement, and accept the taxation to do the job right. We must use its strength wisely where its presence is justified . . . being prepared to rebuke friend and foe alike.

What good is a synagogue without life-sustaining values, without life-enriching action? What good is a structure without its supports? Even as is a building without its walls, so is a synagogue without its active involvements in man's struggle for his rights.

The Prophet Amos saw a failure of indifference, a loss of purpose in the opulent synagogue in Beth El and his vision stirred him to anger, his anger to action. We sit here this night in the midst of our sanctuary, the challenge placed squarely before us. Before we depart we must decide. Do we go with opulence and silence, fantasizing denials to Forman's charges, fully aware of his correctness. Do we become immune, our Temple empty and unresponsive, emulating the church decried by Martin Luther King in his words: "Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent—and often even vocal—sanction of things as they are"? Or do we begin to open our doors and our minds, working to build the "just society"?

In this same situation, the prophet Jeremiah chided our ancestors, "Ye have not harkened unto me in proclaiming liberty, every one to his brother, and every man to his neighbor . . ." And we wonder—his warnings went unheeded and the result was disaster for our people, our country.

In our day Jeremiah's echo returns in the warning of Dr. Kenneth Clark:

"I read that report . . . of the 1919 riot in Chicago, and it is as if I were reading the report of the investigating committee on the Harlem riot of '35, the report of the investigating committee on the Harlem riot of '43, the report of the McCone Commission on the Watts riot.

"I must again in candor say—it is kind of Alice in Wonderland, with the same moving picture reshown over and over again, the same analysis, the same recommendations, and the same inaction."

We ask ourselves: "Will we remain complacent?"

ENVIRONMENTAL PROTECTION

Mr. HATFIELD. Mr. President, Oregonians have always been concerned with the preservation of their environment—from the maintenance of the beautiful green forests as wilderness areas to the saving of ocean beaches from the demands of commercialization. Even in Oregon, however, as living has become

more urbanized and industry has expanded, the balance between a wholesome environment and technological advancement has become somewhat upset. In fact, problems of pollution in Oregon are already threatening the inhabitability of the land and the use of its waters in generations to come.

It is with this concern that Oregonians have welcomed the environmental quality commission as a successor to the sanitary authority under the State board of health and the commission's attention to problems of both air and water quality control. Pollution is the prime public policy concern at the moment—and indeed it should be, for a threat to the human environment is a threat to human life itself.

While it is with alarm that I read the report of Director Kenneth Spies and the projection of a need for a \$180 million expenditure in the next 5 to 10 years for additional sewage works alone, it is also with encouragement that I view Oregon's attentiveness to the problem area of pollution and environmental protection. In recognition of the assistance Oregon, as well as the rest of the Nation, will need in abating pollution, I ask unanimous consent that the report entitled "The Present Status of Water Pollution Control in Oregon" be printed in the RECORD.

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

THE PRESENT STATUS OF WATER POLLUTION CONTROL IN OREGON

(By Kenneth H. Spies, director, department of environmental quality)

From August 12 to September 30, 1968, more than 4,000 fall Chinook salmon migrated from the Columbia River through Portland harbor and over the improved fish ladders at the Oregon City falls to the upper Willamette River. In 1967 the number was slightly more than 2,000; in 1966 it was 1,000, and in 1965 it was only 79.

These migrations represent the beginning of a valuable new resource that is being developed by state and federal fishery agencies. There is no evidence that even before the coming of the white man to the Pacific Northwest was there ever a fall run of salmon in the Willamette River above Oregon City.

This new run of fish has been made possible by the construction of fish ladders at the Oregon City falls and, more importantly, by the abatement of pollution in the main Willamette River.

Beginning in the late 1920's there was so much raw sewage and untreated industrial wastes being discharged into the Willamette River system that every summer and fall when the stream flow was the lowest the dissolved oxygen content of the water in Portland harbor would be reduced to such an extent that salmon and other desirable species of fish life could not survive. On some occasions the dissolved oxygen content was completely depleted and as a result septic conditions were created.

Fortunately, the construction during the past few years of approved sewage and waste treatment works by the cities and industries in the basin has resulted in a gradual improvement of the water quality in the main stem of the Willamette so that now there is sufficient dissolved oxygen in Portland harbor year round to support fish life and to promote the upstream migration of salmon and steelhead.

This improvement is illustrated by the following data accumulated by the staff of the

State Sanitary Authority in connection with routine monitoring surveys which are made of the river by that agency.

DISSOLVED OXYGEN CONTENT (PARTS PER MILLION) OF WILLAMETTE RIVER IN PORTLAND HARBOR

Year:	Minimum monthly	Minimum daily
1957	1.5	0.6
1963	3.0	2.0
1965	3.2	2.2
1967	3.3	2.6
1968	5.2	3.8
1969 (to Aug. 10)	5.6	4.6

The goal is to maintain not less than 5.0 parts per million at all times in the waters of Portland harbor. Higher dissolved oxygen concentrations are maintained in the upper sections of the river that are utilized by salmonid fish species for spawning and rearing of young.

The bacterial quality of the river water has also improved so that much of the river is now reasonably safe for recreation including water skiing and swimming.

Similar progress has been in other river basins of the state. But the battle to rid Oregon's public waters of pollution is far from won and probably never will be as long as the population continues to increase and industry continues to expand.

Oregonians have for many years realized the importance of preserving the high quality of their public waters—their inland, coastal and ground waters. As early as 1889 the Oregon Legislature passed a law which declared it illegal to pollute any waters used for domestic or livestock watering purposes. In spite of that and other laws passed many years ago, the pollution of Oregon's rivers, streams and lakes continued to increase.

As previously stated, pollution in the Willamette River became a serious problem more than 40 years ago. It was because of the pollution in the Willamette that the voters of Oregon at the general election in November 1938 overwhelmingly approved the state's first and one of the nation's earliest comprehensive water pollution control laws. It established a public policy to restore and maintain the natural purity of all waters of the state and it created the State Sanitary Authority as the agency responsible for carrying out that policy and for enforcing all laws of the state pertaining to water pollution control.

When the Sanitary Authority started its program in February 1939, there were less than 50 sewage treatment plants in operation in the whole state, only 23 in the Willamette Basin and none on the main stem of the Willamette. Portland, Salem, Eugene, Corvallis and the other cities along the Willamette were discharging all their sewage and wastes into the river without any treatment. Raw sewage from nearly a half million persons was being discharged daily into the state's rivers and streams. No industries in the state had any kind of treatment for their water carried wastes.

The untreated wastes from the five sulphite pulp mills in the Willamette Basin represented the largest source of demand upon the dissolved oxygen resources of the river water, but the raw discharges from the many fruit and vegetable processing, meat packing and other industrial plants did not help the situation any.

It was no wonder then that the dissolved oxygen content of the river water in Portland harbor on occasion would drop to zero, that large sludge deposits were created on stream bottoms, that conditions hazardous to health existed in many areas, and that certain streams were so polluted that they could not be used for any beneficial purpose.

In 1961, again in 1967 and more recently in 1969 the state laws pertaining to water

pollution control were extensively amended and improved by the legislature. Under the 1969 amendments the State Sanitary Authority, which had always been a division of the State Board of Health, was replaced by a new and separate Department of Environmental Quality including a five-member Environmental Quality Commission, the latter being the policy and rule making and law enforcement body.

The new Department is responsible not only for water pollution control, but also for air quality control and solid waste disposal.

Under the program of the State Sanitary Authority practically every city and industry in the state has in recent years been required to install special sewage and waste treatment works in order to abate or prevent water pollution.

In 1947 the first sewage treatment plant on the main Willamette River was placed in operation. By 1957 all cities on the Willamette had installed at least primary treatment. By September 1969, when the city of Albany completes construction of its new plant, all cities and communities in the Willamette Basin will have the equivalent of secondary treatment and effluent disinfection. By July 1972 all cities in the state, including those on the Columbia River and those along the Oregon coast will be required to have a minimum of secondary treatment and effluent disinfection equivalent to 85% reduction of oxygen demand and suspended solids.

During the past 25 years the people of Oregon have spent an estimated \$190,000,000 for the construction of new or improved sewage collection, treatment and disposal facilities. At the present time there are more than 250 modern sewage treatment plants in operation in Oregon serving nearly 1,250,000 persons or more than 98 percent of the population served by community sewer systems. Thirty years ago the 49 plants in existence were serving less than 100,000 persons or less than 17 percent of the population served by community sewer systems. Furthermore, most of those early plants were at that time already overloaded or otherwise inadequate.

In addition to the expenditures made for sewerage facilities, private industry during the same period has spent several millions of dollars for construction of its required waste water treatment works. Since 1952 the pulp mills in the Willamette Basin have been required to operate special waste disposal systems for reduction of their pollution loads during the critical summer and fall stream flow period each year. More recently, under a new waste discharge permit program established by the 1967 legislature, they have been required to install facilities for year round treatment of their wastes prior to discharge into the river. At the present time all 8 mills in the basin have year round treatment for removal of settleable solids. Four of them also have chemical recovery and secondary treatment and the other four are required to have this same degree of treatment by July 1972.

It was previously mentioned that the battle to rid Oregon's waters of pollution is far from won. As evidence of that fact, it is estimated that during the next 5 to 10 years the people of Oregon will have to spend another \$180,000,000 or more for additional sewerage works. This expenditure will be necessary to serve the state's ever-increasing population and urban growth with required sanitary facilities and to prevent nuisance conditions, public health hazards and water pollution which would result if adequate sewerage facilities were not provided.

As the cities continue to grow and as the demand for more and cleaner water continues to increase, the cities and other communities operating sewage treatment works must periodically enlarge and improve the efficiency of such facilities in order to maintain the required degree of quality in the

receiving streams. Two major problems associated with this need are how to provide the higher degrees of treatment that are required and how to raise the funds necessary for financing their construction.

A good example of this is what has happened in the Fanno Creek area of the Tualatin River Basin. Fanno Creek has very little natural flow in the summer and therefore provides inadequate dilution for conventionally treated sewage effluents. By 1966 the population of this and other drainage areas in the Tualatin Basin had increased to the point that even a high degree of secondary treatment was no longer adequate to prevent nuisance conditions from being created in the creek waters. A policy was therefore adopted by the Sanitary Authority in September of that year that no new or enlarged sewage treatment plants would be permitted until a master sewer system for the Tualatin Basin could be developed.

Growth of the areas continued to take place, however, until finally in July 1968 the State Sanitary Authority had to place a ban on all new construction in the Fanno Creek area because the secondary sewage treatment plant serving it had become grossly overloaded, and it was not practicable to increase further either its treatment efficiency or capacity.

Since then a preliminary engineering report of a proposed master sewer system for the Tualatin Basin has been prepared by consulting engineers for the Washington County Board of Commissioners. Consideration is now being given by that body to the formation of a county service district as the legal entity to design, construct, operate and maintain the required master system of sewage collection, treatment and disposal for the Tualatin Basin. This will make it possible to consolidate many of the small plants now being operated by cities, special service districts and private corporations in this portion of the Portland metropolitan area.

Some 30 to 50 million dollars will be required within the next few years to finance the Tualatin project. With property and other taxes already at record highs it will be increasingly more difficult to finance this and similar projects needed in other parts of the state.

To provide assistance in solving this financial problem the 1969 Oregon Legislature passed a bill authorizing the issuance of state bonds which can be used to make loans and 30% grants to cities, counties, service districts and other governmental units for construction of water, air or land pollution control projects. Before such a program can go into effect, however, the state constitution must be amended and therefore at the May election in 1970 the voters of Oregon will have the opportunity to approve an amendment which will permit the issuance of bonds for this purpose up to one percent of the true cash value of all taxable property in the state.

For the present biennium the amount of bonds would be limited to \$50,000,000.

The Department of Environmental Quality already has on hand applications for 30% state grants for more than \$50,000,000 worth of sewage treatment projects that should be constructed within the next two years.

Since 1956 Congress has annually appropriated funds to provide federal financial assistance to cities and other governmental units for construction of sewage treatment works. The amount of the federal grants was limited to 30% of the construction cost until 1966 when Congress amended the law to provide 50% grants in those states where the state government would provide 25% state grants. Unfortunately, Congress has failed to increase its annual appropriations sufficiently to provide the increased grants for all eligible projects and as a consequence many projects have been unduly delayed.

In 1967 the State Sanitary Authority adopted special water quality standards for all interstate and certain intrastate waters of Oregon. These standards require that in every instance the highest and best practical degree of waste treatment be employed. At the present time the new Environmental Quality Commission, successor to the Sanitary Authority, is engaged in the promulgation of special water quality standards for other intrastate waters including such streams as the Clackamas, Sandy and McKenzie Rivers. Because of the existing high quality of these waters and the uses being made of them, it will probably be necessary to provide advanced waste treatment for any sewage effluent that may be discharged into them. Tertiary or advanced waste treatment will also be required for any plants which continue to discharge into the Tualatin River system mentioned previously. Treatment processes of this type are available. Unfortunately, they are expensive to build and to operate but they will have to be used if the state is to continue to develop and at the same time preserve the quality of its water resources.

In summary, the state of Oregon is making outstanding progress in abating the pollution of its public waters. The job is not yet finished and probably never will be, but by the summer of 1972 the water quality goals set more than a generation ago should be fulfilled. The main task thereafter will be to maintain the high water quality standards for the benefit of future generations.

In the meantime it will among other things be necessary to raise the millions of dollars needed to finance the construction of the required waste water treatment works, to develop more economical advanced waste treatment processes that will be suitable for both large and small installations, and to find practical means for controlling the detrimental effects on water quality of certain land uses such as timber harvesting, irrigation, and cattle feeding.

In view of the great concern which Oregonians have always had for protecting their natural resources against pollution and particularly in view of their present determination to maintain the highest possible degree of livability, there is no doubt about their winning the battle to have clean waters.

OUR POLLUTED PLANET

Mr. McGOVERN. Mr. President, the quality of life, not only in the United States, but throughout the world, is being dangerously threatened. The pollution of our planet is reaching such serious proportions that life itself is at stake.

The Senator from Wisconsin (Mr. NELSON), the leading spokesman in Congress for the conservation of our natural resources and for a cleaner, more healthy world, has again presented his case. This time Senator NELSON argues in an article entitled "Our Polluted Planet," published in the November issue of Progressive magazine, that this country must make the same kind of commitment toward cleaning up pollution as we are spending to send men into space or to build a massive military machine. He calls for a nationwide college and high school teach-in next spring to enlist the youth of America in a great crusade to save our pollution-threatened environment.

I ask unanimous consent that this important article be printed in the RECORD.

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

OUR POLLUTED PLANET

(By Senator GAYLORD A. NELSON)

(Senator Gaylord A. Nelson, a Wisconsin Democrat and former Governor of that state, is an outspoken conservationist and has led the fight against environmental pollutants. Frequently described as the leading spokesman for conservation in the U.S. Congress, Senator Nelson has led the battle against DDT and other pesticides. He was successful in winning passage of the National Wild Rivers Act. He has introduced legislation to stop detergent pollution and has worked in Congress to find ways to save the Great Lakes. During the present session of Congress he was also instrumental in drawing up legislation to stop open testing of chemical-biological warfare weapons.—THE EDITORS.)

Man lives on a limited, finite planet that spins in a mathematically precise orbit in the dead vacuum of space. The uniqueness of man's planet earth is that it is the only body in the solar system capable of supporting life.

Just how long it will be able to sustain life, however, is a question that is causing increasing concern to many scientists and ecologists. Our planet has only a thin veneer of soil that is supporting rapidly diminishing forests and a dwindling variety of animal species.

The scientists and ecologists have been warning for years that earth's resources are not endless and that soaring population growth and blind disregard for the most vital resources of air and water could bring disaster. They have stepped up their warnings of pending disaster, because they believe that the end is virtually imminent. Every major watershed in America has been polluted by the unbridled expansion of business and industry and by municipalities unwilling to clean their wastes adequately before dumping. Lake Erie, an important fresh water supply for millions of people, is almost dead, and most other major bodies of water in the nation are close behind.

Even the vast oceans, which make up three-fourths of the surface of the globe, face disaster and destruction. Man has looked to the oceans as the future source of food protein when the land becomes too crowded and too overworked to produce enough. But the pollution of the seas has become so serious that one noted ecologist has flatly predicted that the end of life in the seas could come in ten years.

Evidence of nature in rebellion has already been seen in the oceans, as mysterious events take place which scientists have under study. In the South Pacific, a marauding starfish is destroying coral reefs; without these barriers, many islands, including the Hawaiian, will lie unprotected from the pounding seas. Scientists are guessing that dredging, underwater blasting, overuse of lingering pesticides, or even radioactive fallout have killed the starfish's natural enemies.

In the past year, other events have been observed that have brought death to thousands of creatures living in and around the sea. Some were killed by the ugly oil spills off the coasts of California and Southern England. Some, however, remain unexplained—with only the dead fish, birds, clams, or crabs, tumbling by the thousands in the surf, indicating that something serious was wrong.

There is almost no way to escape the poisons of pollution. Day after day the thin envelope of air that surrounds the earth is mixed with the belching smoke and soot of tens of thousands of industrial smokestacks and incinerators and the deadly fumes from millions of automobiles, buses, and trucks exhausting gases and lead particles from fuel into the air. Just how long the atmosphere will be able to absorb these pollutants cannot be predicted accurately.

The environmental threats have begun to jolt many Americans from their indifference and disregard for the severely limited natural resources of man. A recent Gallup Poll conducted for the National Wildlife Federation

revealed that fifty-one per cent of all persons interviewed expressed "deep concern" about the effects of air pollution, water pollution, soil erosion, and the destruction of wildlife and natural resources. Most surprising was the fact that almost three out of every four of the persons interviewed said they would be willing to pay additional taxes to put a halt to these threats to life.

Even a limited survey of the ways in which man has been violating his environment demonstrates why the threat to life itself is so serious. The use of the deadly, long-lasting, poisonous pesticides is one of the most depressing examples. Each year, more than 600 million pounds of pesticides of all kinds are sprayed, dusted, fogged, or dumped in the United States—about three pounds for every man, woman, and child in the country.

The residues drift through the air, mingle with the waters to destroy aquatic life, and seep through the soil to contaminate the environment on a worldwide basis. Pesticide particles have been found, for example, in the tissues of reindeer in Alaska, in penguins in the Antarctic, and in the dust over the Indian Ocean. Several species of animal life, including the American bald eagle, the peregrine falcon, the osprey, and the Bermuda petrel are on the verge of extinction by pesticides.

A two-year national pesticide study completed recently by the U.S. Bureau of Sport Fisheries and Wildlife found DDT in 584 of 590 samples of fish taken from forty-four rivers and lakes across the United States. The study revealed DDT residues ranging up to forty-five parts per million in the whole fish, a count more than nine times higher than the current Food and Drug Administration guideline level for DDT in fish.

The threat of pesticides to public health and safety was made shockingly obvious last spring when the Food and Drug Administration seized 28,000 pounds of pesticide-contaminated Coho salmon in Lake Michigan. The concentration of DDT in the salmon was up to nineteen parts per million; the accumulation of dieldrin, a persistent and more toxic pesticide, up to 0.3 parts per million. Both levels are considered hazardous by the FDA and the World Health Organization.

Dangerous levels of DDT and other deadly pesticides have been found in tobacco and fruit, and vegetable producers constantly must take care to avoid having their crops banned from commercial markets.

An irony of the whole pesticide saga is that, time and again, the bugs have come out on top. Hit the insects with a pesticide, and a few hardy generations later, adaptation has developed a new breed that is immune to it. Rather than seeking the obvious answer of an alternative pest control, our response has usually been to use greater doses of the same old ineffective stuff.

Yet, despite the urgent warning by responsible scientists of imminent environmental disaster and health hazards from pesticides, Federal agencies have failed dismally to face the threatening problem. Not one agency has taken any significant action that would lead to the goal of "eliminating" the use of persistent, toxic pesticides that was established six years ago by President Kennedy's Science Advisory Commission on Pesticides.

The appalling fact is that the Federal Government has been perpetuating this grave environmental and health problem rather than working to resolve it.

The Department of Agriculture has virtually ignored the hazards of pesticides, and Department spokesmen have opposed state action to ban DDT and have supported the pro-pesticide arguments of the chemical companies with scandalous devotion. In spite of the obvious need for alternatives to DDT and other hard pesticides, the Department has failed to launch an all-out research effort in this area. One spokesman for the Agricultural Research Service admitted that the De-

partment's program for improved means of non-chemical pest control is presently underfunded by at least \$4 million.

It is obvious that the Department must research non-hazardous controls of pests and use its existing authority to place effective limitations on the use of all pesticides, including a complete cancellation of the registrations for the hard pesticides especially hazardous to the environment.

In the deepening national crisis facing our rivers and lakes, a dramatic new pollution source is developing—the massive discharges of heated water from nuclear power plants.

On Lake Michigan alone, seven nuclear power plants, several with capabilities larger than any in the history of power generation, are scheduled to be in operation by the mid-1970s. Together with the output around the lake of existing plants fueled by coal and oil, the higher volume of expelled heated water will raise the temperature of all of Lake Michigan by several degrees in the next few decades.

In addition to the threatened change in the taste and smell of drinking water near some of the plants, the delicate chain of Lake Michigan aquatic life, already severely threatened by other pollutants, could be further upset. Algae growth is already a problem that could be greatly increased by the warmer water. Yet, incredibly, not one of the plants is installing cooling towers to reduce the environmental impact of the heated water on this vital segment of the Great Lakes chain—a major resource of international importance.

On a nationwide basis, 120 nuclear power plants will be installed within the next six years. By 1980, the electric power industry—with both nuclear and fossil fuel plants—will be using one-fifth of the total fresh water runoff in the United States for cooling. But the Atomic Energy Commission, which is charged with regulating the development of the nuclear power plants, said it has absolutely no responsibility to assure that the gigantic heat discharges will be controlled.

The tragedy of what is happening to the Great Lakes is clearly one of the ugliest examples of stupidity and greed. The pollution sequence has reached the point where Lake Erie is nearly destroyed, with Lake Michigan close behind, and Lakes Huron and Ontario gravely threatened. Only Lake Superior, the third largest body of fresh water on earth—almost 3,000 cubic miles—is still clean.

Just how long Lake Superior will remain clean is highly questionable. The threat to its sparkling blue waters has begun. The Reserve Mining Company, owned by the Republic Steel and Armco Steel corporations, is dumping into these waters more than 60,000 tons of wastes daily from its taconite—low grade iron ore—processing plant. It has been computed that, if the plant operates at current levels for the next forty years, it will dump into the lake one trillion, 881 billion, 600 million pounds of taconite tailings.

A Federal report concluded last spring that the waste discharge is already damaging the fragile ecology in the lake, is affecting the mineral content and the clarity of the water, and is destroying the already limited fish spawning grounds. There seems to be little question that the wastes are polluting the lake.

The Water Quality Act of 1965 and the Clean Water Restoration Act of 1966 were Congressional declarations setting a national commitment to restore and protect the water quality of this country. Under the latter act, Congress authorized \$3.4 billion in Federal aid for the period from 1968 to 1971 to begin the task. Congress recognized that the authorization was only for a minimal beginning and acknowledged that the job eventually would cost tens of billions of dollars.

Yet today, the water pollution control effort is in the same crisis condition as the waters of this nation. Efforts to implement the water quality standards face total col-

lapse because the Federal aid commitment is not being met. In 1968, \$450 million in Federal aid was authorized by Congress but only \$203 million was appropriated. For 1969, \$700 million was authorized, but less than one-third that figure was appropriated.

The backlog of need continues to climb to gigantic proportions. Recent figures disclosed that \$2.2 billion in Federal aid has been requested under pending applications for the construction of effective municipal waste treatment plants. These plants are needed to eliminate one of the most continuous sources of water pollution—soaring population growth makes the best systems inadequate in a short time. For 1970, the Administration originally proposed spending only \$214 million of the \$1 billion authorized, but under great pressure from Congress agreed to a substantial increase, and the ultimate appropriation may come much closer to the authorized sum.

Last year, Congress recognized the hard fact that only a major infusion of new Federal funds would enable the creation of new national parks such as the Redwoods, and provide even a minimum of space and recreation for this nation's rampaging population growth. Congress amended the Land and Water Conservation Act to provide that revenues from outer continental shelf oil drillings—those beyond the three miles of shelf reserved to the states—would assure a minimum of \$200 million a year for the next five years for the Land and Water Conservation fund.

But this year the Nixon Administration has requested only \$124 million for the fund, and it is unlikely that more money will be added either by Congress or by the Administration. The supplemental oil revenues, which this year alone will total \$76 million, are earmarked for the fund, but will be unappropriated and unspent, unless Congress and the Administration together take action. These oil funds could sit there indefinitely, as they cannot be spent for other purposes, while important available land is denuded of trees by chain saws and plowed into ugly, unplanned development by greedy real estate interests. Such delay destroys the encouraging starts made in conservation the last few years.

With demand for the nation's severely limited open space facilities already exceeding capacity, it is particularly disturbing to see Everglades National Park, one of the most valuable features of the National Park System, in grave danger of imminent destruction. In 1934, the 1.4 million acre park was set up by Congress to be "protected in perpetuity" as a unique subtropical wilderness in rapidly developing south Florida. The concept, "protected in perpetuity," in the National Park statutes has always been comforting because it seems to rule: "Here is where we draw the line. Here we are endowing a priceless natural resource with a sanctity not unlike that of a church."

But, as is so often the case, the commitment of words and statutes is being swept away by the frenzied pursuit of profit. The Everglades Park is on the brink of destruction, final and complete. One conservationist predicts that, within ten years, there will be an announcement by the Federal Government that the Park is no longer worthy of the name and, therefore, will be disbanded like an old military base, in the interest of economy.

It would be particularly appropriate for the Government to pronounce the doom of the Everglades because it has permitted Federal agencies—specifically the U.S. Army Corps of Engineers—working in direct opposition to the intent of Congress, to endanger the Park.

In 1962, the Corps of Engineers constructed a levee across the principal natural drainage way to the Everglades from the north and blocked the flow of water into the Park for two years. That water shortage brought the

death of multitudes of fish, wildlife, and flora and began an unnatural succession of changes which may alter the unique ecology of the Everglades for all time. The only thing that saved the Park was a dramatic increase in rainfall in recent years, but that can be only a temporary respite.

Conservationists supported the Corps Flood Control Project, provided the Corps would insure that the flow of water would not be cut off from the Park. Without that protection, it is clear that the water—the life blood of the Park—will be choked off by the escalating industrial-municipal water demands of southern Florida or by drought.

In 1968, the Corps came before Congress for additional authorizations for the Flood Control Project and told the Department of Interior, in writing, that the project would be regulated by rules designed specifically to protect the Everglades Park. But one year later, now that the Corps has its new authorization, it is refusing to implement that agreement and says it will wait for the "crunch" it sees—in thirty or forty years—before it acts. Such response is a blatant about-face, with obvious consideration for the wealthy land developers of such Florida who won't be happy until every square mile of the Everglades is dredged, filled, put under the blade of the bulldozer, and subdivided into suburban lots around dead lagoons stocked with fish from someplace else.

The Army Corps has already spent \$170 million of the public's money for the project that is steadily and rapidly destroying the Everglades—and it is asking for \$160 million more to further despoil the Park. If Congress and the Administration refuse to require the Corps to establish protective measures before any further Federal funds are spent, we might as well admit that the Government has no sincere concern for protecting the environment of this country, even when it has authority to control the situation. The call for private development apparently is too enticing.

Perhaps man, with his rampaging breeding and indifference, has reached the point where much of the world he lives in will be nothing more than an area of poisonous waters and choking air surrounded by mountains of garbage and debris. With many municipalities already faced with a monumental problem of garbage disposal, it is estimated that every man, woman, and child in this country is now generating five pounds of refuse a day from household, commercial, and industrial uses. This refuse adds up to more than 365 billion pounds a year.

Instead of using the country's impressive technology which made it possible to land man on the moon and develop super-mechanical devices capable of solving astronomical problems, the typically American approach is to take the easy way—dump the debris and garbage in the ocean.

Why shouldn't the municipal governments and business and industry believe the ocean would be a good dumping place? The sea bottom is already being used for dumping radioactive wastes, and until the Army was stopped recently, some thoughtful military bureaucrat decided it would be a great place to dump discarded poison gases. Perhaps previous dumping has caused some of the mysterious events and massive sea kills I have described.

The oceans are not a limitless funnel that take the chemical wastes and other debris to a magical "somewhere else" where they can be forgotten. More than twenty years ago, Los Angeles found that its beaches were contaminated and had to be closed to bathers because the city was not sterilizing its sewage. It was also discovered that wastes pumped by England into the North Sea were damaging Grand Banks fisheries off Newfoundland. The Japanese, concerned about their valuable fishing industry, have wisely banned dumping sewage into the sea.

It is the economic profit to be found in the sea that attracts and brings closer the threat of cataclysm which Dr. Paul Ehrlich, a noted ecologist, projected recently. He predicted that unless current trends are reversed, the oceans could end as a significant source of life in ten years with the end of man coming a short time later.

The massive oil leak off Santa Barbara, California, which killed fish and sea fowl could be the first dramatic warning of this end. Other commercial ventures are under consideration as developers look to the possibilities of rich returns from moving parts of crammed megalopolis to floating cities. One developer is planning a floating jetport in the ocean waters off New York City. Such a facility might well be beyond the reach of enforcement of any Federal agency regulations.

Unfortunately, there is a great deal of confusion and litigation concerning whether various ocean waters are public, private, national, or international. It seems to be a wild utopian dream that the world will be able to face the threat to the oceans in any reasonable way in the face of the fact that various government jurisdictions in this country cannot get together to develop responsible control programs for a simpler problem—domestic pollution.

Without agreements or strong regulations, the massive business and industrial corporations are at it again—this time it is frontier days on the high seas, and it's full speed ahead, damn the last clean environment on earth.

To date, 8,000 oil wells have been drilled on the outer continental shelf. And little mention is made of the fact that the outer shelf is really 823 thousand square miles of undersea public domain, owned by the people of the United States. This public domain was once much greater. But in 1953, with the Submerged Lands Act, Congress gave outright, to the states, the first three miles of offshore seabed.

Today, greedy over the prospect of trillions and trillions of dollars in potential continental shelf minerals, the East Coast states are banding together to fight the Federal government in court for the undersea booty beyond the states' three-mile territory in a mad scramble for the public domain frontier.

Our undersea domain is not the only ocean area that is threatened. Landward, our coastline environment is becoming an unmanageable tangle of conflicting, polluting uses that eliminate wetlands, destroy shellfish and other valuable sea life in sensitive estuaries, wipe out beaches with unwise development, and degrade the natural values that make our coastline areas perhaps the most vital recreation resource in the nation.

The one heartening sign so far has been the courageous move by the state of New Jersey to freeze all action on purchase, lease, and use of state lands fronting on coastal tidal waters until completion by the state of a master plan for managing the coastal environment.

The same freeze should immediately be adopted for public coastal lands on the Atlantic and Pacific coasts, the Great Lakes, and the Gulf of Mexico. The Federal government should halt all aid for development that would affect this environment until plans meeting national criteria are developed. And on the outer continental shelf—the vast undersea region extending beyond the coast—the Secretary of the Interior should grant no more leases of any kind until similar environmental criteria can be developed to protect this vital frontier.

The President, with the advice and consent of the Senate, should appoint a group of independent specialists to develop the coastal land and water use criteria which the state plans would be required to meet. This group would also develop the outer continental

shelf criteria. At least a three-year moratorium on continental shelf and public coastal land development will be required for orderly planning and adoption of the national criteria.

I will shortly propose legislation in Congress which will take these vital steps for protection of the coastline and ocean environments. Without such action, it will only be a brief time before the life-sustaining resources of our ocean are destroyed.

The real loser in man's greedy drive is the youth of this country and the world. Because of the stupidity of their elders, the children of today face an ugly world in the near future, with dangerously and deadly polluted air and water; overcrowded development; festering mounds of debris; and an insufficient amount of open space to get away from it all.

Since youth is again the great loser, perhaps the only hope for saving the environment and putting quality back into life may well depend on our being able to tap the energy, idealism, and drive of the oncoming generation that, otherwise, will inherit the poisonous air and deadly waters of the earth.

Biologist Barry Commoner, chairman of the St. Louis Committee for Environmental Information, warned recently that "we don't really know what the long-term effects of various types of environmental deterioration will be, and the kids are the guinea pigs."

Fortunately, the rising generation appears not to be content to be the guinea pigs of a society that has lost its sense of priority. One of the most dramatic developments of this decade has been the insistence of youth that in the last third of the Twentieth Century, the quality of life must have a much higher priority than the greed of past generations has permitted. A few random examples:

On learning that the United Nations is planning to hold a world conference on the environment in 1972, the youth of several nations have called for an International Youth Assembly on the environment in 1971 to give notice to the world's leaders that their generation realizes it is they who suffer most from a destroyed environment.

A group of high school juniors in Ashland, Wisconsin, recently showed concern for the growing threat to the ecology of Lake Superior by demonstrating in support of Duluth's Pollution Enforcement Conference. They were demanding a clean lake.

The same concern was voiced by a Washington, D.C., university student who, when told that a Congressional proposal to bring a complete halt to any Federal program that damaged the environment might be unconstitutional, asked: "Isn't polluting our rivers unconstitutional?"

The concern is there. I am convinced that all that is needed now is the trigger to activate the overwhelming insistence of the new generation on environmental quality. It is the young who can begin to stem the tide of disaster. To marshal such an effort, I am proposing a National Teach-In on the Crisis of the Environment to be held next spring on every university campus across the nation. The crisis is so imminent, in my opinion, that every university should set aside one day in the school year—the same day across the nation—for the Teach-In.

On that day, prominent ecologists, biologists, political scientists, publicists, public officials, and political leaders could meet with students and faculty in symposiums, convocations, and panel discussions to discuss environmental topics selected by the student body.

At the University of Southern California, it might be oil spills; at the University of Wisconsin, the devastation of the Great Lakes; at the University of Miami, it might be the Everglades; and at Yale, it might be the massive transportation snarl and urban

sprawl. The topics could range widely; the list of critical subjects is virtually endless.

Each year new species of animals are added to the list of those soon to be extinct. Man in his arrogance appears to think that he can escape joining that list. The evidence is overwhelming, however, that it is much later than he realizes, that the species Man cannot long watch the animals disappear without seeing that his end, too, is coming. Man, ironically, may be the creature that left as his monument a planet nearly as incapable of sustaining life as its barren neighbors in the dead vacuum of the solar system we are now exploring at costs that are fantastically greater than we are prepared to spend to preserve our own planet.

UNDER SECRETARY TRAIN SPEAKS ON THE POTOMAC BASIN

Mr. MATHIAS. Mr. President, the future of the Potomac River Basin has been discussed and debated widely for many years. Since January, the Nixon administration has been reviewing the massive record of past studies, proposals and counter-recommendations, and has been formulating a program of specific actions to preserve and protect the Basin's great resources and to meet the needs of its rapidly growing population for clean water, a livable countryside, and recreational opportunities.

This administration's program for the Potomac so far has taken shape, under the leadership of the Department of the Interior, not in any one grand policy statement, but in a series of concrete steps directed at specific problems.

In an important and stimulating address to the Citizens Workshop on Potomac Basin Planning at Airlie House on October 9, Under Secretary of the Interior Russell Train reviewed many of the Interior Department's efforts in the Potomac region. For instance, he noted that the Department is sponsoring a year-long study of the capability of the upper Potomac estuary to serve as a water supply source for the Washington metropolitan area. A complementary effort is the development of a pilot sewage treatment plant at Blue Plains to test a new physical-chemical treatment method which may prove far more efficient and less costly than conventional methods. A third new effort focuses on the potential of Kingman Lake, in the Anacostia River, as a recreational resource for the inner city of Washington.

As Under Secretary Train said:

The Nixon Administration has inherited a noble array of Potomac plans and proposals, the result of much careful study. All deserve equally careful consideration. The question is to what extent should and can they be carried out and by whom.

Under Secretary Train's October 9 speech is heartening evidence that this administration is seeking to answer that crucial and difficult question carefully and rationally, after a thorough assessment of the facts in each specific case. Where more data is required, studies are being pursued. In cases where the direction for action seems clear, action is being taken, as in the enforcement conference on the water quality of the estuary held last spring.

Overall, as the Under Secretary reported, the administration is clearly "moving ahead to meet the challenges

and opportunities of this great river basin." This speech, in the nature of a preliminary progress report, will be of interest to all who care about the Potomac Basin, and I ask unanimous consent that it be printed in the RECORD.

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

A NEW ADMINISTRATION LOOKS AT THE POTOMAC

(Address of Hon. Russell Train, Under Secretary of the Interior)

From the Fairfax stone to Point Lookout, Potomac problems and opportunities epitomize America's concern for a green and pleasant land.

With this concern, voiced from New England to California and from Alaska to the Everglades, an old love of country is reasserting itself once more. We are realizing, after long delusions, that "America the Beautiful" is not an immutable truth but a condition that must be fostered and cared for as assiduously as "America the Prosperous" and "America the Strong."

Although it is unnecessary for me to extol to you the importance of our environmental heritage, I do want to remark on how widely our conservation ethic is accepted today. Robert W. Paterson of the National Wildlife Federation says, in this respect, that "not many years ago, only a few people knew what conservation meant, and now today everyone is a conservationist whether he knows what it means or not." We know what it means and we know the struggle it has been to gain the attention we now have. However, I am afraid that the attention gained is due less to our persuasiveness than to the widespread dramatic and discouraging evidence of the condition we face. The environment is under growing pressure—and no one can miss the fact. As C. P. Snow has said, we seem to be victims of a struggle between the humanists and the technologists, with the humanists losing because technology is galloping out of control. Surely as individuals we are shocked when we see a green landscape we have loved paved over and lost to us forever, yet environment seems always easier to lose than to defend. An elaborate administrative and legal governmental process is often required to attain even the agreement that the situation be corrected. Moreover, as we know, the decision process seldom accords proper weight to scenic, aesthetic, or environmental values generally.

The values of an ecologically healthy environment, being seldom measurable in monetary or quantitative terms, are not being fairly represented and defended when public and private projects are considered. We have long dealt in land and water as commodities to be used for short-run economic gains with little consideration for longer range costs measured by an impoverished environment.

However, we are beginning to see encouraging signs of change. A new decision process is beginning to evolve principally because private citizens such as yourselves are insistently demanding a voice. Power plant site locators, highway designers, and jetport planners, among others, are being made aware of this voice and are learning, often painfully, that environmental values must become an integral part of their planning and their decisions. Governments also are now learning the same lesson. The marketplace yardstick of cost-benefit analysis is being tempered by the growing realization that environmental values are real values, represent real wealth, and must be accorded full recognition when making choices on resource use.

The proposed Salem Church dam and reservoir on the Rappahannock River in Virginia is a case in point. Secretary Hickel recently

requested the Bureau of Outdoor Recreation, in cooperation with other concerned agencies to take another look at the project in light of better, more current information on alternatives and on the usefulness and value of retaining the river in its present natural, scenic condition. This action followed closely upon the Secretary's announced opposition to the land fill and apartment development proposal at Hunting Creek near Alexandria, Virginia, on the Potomac, a project that, while perhaps economically attractive, would impair significant environmental values.

As you know so well, almost all of the environmental concerns that confront the Nation are clearly discernible along the Potomac—pollution, loss of recreation areas, destruction of wildlife habitat, and unplanned development of all kinds.

Yet despite these conditions and trends, the Potomac is surprisingly unspoiled and beautiful. It still retains its rural charm, redolent with history, almost wild in places. The forces that would degrade it can still be channeled and controlled without harming the economic prospects of the bordering counties. There is still a little time in which to act.

The Nixon Administration has inherited a noble array of Potomac plans and proposals, the result of much careful study. All deserve equally careful consideration. The question is to what extent should and can they be carried out and by whom. We have acted on some; have recommended others; and are weighing the remainder with hopes for guidance from citizens' groups such as you here represent.

One action we have just taken concerns the potential of the upper estuary as a water supply source for the Washington metropolitan area. The Secretary has announced that Interior is sponsoring a thorough appraisal of this capability. The study, to be completed in about a year, is to cost \$260,000. The development of the estuary for water supply would have major implications with respect to the need for upstream storage for the Washington metropolitan area.

Closely associated with the estuary water supply appraisal is the award of a contract to the District of Columbia for a pilot physical-chemical treatment plant at Blue Plains that will remove up to 99 percent of the contaminants faster, cheaper, and more reliably than present methods, removing the nutrients that act as a fertilizer for growth of algae. The process is also more compact than conventional methods, and, therefore, its land requirements are less.

Last April, Secretary Hickel reconvened the Potomac enforcement conference to consider the water quality problems of the metropolitan Washington area. A major objective of that conference was to substantially upgrade the effectiveness of the Blue Plains system, which is the largest single source of sewage treatment effluent in the area. Attainment of this objective could be given a major thrust forward by the new pilot plant process.

We are now taking the first step to determine the engineering feasibility of a plan, announced yesterday, for a highly imaginative project which would utilize our latest treatment technology on storm water drainage to turn Kingman Lake on the Anacostia River into a fine recreation facility for the enjoyment of thousands of residents of the Federal inner city—to swim, to fish, and just to relax. Kingman Lake is the result of channelization of the Anacostia. The plan is to isolate the lake from the river and divide it into three lakelets to function as a series of oxidation ponds, resulting in successively better quality water. The entire adjacent land area, already in public ownership and now partly used for a golf course, would be further developed as a park by our National Park Service for those using the lakes for fishing, boating, and swimming. Let me emphasize that the Kingman Lake program is still only in the planning stage. Major problems remain

to be solved. However, it represents the kind of imaginative thinking that we are trying to bring to bear on Potomac problems.

Another activity of importance to the scenic and recreational values of the Potomac is the Bureau of Outdoor Recreation's current study of the Potomac estuary. The Bureau has been directed to conduct a study of the Potomac River downstream from Chain Bridge, including adjacent land and water areas in Maryland, Virginia and the District of Columbia, to determine the best and most feasible means of conserving, protecting, and developing the natural, scenic, historic, and recreational values for the enjoyment of present and future generations. The estuary covers 207,000 acres of almost unlimited water-oriented recreation opportunities, and it faces an enormous growth in demand on its usefulness. There are now few recreational sites under public ownership in the estuary region, and a compatible pattern of land use must be developed not only to permit public recreational uses and scenic protection but also to provide for agricultural and appropriate industrial activity. Previous Potomac planning gave little attention to the estuary. I am glad to see this situation is being remedied.

Legislation is imminent that will permit us to complete acquisition of the National Wildlife Refuge on Mason Neck, which will protect habitat for the southern bald eagle and complement State and regional park projects there.

The Potomac Heritage Trail study, called for under the National Trails System Act is due for completion next spring and should help us develop a recreational route through the Potomac Valley.

The significance of the estuary is matched by that of the upper river. We recognize its immense value as a scenic, historic and recreational corridor through a land facing rapid growth and change. We shall do everything we can to protect and restore the historic Chesapeake & Ohio Canal, to enhance its usefulness for recreation, to preserve Potomac Valley scenery, and to realize the recreational potential of this beautiful river. Here we particularly need the help and guidance of citizens groups.

We have already expressed our interest in assisting Montgomery County, Maryland, in preserving Blockhouse Point, one of the Potomac's most significant scenic features near Washington. We also hope we can help Maryland with the preservation of Swan Point Neck, a potential park and wildlife area of great importance on the Potomac estuary in Charles County.

These activities indicate the Department's intention to continue to assert its leadership in the planning and conservation of this historic river, from the headwaters through the estuary, and to be the focal point for accomplishing historic, scenic, recreational and ecological objectives. The Department will play this role positively and forthrightly on the basis of its statutory authority and responsibilities.

For those who do not like to tackle tough environmental planning decisions at their doorstep, a vast Federal program may seem the easiest way.

However, if the beauty of the American landscape is a grass-roots concern, as I believe it clearly is, then the Potomac's problems and opportunities must also be championed at the local level. That, after all, is where much of the planning and regulatory authority lies which can save or damage our riverscape, and that is where much of the action, aided by the informed judgment of citizens' groups like yours, should begin.

So when a new Administration looks at the Potomac, it must first ask the citizens' groups, the conservation organizations, and the local governments, "What are you willing

to do; going to do, that we in Federal office can support and encourage?"

The Nixon Administration agrees that the Potomac is indeed the Nation's River in many important ways. It can be a national example of what concerted action can do to protect a riverscape that is itself a resource of national significance. We affirm that the conservation ethic is not just an individual's belief—it is the Nation's ethic and a standard for action.

What has been lacking in the past is a comprehensive approach to the problems of the Basin of the Potomac. Land use planning is directly related to pollution, and pollution is directly related to water supply. They involve various levels of complexities of government jurisdiction. Consequently, what I have tried to do today is to show you the steps we have been taking to pull together these diverse elements so that what is done in the future on the Potomac will be based on a comprehensive analysis of the relationships of all the factors, the alternatives, as well as reflect a unified approach to what is admittedly a complex undertaking.

Our effort is to look at the Potomac as a whole—the estuary as well as the upper river and tributaries.

We believe that imaginative new approaches to the problem of water supply are needed.

We believe that planning for open space and scenic amenity will be largely meaningless unless the pollution that befouls the river is cured, and we recognize that the City of Washington itself is the major contributor to the pollution of the estuary.

Indeed, we are giving new emphasis to the needs and problems of metropolitan Washington in all our Potomac planning. Access to water recreation for its crowded population has a major priority.

Thus, while I do not pretend to unveil a grandiose new blueprint for the Potomac this morning, I can assure you that we are moving ahead to meet the challenges and opportunities of this great river basin, and I repeat once again that the ideas and proposals of groups such as yours are of vital importance in this process.

THE YOUTH OF AUSTIN, TEX.

Mr. TOWER. Mr. President, much has been said recently about the degree to which the youth of America have been alienated, or, to use a more contemporary term, "turned off" by the society in which they live. To a certain degree I suppose that this is true. However, from my experiences with the young people of America, I have arrived at the opinion that the main difference between the younger generation of today and previous generations is the fact that this generation is, on the whole, more intelligent, more aware of their surroundings.

It is indeed unfortunate that in many instances recognition is attained by those young individuals who engage in unlawful action or activities that fail to benefit society as a whole. However, the vast majority of young people of this country are actively interested in solving problems through proper channels.

I should like to make known to Senators the recent activities of the youth of the city of Austin, Tex. These young people are engaged in a program called the "Austin Walk for Development." This group of young people has been working through the American Freedom From Hunger Foundation, Inc., in an effort to fight the problems of hunger and malnutrition in Latin America. Through

their private efforts over \$3,000 has been forwarded to the Peru Partners of the Alliance to establish a loan fund for the Peruvian 4-H clubs. These funds will help improve the conditions of the inhabitants of the mountainous areas in Peru. They are also engaged in projects which will aid the urban residents of Austin, as well as a program to assist needy Mexican-American families of that area.

I wish, therefore, to recognize the work of these young people and to salute them for the work they have done and are doing to aid the unfortunate in Texas, as well as in Latin America.

PADRAIC KENNEDY'S ACHIEVEMENTS AS VISTA DIRECTOR

Mr. GOODELL. Mr. President, when Padraic Kennedy first came to VISTA in 1964 he brought with him a wealth of knowledge and experience in the national volunteer program field. In 1960 he was one of the first 10 staff members named by Sargent Shriver to form the Peace Corps. He was the Peace Corps Senior Training Officer and later the Corps' Director of Volunteer Support before he joined the original OEO task force and became one of the architects of the VISTA program. Mr. Kennedy served as VISTA's first Associate Director for Training and Field Support before being named Deputy Director of VISTA in 1965. In June of 1968 he was nominated by the President to serve as VISTA's Director.

Under Mr. Kennedy's direction VISTA has grown from a concept to a \$37 million national service corps with 6,000 full-time volunteers and 1,500 VISTA summer associates serving annually in 49 States, Puerto Rico, and all U.S.-flag territories. In all, more than 20,000 people have served in VISTA. During his tenure heavy emphasis has been placed upon rigorous evaluation of all VISTA projects, closing out the least productive and expanding programs with high potential.

Mr. Kennedy led VISTA to the team concept of volunteer placement combining the talents of professionally skilled volunteers—lawyers, architects, community planners, business school graduates, nurses—with those of community volunteers recruited from the ranks of the poor. He also initiated a method through which VISTA funds full time supervisors on projects where they are needed.

In the area of training, under Mr. Kennedy's direction, VISTA became the first national volunteer program to place its main emphasis on the job, with the great majority of VISTA trainees spending the largest part of their training periods working on the actual projects where they serve.

One of the most significant changes Mr. Kennedy spearheaded in VISTA is the new emphasis on the recruitment of professionally skilled volunteers as well as volunteers from poverty communities. With more than 700 graduate attorneys now in VISTA service Mr. Kennedy recently called VISTA "The most exacting and fastest growing law firm

in America." Business administration graduates, architects, urban planners, and health specialists are among the needed skills VISTA recruiters have brought into VISTA in the last year. In addition, under Mr. Kennedy's leadership, VISTA set out to combine this highly skilled outside resource with community leadership into effective teams. More than 800 impact area residents have become VISTA volunteers.

Pat Kennedy's light was always the last to go out in VISTA/Washington. His urbanity, his style, his wit, and his tough-minded sense of commitment are things staff and volunteers alike are going to miss.

VISTA volunteers and staff members are characterized by their spirit, their dedication, and their commitment to the solution to this country's social problems. As their leader, Pat Kennedy personifies the movement. He will be missed, but because of his leadership the VISTA he leaves has a bright future.

SECRETARY HICKEL'S DECISION IN PINEY POINT REFINERY CASE

Mr. MATHIAS. Mr. President, the question whether an oil refinery will be built at Piney Point, Md., appears to have been answered for the immediate future by the Steuart Petroleum Co.'s decision to withdraw its application for an import allocation for residual fuel oil.

According to press reports, the company's decision, revealed last Friday, was prompted by widespread concern about the environmental impact of a major refinery on rural St. Mary's County, the lower Potomac estuary, and Chesapeake Bay.

Prior to the Steuart Petroleum Co.'s action, the environmental aspects of this particular oil-import decision had been recognized by Secretary of the Interior Walter J. Hickel. In a letter to me dated October 15, Secretary Hickel acknowledged the serious conservation questions raised by the Piney Point refinery proposal. He specifically agreed to my request, made on August 6, that the Department of the Interior seek guidance from the Environmental Quality Council and the Citizens Advisory Council on Environmental Quality before acting on the Steuart application.

In my judgment, Secretary Hickel's October 15 letter is an important statement with implications far broader than this one specific case alone. The Secretary wrote, in part:

I have every intention of taking into account the environmental aspects of all projects in which Interior has a voice. . . . We are concerned that economic activities of this nature which are likely to have far-reaching effects on the environment receive broader consideration in terms of location as well as operation. This responsibility is broader than that of any one department, and we are actively searching for the most effective vehicle to perform the task of coordinating and bringing environmental factors to bear on major locational decisions.

I commend the Secretary for this perceptive approach to an extremely complex and important problem. His policy statement emphasizes the fact that nar-

row decisions on specific questions are no longer enough to respond to public concern or to protect the best in our environment from the worst fruits of our technology and economic growth.

On August 6, I urged Secretary Hickel to "regard the Piney Point case as an incentive to revise the oil import regulations to reflect explicitly this broad environmental concern." It is now obvious that this case has indeed provided both the incentive and the opportunity for the shaping of a new, comprehensive, and truly conservative approach to the question of where and how oil should be transported and processed under Federal supervision.

Although the Piney Point case now appears to be closed, the Secretary's new policy should be developed and refined for use in all similar cases in the future. I stand ready to cooperate in this effort in every way I can.

Let me note, finally, that a large share of the credit for this advance in conservation must go to the many citizens who pursued their concern over the Piney Point refinery plan not only with fervor, but above all else with facts and responsible argument. Their activities over the past year and a half have been a fine example of the type of public involvement in public policy which can produce lasting gains.

I believe all who are concerned with conservation should study Secretary Hickel's statement on the Piney Point case and will applaud his initiatives. I ask unanimous consent to have printed in the RECORD my letter to the Secretary dated August 6; his response dated October 15; and a newspaper story entitled "Oil Import Bid at Piney Point Is Withdrawn," written by James Rowland, and published in the Washington Evening Star of October 24.

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

AUGUST 6, 1969.

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

DEAR MR. SECRETARY: This is in regard to the pending application of the Steuart Petroleum Company for an import allocation for residual fuel oil under section 26 of the Oil Import Regulations. As you know, if that application is approved by the Department of the Interior, the company intends to build a refinery at Piney Point in St. Marys County, Maryland, to process that oil.

For over a year this proposal has been subjected to intense and informed scrutiny by many public officials and citizens who are deeply concerned about the future of Southern Maryland, the Potomac estuary and Chesapeake Bay. After considerable debate, an impressive number have concluded that Piney Point is simply the wrong place for a refinery.

For example, the Board of County Commissioners of St. Marys County has voted to oppose the project and the import allocation. Many other elected officials and citizens' groups have declared their opposition. A resolution urging disapproval has been endorsed by a subcommittee of the Legislative Council of the Maryland General Assembly and is before the full Council this week.

This opposition invokes nearly every aspect of the resources and heritage of St. Marys County and Chesapeake Bay. It is asserted that oil spills, which seem to be inevitable, could be disastrous in the confines of the

Potomac estuary, fouling the beaches, ruining the riverbed and slaughtering the seafood for which the area is justly renowned. It is argued that air pollution generated by the refinery could scar the area's tobacco crop and drive waterfowl away from this portion of the Atlantic flyway. It is suggested that the presence of such heavy industry could make the area less desirable for residential growth, tourism, recreation, and other types of economic development. In this connection it is noteworthy that Piney Point is an extremely popular recreational area, and that you have just designated portions of St. Marys City, about five miles away, as a National Historical Landmark.

From these factors, many have concluded that the risks involved are so great, and the potential environmental damage so irreversible, that a refinery should not be built at Piney Point.

In your official position you must consider the comprehensive aspects of this problem, which include the ability and desire of the Steuart Petroleum Company and similar enterprises to expand their operations and to evolve more efficient methods in which the general public obviously has an interest. I believe that the time has come when the Department of Interior must also weigh carefully other environmental considerations. These further considerations imply that the questions before you include not only whether an import allocation should be granted, but where it should be exercised.

By supporting this approach and giving due weight to the conclusions of the area's elected officials, I believe that you could encourage the entire oil industry to move more rapidly toward plans and policies which will really advance environmental protection and sensible economic growth.

I am encouraged by signs that this Administration intends to exercise enlightened leadership in conservation. The President's creation of the Environmental Quality Council by executive order on May 29 was an important initiative. You have taken equally significant steps in regard to offshore drilling, water quality and other problems.

In this spirit, you should regard the Piney Point case as an incentive to revise the oil import regulations to reflect explicitly this broad environmental concern. It appears that the major criteria under section 26 now are whether the residual fuel oil is to be imported from the Western Hemisphere, whether the proposal is a bona fide business venture, and whether the desulfurizing methods used will produce oil with a sulphur content below one percent. The location of the refinery must be noted, but the regulations now do not call for any consideration of environmental questions. In my view this is a serious shortcoming.

Since section 26 has been suspending, pending the completion of the Cabinet Committee's study of the mandatory oil import program, you now have time to review and revise the administrative machinery for evaluating applications under this section and all other questions involving the extraction, transportation and processing of oil.

I believe that new criteria and procedures should give full consideration to the environmental—as well as economic—questions involved, and should include provisions for hearing and considering both expert opinion and the views of the people and local governments involved.

Further, I believe it would be appropriate and timely for you to invite the suggestions of the Environmental Quality Council and the Citizens' Advisory Council on Environmental Quality established by the President on May 29.

Such steps would do more than simply protect Piney Point. They could produce policies which will be truly comprehensive and conservative. Finally, they would be another recognition that narrow decisions on specific questions are no longer enough

to respond to public concern or to protect the best in our environment from the worst fruits of our technology and economic growth.

Sincerely,
CHARLES MCC. MATHIAS, JR.,
U.S. Senator.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 15, 1969.

Hon. CHARLES MCC. MATHIAS, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MATHIAS: Many thanks for your thoughtful letter of August 6 regarding the Steuart Petroleum Company application to build a refinery at Piney Point, Maryland. First, let me point out that my record clearly indicates that I have every intention of taking into account the environmental aspects of all projects in which Interior has a voice, our new drilling and leasing regulations for the Outer Continental Shelf, the protection of the endangered alligator in the Everglades, the environmental problems of the North Slope oil discovery, to name just a few. I am very much in sympathy with the philosophy expressed in your letter.

As you may know, Mr. Jess Malcolm, President of the Chesapeake Bay Foundation and a rather large and distinguished group from the Piney Point area, met with us recently. These people presented in some detail many of the points made in your letter. They described the possible consequences of an oil spill in terms of the economics of the area, the ecology of the area, the change in the atmosphere of the area from a quiet peaceful living area to one of heavy industry. They expressed their objectives very forcefully and in a very articulate manner. My Assistant Secretary for Mineral Resources, Oil Import Administrator, and Science Adviser are currently studying the large amount of data given us by this group. The Science Adviser is presently summarizing these data for my review. This again testifies to the thoroughness with which the group prepared for this meeting.

You specifically suggested it might be appropriate to invite the comments of the Environmental Quality Council and the Citizens Advisory Council on Environmental Quality established by the President on May 29. You may be sure we shall contact this group for comments as well as all other interested parties before making a decision.

As you may know, I suspended Section 26 of Oil Import Regulation 1, as amended, in order to afford time for review in connection with the Cabinet Committee Study of the Mandatory Oil Import Program. In addition, I felt more time was needed to study other aspects of this particular section of the regulations. I certainly agree that the points you raised are worthy of careful consideration.

I must also point out what I am sure you are aware of, namely, that I have a responsibility in connection with the availability of adequate mineral and energy resources for the country, and it is only natural that the objectives of this program would from time to time interfere with considerations of the type you have raised. Piney Point is a classical case in point.

The Piney Point situation illustrates a broader issue now confronting us. We have become keenly aware of the importance of site selection for installations of this sort in terms of overall impact on the environment. While this Department has no authority for land-use zoning, we are concerned that economic activities of this nature which are likely to have far-reaching effects on the environment receive broader consideration in terms of location as well as operation. This responsibility is broader than that of any one department, and we are actively searching

for the most effective vehicle to perform the task of coordinating and bringing environmental factors to bear on major locational decisions. One method might be the development of long-range planning for certain kinds of economic activity that can provide a general framework within which decisions on individual projects could be made. The degree and nature of Federal involvement in such planning is a matter to be faced in this regard. This is a matter which we plan to explore with the Environmental Quality Council.

I appreciate the opportunity to discuss these important issues. As you can see, we are actively seeking ways to approach the kinds of complex problems you pose in your letter. You may be assured that we share your views that we must find ways to deal with these problems as soon as possible in order to help provide for wise and prudent development of the Nation's resources.

Sincerely yours,
WALTER J. HICKEL,
Secretary of the Interior.

[From the Washington Evening Star,
Oct. 24, 1969]

OIL IMPORT BID AT PINEY POINT IS
WITHDRAWN

(By James B. Rowland)

The Steuart Petroleum Co. has withdrawn its controversial application for a 100,000-barrel daily import quota to refine crude oil at the proposed Piney Point plant on the Potomac River in St. Marys County, Md.

In a letter to Interior Secretary Walter J. Hickel, the company asked to withdraw its request because of the possible environmental harm that might be done by the \$60 million refinery.

"We . . . have no desire to, nor would we, construct any facility which would not or could not meet any federal, state and local air pollution and environmental control regulations or requests," the letter read.

The Steuart firm had planned to erect the refinery on a 265-acre tract where it now has storage facilities for 25 million barrels of oil.

The site is some 80 miles down river from Washington, close to where the Potomac empties into Chesapeake Bay. The refinery would have processed oil to achieve the low sulfur limits specified in air pollution regulations.

In the works for more than a year, the refinery-desulfurization plant has been bitterly opposed by a number of conservationists and state and local officials because of the harm it might cause recreation areas, commercial seafood sources and other marine life.

The company's letter of withdrawal cited the concern of people in the Piney Point area over "possible unfavorable effects on the environment," according to an Interior spokesman.

Curtis Steuart, board chairman of the company, a major fuel supplier in the Washington area signed the Oct. 22 letter. He declined to elaborate yesterday, saying, "The letter speaks for itself."

Steuart's withdrawal came in the wake of a report by Sen. Charles M. Mathias Jr., R-Md., that the Interior Department was going to study the environment effects of the proposed refinery closely.

Mathias wrote Hickel on Aug. 7 expressing concern that the residual fuel oil refinery could seriously harm the environment.

The Nixon Administration has suspended the section of the law under which the Steuart firm filed its application last March, pending receipt of a study of the subject by a presidential panel.

Hickel was asked to deny the application in a resolution sent him Aug. 6 by the Maryland Legislative Council, interim study arm of the General Assembly. The measure was drafted by Del. John H. Briscoe, D-St. Marys.

THE PESTICIDE PERIL—LXXII

Mr. NELSON. Mr. President, California, the Nation's leading agricultural State, has announced a ban on the use of DDT and a related hard pesticide, DDD, on 47 different commercial crops.

Officials of the California Department of Agriculture estimate that the ban will cut the use of these pesticides in California by 50 percent.

California has been the scene of one of the major battles over the use of DDT. Earlier this year the State banned the use of these pesticides for all home and garden use and for agricultural use in dust form. During the summer the State legislature debated the issue, and the senate approved a complete ban on DDT. However, the measure was killed in an assembly committee.

Although a complete ban of DDT has not yet been issued, it appears that California's concern about the threat to our environment from this and related, persistent pesticides is approaching the intensity of other States such as Arizona and Michigan who have already ordered a complete ban. The official policy of the California Department of Agriculture is to phase out DDT as quickly as alternative controls are introduced.

I ask unanimous consent that articles published in this morning's Washington Post and New York Times, reporting on the California action, be printed in the RECORD.

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

[From the Washington Post, Oct. 29, 1969]
CALIFORNIA BANS USE OF DDT ON 47 CROPS
(By John Berthelsen)

SACRAMENTO, CALIF., October 28.—The California State Agriculture Department today banned the use of the pesticide DDT on 47 different commercial crops including artichokes, carrots, celery, field corn and peaches.

Table grapes and cotton were not included in the list.

Farm labor leader Cesar Chavez and his United Farm Workers Organizing Committee have complained that vineyard laborers have been poisoned by DDT sprayed on grapes. This brought an exasperated reply from Jerry W. Fielder, head of the Department of Agriculture:

"The UFWOC's statements are exaggerated. We don't permit DDT on grapes when they are formed, and we constantly check them in the market place."

In cotton production, DDT is the only known pesticide that will kill the pink cotton boll worm, and it cannot be discarded at this time, officials said.

The ban on DDT comes just a few months after two California state senators, John Nejedly and Alan Sherman, failed to pass a strong bill banning DDT outright from all California fields. Fielder, who issued yesterday's ban, bitterly opposed the DDT bill. However, he now says:

"I have said from the very outset that our policy is to phase out as rapidly as possible—as soon as we can find a satisfactory substitute."

Michigan's Agriculture Commission has issued a limited ban. And in Wisconsin, a bill banning all but emergency uses of DDT has passed the Assembly and is pending in the Senate.

The new regulations, which go into effect Jan. 1, were proposed last August after the department received the results of a University of California study on the hazards of the pesticide.

The university is now seeking substitutes for DDT and its first cousin DDD. Today's ruling specifies 35 food and forage crops as well as 12 seed crops, including beets, cabbage, lettuce, onions and turnips.

[From the New York Times, Oct. 29, 1969]
CALIFORNIA AGENCY BANS THE USE OF DDT ON 47 CROPS

SACRAMENTO, CALIF., October 28.—The State Agriculture Department ordered California farmers today to stop spraying DDT and another long-lived pesticide, DDT, on 47 specific crops or on their livestock.

Officials estimated that the order, which will go into effect Jan. 1, would cut the use of the two pesticides by 50 per cent in California.

The order was proposed by the department last August and is based on recommendations by Dr. J. E. Swift, extension entomologist and statewide coordinator of pesticides with the University of California.

California is the nation's leading agricultural state. The gross cash receipts of its farmers and ranchers totaled \$4.5-billion, in 1968, ahead of Iowa, which was second with \$3.5-billion, and Texas, which was third with \$2.7-billion, according to California agriculture officials.

The ban ordered today applies to the following 35 food and forage crops:

Alfalfa, almonds, apples, apricots, artichokes, asparagus, barley, table beets, bush berries, carrots, celery, cucumbers, field corn, figs, flax, lettuce, melons, oats, okra, parsnips, peaches and nectarines, pears, plums and prunes, potatoes, rice, safflower, sorghum, spinach, squash, strawberries, sugar beets, sunflowers, sweet potatoes, turnips and wheat.

TWELVE SEED CROPS

Twelve seed crops also are included under the ban. They are table beets, broccoli, Brussels sprouts, cabbage, carrots, cauliflower, collards, ledino clover, lettuce, mustard, onions and turnips.

An earlier order issued by the department also to take effect on Jan. 1, will prohibit all home and garden use of the two chlorinated hydrocarbon pesticides in any form, and agricultural use in dust form.

The orders follow legislative attempts this year to ban all forms of the chemicals, which scientists have warned pose a threat to the environment. A complete ban was passed by

the State Senate but was killed in an Assembly Committee.

A compromise measure, however, was approved by both houses and signed by Gov. Ronald Reagan. It gives the State Agriculture Director more authority in determining additional controls or even outright bans of any pesticides determined to be harmful to the environment.

A spokesman for the State Agriculture Department noted that two other states took action against DDT this year: Arizona ordered a one-year moratorium on the use of the pesticide after dairy products there were adjudged too heavily tainted with DDT; Michigan discontinued most uses of DDT in the state through regulatory action.

An official of the Western Agricultural Chemical Association minimized the economic impact of the order announced today.

C. O. Barnard, association executive secretary and treasurer, said the use of DDT on most of the listed crops had been discontinued anyway, partly because of the increasing insect resistance to the pesticide and partly because of what he called the "hullabaloo" over the pesticide.

HEALTH BUDGET CRISIS

Mr. KENNEDY. Mr. President, many Senators are concerned that the 1970 budget proposed by the Department of Health, Education, and Welfare for health programs in the Nation is simply insufficient to meet our needs. At a time when we need more health manpower to deliver services to our people, more research investigators with more funds to solve health problems and conquer killer diseases, and better control of environmental pollution, the overall 1970 health budget is nearly the same as the 1969 budget. Indeed, because of the large cost-of-living increase since last year, I believe that the 1970 budget is actually lower in real terms than the 1969 budget.

On July 30, the House of Representatives passed and sent to the Senate an appropriations bill for the Department of Health, Education, and Welfare containing health appropriations which were lower in many cases than the administration's budget request, which itself had

been drastically cut back. Health research, services, and manpower funds all fall far too short of our contemporary needs. Unless these reductions in appropriations can be reversed, I believe we stand in very real danger of exacerbating the already serious health crisis now confronting the Nation.

Mr. President, the accompanying table gives an overall analysis of the 1970 health budget. The table is in three parts, dealing with Consumer Protection and Environmental Health Services, Health Services and Mental Health Administration, and the National Institutes of Health. I have included considerable detail on line items, so that the budget process can be better understood. I believe that, where available, the 1970 authorizations, agreed to by Congress and signed into law by the President, are our best judgment as to the Nation's current health needs. For purposes of comparison, I ask unanimous consent to have printed in the RECORD the actual 1969 appropriations, each agency's request for funds to the Department of Health, Education, and Welfare for 1970, the Department's request to the Bureau of the Budget, and the eventual Nixon budget figures. For purposes of additional comparison, I ask unanimous consent to have printed in the RECORD the Johnson budget and the action of the House on the pending appropriations bill.

From time to time during the following weeks, I intend to place in the RECORD analyses of proposed health appropriations for various agencies, so that Members of the Senate may see more exactly the difficulties of our health programs and the dangers to our Nation's health. The first such analysis, dealing with the budget for health manpower and construction of certain related health facilities, is included at the end of the table on the overall health budget.

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

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PARTIAL BUDGET ANALYSIS, FISCAL YEAR 1970
I. CONSUMER PROTECTION AND ENVIRONMENTAL HEALTH SERVICE

Agency or Program	1970 authorization	1969 comparable appropriation	Request of agency	Department request to Bureau of Budget	Johnson budget	Nixon budget	House action
Food and drug	Open	\$70,444,000	\$77,173,000	\$74,857,000	\$72,698,000	\$72,007,000	\$72,007,000
Air pollution	\$134,300,000	87,960,000	114,984,000	109,984,000	95,800,000	95,800,000	93,800,000
Environmental (Solid waste)	Open, except (\$19,750,000)	62,831,000	72,437,000	69,258,000	57,698,000	55,208,000	55,208,000
Buildings and facilities	Open	(16,190,000)	1,800,000	1,800,000	400,000	(14,872,000)	(14,872,000)
Salaries and expenses, Office of the Administrator	do	None	6,749,000	6,749,000	6,203,000	300,000	None
Total, Consumer Protection and Environmental Health Service		227,064,000	273,143,000	262,648,000	232,799,000	229,477,000	227,177,000

II. HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Mental health	Open, except, e.g.	\$338,171,000	\$421,090,000	\$408,642,000	\$367,129,000	\$357,796,000	\$360,302,000
Research grants	(Open)	(114,798,000)				(116,404,000)	(114,802,000)
Manpower	do						
Training grants		(109,046,000)				(107,500,000)	(107,500,000)
Fellowships		(10,641,000)				(10,866,000)	(10,866,000)
Institutional support:	(Open):						
CMH Center construction		(570,000,000)				(29,200,000)	(29,200,000)
CMH Center staffing		(532,000,000 new)				(17,462,000)	(17,462,000)
		(Open-old)				33,838,000	33,838,000
		20,699,000				(8,000,000)	(12,000,000)
Drugs and alcoholism grant		(25,000,000)				(8,000,000)	(12,000,000)
Service activities, drugs and alcohol abuse, treatment and research	(Open)	(14,288,000)				(17,456,000)	(17,456,000)
St. Elizabeth's Hospital	do	37,634,000	39,881,000	39,881,000	38,876,000		
Reimbursements		26,467,000	29,171,000	29,171,000	28,471,000		
Budget authority		11,167,000	10,710,000	10,710,000	10,405,000	10,405,000	10,405,000
Health services research and development	\$60,000,000	41,907,000	55,976,000	55,976,000	44,975,000	44,975,000	44,975,000

Footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PARTIAL BUDGET ANALYSIS, FISCAL YEAR 1970—Continued

II. HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION—Continued

Agency or Program	1970 authorization	1969 comparable appropriation	Request of agency	Department request to Bureau of Budget	Johnson budget	Nixon budget	House action
Comprehensive health planning and services..... (Trust fund).....	\$232,500,000..... (\$4,320,000).....	\$187,109,000..... (4,320,000)	\$252,976,000..... (4,320,000)	\$242,426,000..... (4,320,000)	\$212,030,000..... (4,320,000)	\$214,033,000..... (4,320,000)	\$207,143,000..... (4,320,000)
(Partnership/health: Planning grants..... Formula grants..... Project grants).....	(\$37,500,000)..... (\$100,000,000)..... (\$80,000,000).....	(18,500,000)..... (66,032,000)..... (86,600,000)				(20,000,000)..... (90,000,000)..... (80,000,000)	(20,000,000)..... (90,000,000)..... (80,000,000)
(Total).....	(\$217,500,000).....	(171,132,000).....				(190,000,000).....	(190,000,000).....
Migrant health..... Regional medical programs..... (Operational and planning grants) Communicable diseases..... Hospital construction..... District of Columbia medical facilities..... Patient care and special health services..... National health statistics..... Retired pay of commissioned officers (indefinite)..... Buildings and facilities..... Salaries and expenses, Office of the Administrator.....	(\$15,000,000)..... Open, except..... (120,000,000)..... Open..... \$295,000,000..... 0..... Open..... do..... do..... Open..... 0..... Open.....	(8,100,000)..... 83,133,000..... (56,200,000)..... 39,084,000..... 258,289,000..... 0..... 71,437,000..... 8,109,000..... 13,041,000..... 0..... 8,601,000.....	133,600,000..... 129,569,000..... 42,162,000..... 238,741,000..... 20,200,000..... 75,066,000..... 11,884,000..... 16,700,000..... 27,470,000..... 10,434,000.....	129,569,000..... 39,034,000..... 298,980,000..... 20,000,000..... 73,369,000..... 9,834,000..... 16,700,000..... 17,506,000..... 10,386,000.....	120,641,000..... 38,731,000..... 258,415,000..... 15,000,000..... 72,224,000..... 9,773,000..... 16,700,000..... 2,100,000..... 9,978,000.....	100,000,000..... 38,638,000..... 153,923,000..... 15,000,000..... 72,224,000..... 9,641,000..... 16,700,000..... 2,100,000..... 9,898,000.....	76,000,000..... (50,000,000)..... 38,638,000..... 258,323,000..... (^c)..... 72,224,000..... 8,841,000..... 16,700,000..... 0..... 9,898,000.....
Total, Health Services and Mental Health Administration.....	1,060,048,000	1,317,009,000	1,333,141,000	1,178,101,000	1,045,333,000	1,103,499,000	

III. NATIONAL INSTITUTES OF HEALTH

Biologics standards.....	Open.....	\$8,305,000	\$9,078,000	\$8,836,000	\$8,338,000	\$8,225,000	\$8,225,000
National Cancer Institute.....	do.....	183,485,500	203,741,000	190,352,000	184,402,000	180,725,000	180,725,000
National Heart Institute.....	do.....	166,008,500	186,708,000	168,984,000	163,141,000	160,513,000	160,513,000
National Institute of Dental Research.....	do.....	29,697,500	32,989,000	30,595,000	30,062,000	29,298,000	29,298,000
National Institute of Arthritis and Metabolic Diseases.....	do.....	143,402,000	155,479,000	141,491,000	139,968,000	137,668,000	137,668,000
National Institute of Neurological Diseases and Stroke.....	do.....	106,013,500	107,729,000	104,869,000	103,485,000	101,256,000	101,256,000
National Institute of Allergy and Infectious Diseases.....	do.....	106,623,500	115,278,000	106,044,000	103,922,000	102,389,000	102,389,000
National Institute of General Medical Sciences.....	do.....	163,122,500	175,899,000	161,786,000	157,803,000	154,288,000	154,288,000
National Institute of Child Health and Human Development.....	do.....	72,590,500	85,065,000	80,965,000	78,411,000	75,852,000	73,098,000
National Eye Institute.....	do.....	22,240,000	35,279,000	35,279,000	25,778,000	23,685,000	23,685,000
Environmental health sciences.....	do.....	17,785,000	19,593,000	19,539,000	19,004,000	18,328,000	18,328,000
General research and services.....	do.....	71,229,500	80,087,000	76,527,000	74,809,000	69,698,000	73,658,000
John E. Fogarty International Center for Advanced Study in the Health Sciences.....	do.....	3,374,000	4,175,000	3,667,000	3,460,000	2,954,000	2,954,000
Health manpower.....	Open, except.....	172,086,000	254,508,000	250,199,000	218,824,000	218,021,000	218,021,000
(a) Institutional aid: (1) Medical, dental, etc..... (2) Nursing..... (3) Public health..... (4) Allied health.....	(\$117,000,000)..... (\$35,000,000)..... (\$15,500,000)..... (\$24,500,000).....	(66,000,000)..... (7,000,000)..... (9,471,000)..... (10,975,000).....				(101,400,000)..... (7,000,000)..... (9,471,000)..... (10,988,000).....	(101,400,000)..... (7,000,000)..... (9,471,000)..... (10,988,000).....
(b) Scholarships.....	Open.....	(17,719,000)				(28,000,000)	(17,719,000)
(c) Traineeships.....	(\$30,000,000)	(20,670,000)				(20,670,000)	(20,670,000)
(d) Loans.....	(\$55,000,000)	(24,610,000)				(24,610,000)	(34,891,000)
Dental health.....	Open.....	10,185,000	13,446,000	12,226,000	11,888,000	10,887,000	(10,722,000)
Construction of health, educational, research, and library facilities.....	Open, except.....	93,200,000	123,400,000	149,100,000	126,100,000	126,100,000	126,100,000
(a) Medical-dental.....	(\$170,000,000)	(75,000,000)				(118,100,000)	(118,100,000)
(b) Nursing.....	(\$25,000,000)	(8,000,000)				(8,000,000)	(8,000,000)
(c) Allied health.....	(\$10,000,000)	(1,800,000)					
(d) Library.....	(\$10,000,000)						
(e) Research.....	(\$20,000,000)	(8,400,000)					
National Library of Medicine.....	Open, except.....	18,008,500	28,093,000	24,193,000	22,182,000	19,602,000	19,682,000
(Grants).....	(\$11,000,000)					(5,108,000)	(5,108,000)
Buildings and facilities.....	0	27,749,000	12,750,000	4,400,000	1,000,000	1,000,000	1,000,000
Salaries and expenses, Office of the Director.....	Open.....	6,993,000	7,193,000	7,193,000	7,193,000	7,093,000	7,093,000
Health professions education fund.....	do.....	154,000	735,000	735,000	735,000	0	0
Nurse training fund.....	do.....	46,000	233,000	233,000	222,000	0	0
Total, National Institutes of Health.....		1,394,549,500	1,666,457,000	1,585,563,000	1,484,127,000	1,448,610,000	1,449,651,000
Scientific activities overseas.....	Open.....	15,000,000	41,645,000	41,645,000	15,322,000	3,455,000	3,455,000
Total of items listed: I. CP & EHS..... II. HS & MHA..... III. NIH..... Overseas activity.....		227,064,000..... 1,060,048,000..... 1,394,549,500..... 15,000,000.....	273,143,000..... 1,317,009,000..... 1,666,457,000..... 41,645,000.....	262,648,000..... 1,333,141,000..... 1,585,563,000..... 41,645,000.....	232,799,000..... 1,178,101,000..... 1,484,127,000..... 15,322,000.....	229,477,000..... 1,045,333,000..... 1,448,610,000..... 3,455,000.....	227,177,000..... 1,103,499,000..... 1,449,651,000..... 3,455,000.....
Grand total.....		2,696,661,500	3,298,254,000	3,222,997,000	2,910,349,000	2,726,865,000	2,783,782,000

¹ Included in 1969 supplemental.

Mr. KENNEDY. Mr. President, in addition to the overall health budget analysis that I have just presented, it is also essential to consider in greater detail some of the specific items of that budget. Two of the most important areas are those of health manpower and construction of health, educational, research, and library facilities. These areas are included in part III of the preceding table as part of the budget for the National Institutes of Health.

I shall discuss a number of different aspects of these two areas in an analysis which I ask unanimous consent to have printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD,

A. INSTITUTIONAL AID

1. Medical and dental schools, etc.

The 1970 budget request for these schools is \$101,400,000, an increase of \$35,400,000 over 1969.

A comparison of appropriations for 1968 and 1969 follows:

1968:	Appropriation.....	\$52,500,000
	Authorization.....	60,000,000
1969:	Appropriation.....	66,000,000
	Authorization.....	80,000,000
1970:	Budget request.....	101,400,000
	Authorization.....	117,000,000

In 1970, awards are made to schools of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, and veterinary medicine. \$46,500,000 of the \$101,400,000 is given to the schools based on a formula with the balance

of \$54,900,000 for special project grants based on the merits of specific applications. The basic grants are designed to provide a fixed award of \$25,000 to each institution plus an estimated initial allocation of \$340 for each undergraduate student, \$540 for each graduate, and an added incentive of \$340 for each additional student in excess of the enrollment increase required for eligibility for the grant.

The special project grants are given for two major purposes: (1) to schools in severe financial straits who may be in danger of closing or curtailing operations, and (2) to those schools that plan to use the grant to improve those deficiencies of their educational program which have placed the school accreditation status in jeopardy. Priority is given to schools of medicine and osteopathic schools with potential to substantially increase their enrollment. These funds are used

for curricula development, faculty, alterations and renovation, and equipment.

The amount of \$54,900,000 is not sufficient for the number of special project grants which have been submitted. In fact, if we appropriate the full amount authorized, we will be able to add another \$15,600,000, which would be extremely useful in alleviating the current distress of our medical schools.

2. Nursing

Costs for educating nurses have risen sharply, as they have for all health professions. Hospitals are finding that the financial burden of operating schools of nursing is too great. While nursing education programs are costly for junior and senior colleges to establish and maintain, such academic institutions are able to provide quality education at a lower cost per student than programs based in hospitals—which are primarily service institutions. Since rising hospital costs are generally borne by patients rather than by the public, many hospitals are finding it increasingly difficult to carry these costs and are closing their schools of nursing. With the present authority (\$3 million in 1969) for partial reimbursement of diploma schools discontinued and replaced by broader authority for institutional grants in the Health Manpower Act of 1968, hospital schools of nursing will be in even more serious financial straits, since they will not be receiving any basic support beginning in fiscal year 1970.

The 1970 budget request is for project grants of \$7 million, an increase of \$3 million over 1969. The 1970 authorization is \$35 million for both formula and project grants for improvement of nurse training. The law states that of the funds appropriated, \$15,000,000 shall be for project grants. Since the 1970 appropriation request is for only \$7,000,000, it appears that under the law, all of such funds would have to be used for project grants. As a result, no funds would be available for formula grants.

Project grants now underway are helping certain schools to increase enrollments by accommodating students on other campuses through television, and by expanding and developing new clinical resources for teaching. The broadened authority under the Health Manpower Act of 1968 has extended participation and permitted projects for planning and establishing new and modified programs. It has helped schools, particularly hospital schools, to stay open. It has helped hospitals to remain in teaching, and to maintain quality during a period when nursing programs are shifting from apprentice-type training to a more clinically based program combining the resources of educational institutions and service agencies. Special project grants reflect planning on the part of communities and existing schools in the establishment of new nursing educational programs to meet their specific needs.

Approximately 1,300 schools of nursing, in addition to public and nonprofit institutions, are now eligible to receive these projects.

As the trend of nursing programs moves from hospital-based programs into the mainstream of education in junior colleges and universities, the acute shortage of qualified teachers of nursing becomes more critical. New ways must be found to train nursing students in shorter periods of time, and to train larger numbers of students with the same short supply of qualified teachers. Project grants are used for these purposes.

In spite of the need and when the 1970 authorization is \$35,000,000, only \$7,000,000 is being requested in the Administration budget, or only one-fifth of the amount authorized by the Congress.

3. Public health

Although the 1970 authorization is for \$15,500,000, the Nixon budget requests only \$9,471,000, the same amount appropriated in 1969. In point of fact, because of the increase in the cost of living which institutions bear as well as individuals, there will be less aid

to the schools of public health than last year, at a time when there are even greater demands for public health personnel.

4. Allied health

The allied health manpower activities are relatively new, resulting from the Allied

Health Professions Personnel Training Act of 1966, which was extended through 1970 by the Health Manpower Act of 1968. Four areas of activity under these statutes are of particular importance in easing the serious shortage of allied health manpower:

	1968		1969		1970	
	Appropriation	Authorization	Appropriation	Authorization	Budget requests	Authorization
Educational improvement.....	\$9,750,000	\$13,000,000	\$9,750,000	\$17,000,000	\$9,750,000	\$20,000,000
New methods grants.....	1,000,000	2,250,000	1,225,000	3,000,000	1,238,000	4,500,000
Traineeships.....	1,500,000	2,500,000	1,550,000	3,500,000	1,550,000	5,000,000
Construction.....	3,000,000	9,000,000	1,800,000	13,500,000	0	10,000,000

These activities place emphasis on improving the curricula in allied health schools, increasing the number of allied training programs, and increasing the supply of teachers. Alleviation of the critical shortage of competent faculty is of the highest priority. This shortage constitutes one of the greatest obstacles to improvement and enlargement of the allied health professions.

The magnitude and complexity of our nationwide need for health manpower demonstrates the need for extensive reorientation and bold new directions in the education and training of personnel in allied health fields. As new methods and patterns of delivery of health services are being tried, as educational and training institutions attempt to identify their appropriate roles in the preparation of various categories of health personnel, as new types and levels of health personnel evolve, it is increasingly important to stimulate orderly approaches to health manpower problems. These grants are designed to promote sound growth and development by study, experimentation and demonstration in areas such as curriculum and teaching methods, continuing education, and new types of health workers.

Of particular importance are the development grants. The Allied Health Professions Personnel Training Act of 1966 and the Health Manpower Act of 1968 authorized development grants to allied health training centers for projects to develop, demonstrate or evaluate curricula for the training of new types of health workers. In the first three years of this program, a total of 16 grants were awarded for the development of curricula for training new types of health per-

sonnel. The principal thrust of these projects is to extend the availability of health services by training workers at the associate or baccalaureate degree level, who can relieve more highly trained professionals of tasks which do not require a more specialized training.

Our health manpower programs are now expanding into such critical fields as health planning, family health, basic sciences, physical therapy, X-ray technology, and other disciplines. Experimentation and innovation in education and training programs—the content, quality, methods of presentation, and accessibility to potential students—are vital keys to increasing the sources of allied health manpower.

Yet the "educational improvement grants" remain at almost exactly the same level in the 1970 budget request as the amount appropriated in 1968. The 1970 request is fully \$10,250,000 below the 1970 authorization, or less than 50% of the amount authorized. The budget requests for "new methods grants" and "traineeships" are only about 30% of the amounts authorized. "Construction" funds, authorized at \$10,000,000 this year, are nonexistent in the 1970 budget request.

B. STUDENT ASSISTANCE—SCHOLARSHIPS, TRAINEESHIPS, AND LOANS

Student assistance in the form of student loans and scholarships is requested in the 1970 budget to make it possible for disadvantaged students to enroll in schools providing education and training in a health career in cases where they would otherwise be unable to do so. The requests for 1970 and the amounts available in 1969 are shown below:

	1969	1970	Change
Health professions student loans:			
Appropriation.....	\$15,000,000	\$15,000,000	0
Revolving fund.....	11,429,000	1,113,000	-\$10,316,000
Total.....	26,429,000	16,113,000	-10,316,000
Nursing student loans:			
Appropriation.....	9,610,000	9,610,000	0
Revolving fund.....	7,300,000	2,671,000	-4,629,000
Total.....	16,910,000	12,281,000	-4,629,000
Health professions scholarships.....	11,219,000	16,000,000	+4,781,000
Nursing scholarships.....	6,500,000	12,000,000	+5,500,000

Thus, although the amount of the appropriations for student loans for both health professions and nursing remains constant from 1969 to the 1970 budget request, there is a substantial reduction in the student loan revolving funds.

As these figures indicate, there are two sources of student loans for health professions and nursing. One source is the appropriation, from which matching non-repayable grants are given to the schools to loan to students. The second source is from a revolving fund, whereby the schools borrow loan funds from the Federal Government which must be repaid. Together, these sources make up the total amount of funds available for the loan portion of student assistance.

The revolving fund is maintained by the sale of notes obtained from schools who have

borrowed from the revolving fund. The sale of the notes was not authorized in 1969, so that funds have not become available to maintain the revolving fund. As a result, the revolving funds have been drastically reduced—by \$10.3 million for health professions schools and by \$4.6 million for nursing schools. Since the requests for the appropriation portion of the loan program are the same for 1970 as for 1969, there will be \$10.3 million less for health professions schools and \$4.6 million less for schools of nursing than was available for the preceding school year.

This large reduction in 1970 will reduce the number of loans by several thousand, at the very time when we are asking all schools in the health professions to increase their class size.

The House, aware of the decreased amounts

available for student loans, attempted to alleviate the shortage by transferring to loans the \$4,781,000 increase requested for health professions scholarships. This action should be reversed by the Senate. Until 1970, only three of the required four years of health professions education had been covered by scholarships. The fourth year was to be provided in 1970 by the \$4,781,000 increase.

In addition, under the advance authorization provided in the 1969 appropriations act, the Department of Health, Education, and Welfare has already notified the schools that the awards in their entirety would be made, including the \$4,781,000 for the fourth year. If the \$4,781,000 is not made available for scholarships, the Department would be in a position of having to withdraw a major part of its commitment to the schools and their students.

The \$5,500,000 scholarship increase requested for nurses is also needed for scholarships, rather than for loans. These funds are to be used for extremely disadvantaged students, who from our past experience with nursing students, would not assume the responsibility of taking out a loan.

The problem is equally stark when we compare the 1970 authorizations with the amounts appropriated by the House for loans and traineeships. The \$34,891,000 appropriated by the House for loans is \$20,000,000 less than the 1970 authorization, and the \$20,670,000 appropriated for traineeships is \$21,000,000 less than the amount authorized.

These cuts below authorizations are occurring at a time when current projections of the need for physicians indicate that 52,000 additional physicians are required this year. While we had only 660,000 nurses at the end of last year, we will need one million by 1975.

C. CONSTRUCTION OF HEALTH, EDUCATIONAL, RESEARCH AND LIBRARY FACILITIES

As can be noted from the chart above, no funds whatsoever are being requested under this category for allied health, libraries and research facilities. Health (medical, dental) professions have a 1970 authorization of \$170,000,000 for construction, yet only \$126,000,000 is being requested. In nursing construction, \$25,000,000 is authorized, but only \$8,000,000 is requested in this budget. How is it possible for schools of the health professions to train more health personnel, or to build the new schools required to increase the supply of personnel, with budget requests such as this?

SOCIAL SECURITY RETIREMENT AGE

Mr. BYRD of West Virginia. Mr. President, for more years than I care to remember I have made no secret of my belief that the present social security retirement age is unrealistically high. On a number of occasions I have proposed that social security benefits be made available at age 60. Each time my proposal has been brought to a vote, this body has adopted the proposal—the other body, however, has not seen fit to go along. Time, on the other hand, does not stand still. Economic conditions, working patterns, hiring practices, and retirement practices change over the years. To keep up with changing circumstances, I have revised the legislation I have introduced in earlier years. The bill which I will introduce tomorrow provides that full social security benefits will be payable at age 62, rather than at age 65, and that reduced benefits will be generally available at age 60, rather than at age 62.

This proposal differs from my earlier proposals in that the earlier ones did not call for full benefits at age 62. In addition and in keeping with the objective of the proposal, the amount of work a person needs to qualify for benefits and the period over which his average earnings—the basis of his benefit—are computed will be related to the year in which he attains age 62, rather than age 65. The latter changes will have significance for men only, inasmuch as it already is in the present law for women.

The age at which social security benefits should be paid has been argued about almost from the start of the program. No one really knows why the original act provided benefits at age 65. The former Secretary of Health, Education, and Welfare, Wilbur J. Cohen, who has been connected with the program since the studies which led to the original act, wrote in 1957:

This brief account of how age 65 was selected in the United States indicates that there was no scientific, social, or gerontological basis for the selection. Rather, it may be said that there was the general consensus that age 65 was the most acceptable age.

I submit that 65 is no longer an acceptable age for retirement, generally speaking. Automation is taking its toll on the jobs held by many of our citizens. Millions of Americans are finding that they are physically unable to work as they approach their sixties, and countless others discover that they cannot find employment because of their age.

It is not very reassuring to tell a man who is out of work at age 60 to relax because in 5 years he will get full social security benefits at age 65. It does not help much to tell him to hang on for 2 years so that he can get reduced benefits at age 62 under current law.

In the years since the original Social Security Act was enacted, we have come a long way in recognizing the need for changes in the program relevant to the special economic needs of its participants. We have made special allowances for widows and for the disabled, but even these need to be liberalized. Only widows and certain disabled persons can now collect full benefits at age 62 or earlier. Everyone else must wait until age 65. We have taken steps in the right direction, but more changes are warranted.

When the present provisions for paying reduced benefits before age 65 were enacted, there were those who said they were not needed. I fought for years to get the age lowered to 62. Finally, the action was taken. Experience has borne out the need for such provisions. Approximately one-half of the people who qualified for retirement benefits in recent years did so before age 65. It is known that many more people would apply for reduced benefits at ages 60 and 61 if the law permitted it and millions would seek full benefits before age 65 if they could.

Social Security Administration actuaries have estimated that about 3.7 million persons, not eligible for monthly benefits under the program, would become immediately eligible for benefits if my bill were enacted and became effective

at the start of the next fiscal year. It is expected that 940,000 of these persons would claim benefits during the first year.

The change in the social security program which this bill would make is sorely needed. In the past this body has responded to my appeals to provide social security benefits as early as age 60. Senators have judged the merits of these suggestions and have approved. My old suggestions are no longer in tune with the times, and I have revised them. In the light of the past history, I am encouraged to hope that once again the Senate will weigh the merits of my proposal and will approve. And, I hope that with Senate approval, the other body will show the same enlightened reaction to my updated proposal.

DODGE CITY TURNS DOVISH

Mr. GOODELL. Mr. President, a growing majority of Americans no longer support the continuation of the war in Vietnam.

Dramatic evidence of this fact is the recent Gallup poll released October 12. The poll showed that a clear majority of Americans—57 percent—said they wanted Congress to enact S. 3000, the Vietnam Disengagement Act. That bill, which I introduced on October 7, provides that no funds may be expended to maintain American military personnel in Vietnam after December 1, 1970.

Another indication of the same trend is today's Wall Street Journal story on the dramatic turn of sentiment that has taken place in Dodge City, Kans.

Dodge City, a town of 14,000 in the heart of a traditionally conservative State, is experiencing growing doubts about a war that had virtually the full support of the community 2 years ago.

The reasons for this change of mood in Dodge City are well described in the Wall Street Journal story. They are the same reasons that are troubling Americans throughout the Nation—the immorality of the war; the deaths of local young men; the seemingly endless loss of American blood and money without visible progress; the destruction the war is wreaking in Vietnam; the division it is creating at home.

Mr. President, I ask unanimous consent that the Wall Street Journal article on Dodge City be printed in the RECORD.

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

[From Oct. 29, 1969 issue of the Wall Street Journal]

DODGE TURNS DOVISH—A SMALL KANSAS TOWN THAT ONCE BACKED WAR NOW WANTS TO GET OUT—RESIDENTS QUESTION MORALITY, COST OF VIETNAM; DEATHS OF LOCAL MEN SWAY MANY

DODGE CITY, KAN.—The mood has changed. In early 1966, this town was staunchly behind the Vietnam war effort. By mid-1967, the hawk-like spirit was beginning to fade a little, and residents were starting to show unmistakable signs of war weariness. Now that shift in sentiment has accelerated dramatically. Peace symbols crop up all over town, and antiwar sentiment runs deep.

"This thing has made a complete turnaround. People here feel that all we're doing

is sending our people over there for a useless cause—and with no end in sight," declares Frank B. Mapel, Dodge City's mayor, himself a former hawk and a retired National Guard colonel.

Indeed, it's clear to a visitor who returns to Dodge City for the third time in nearly four years that things have changed enormously. In casual coffee shop conversation, the war in Vietnam outranked the Mets the afternoon the team won the World Series. Doves appeared in flocks on Moratorium Day to discuss U.S. involvement in Southeast Asia. Hawks tend to do more listening than talking these days.

BEHIND THE SHIFT

Why the change?

Many residents have come to feel the war is immoral—that lives are being needlessly and aimlessly spent. Businessmen blame Vietnam for manpower shortages, rising costs and production difficulties. And some who once favored an all-out push for a military victory in the war now have concluded that such a strategy is out of the question and that the fighting should thus be ended quickly.

The mounting casualty toll clearly weighs heavily in Dodge City, a town of 14,000. Nine men from this area have been killed in Vietnam, five of them since mid-1967; a tenth man died recently in a Colorado hospital after coming down with leukemia in Vietnam. At least two men from the Dodge City vicinity have lost both legs in combat. Several others have sustained lesser injuries.

"You have to sit back and ask yourself if this war is worth the cost and what we would have won even if we could win it?" says Mrs. Irene McEmore, whose 21-year-old son, Leland, lost his legs last February when a mine exploded under him.

A visit to Dodge City buttresses the contention that widespread antiwar sentiment is no longer limited to cities on the East and West Coasts and to campuses. For some time, students and many urban dwellers have been marching in the streets, signing petitions and making their opposition to the war public. Now the same things are happening in the conservative heartland of rural America—and not just here in Dodge City. "It's happening all across the land," maintains Sen. Harold E. Hughes, a dovish Democrat from Iowa. "My mail reflects it. I see it when I travel to make speeches. I see it when I go home. It's a grass-roots, countrywide phenomenon."

THE ISSUE: HOW FAST?

A few fervent hawks preaching escalation are still to be found in Dodge City, of course. But a clear majority of the residents of the "cowboy capital," as Dodge proudly bills itself, now seem convinced that the U.S. should get out of Vietnam. The only real argument is over how fast. Mr. Mapel, the mayor, says that "75% of the people hereabouts are opposed to the war, and most of them think we ought to pull out right now." Others favor gradual withdrawal.

(The sentiment in Dodge City appears not too far out of line with that reflected in national polls. A recent Gallup Poll showed that 57% of those surveyed favored a resolution proposed by Republican Sen. Charles E. Goodell of New York to withdraw all U.S. troops from Vietnam by the end of 1970 and turn the fighting over to the South Vietnamese. Thirty-one percent of those queried favored the resolution's defeat, and 12% had no opinion.)

Dodge City doves are making their position known in large numbers, something that was impossible to imagine two years ago when outright doves were comparatively few and far between. At sunset on the last Sunday of September, almost 1,000 residents showed up at an outdoor "Mass for Peace" conducted by the local Catholic Church.

A GATHERING IN THE PARK

The Mass was celebrated by Bishop Marion F. Forst in Wright Park, a municipal park on

the banks of the muddy Arkansas River. As part of the event, Bishop Forst set free four "doves," which actually were pet pigeons that had been sprayed with white paint. "I don't recall that Vietnam was actually mentioned by name, but it certainly was central in everyone's thoughts," says Father Thomas Groome, one of the planners for the Mass.

Stroll around town and evidence of opposition to the war crops up everywhere. Over on Wyatt Earp Boulevard (Wyatt Earp was once a marshal here in Dodge), the words "peace" and "love" are painted in large letters on a building that's being renovated. Down the street at Bill Russell's one-chair barber shop, Mr. Russell, one of Dodge's confirmed hawks, tells about "arguing all the time" with many of his customers about the war in Vietnam. Further west on Wyatt Earp, at the Silver Spur Lodge restaurant, S. D. Schwartz, who works for a soft drink firm, relaxes over coffee and says that "a year ago my feelings were let's get those SOB's, but now I've done a lot of thinking about it and I believe we ought to get out of there."

In the basement of the county courthouse, Mrs. William Merrill, executive secretary of the local Red Cross, says that in the past Dodge City has had no trouble meeting or exceeding its goal in blood collection drives. But lately, says Mrs. Merrill, "our blood drives have been going very poorly." In its latest city-wide drive, the Red Cross got only 204 pints, far short of its 320-pint goal. "Quite a few people asked us if the blood was going to Vietnam. They said if it was they weren't going to give it," she says.

Mrs. Merrill says that her own son, 29-year-old Tom Merrill, is so convinced that the war is "the most senseless one we've ever been in" that last February he abandoned his planned career as a Navy medic after nine years in uniform. She says that now Tom is a policeman in San Diego and plans to move back to Dodge in November.

Antiwar sentiment is also showing up in numerous other ways. Mrs. Elwood Augerot, the local draft board clerk, says that two years ago many youths volunteered to be drafted early but that now hardly any do. "A lot more parents think Vietnam is for the birds, and they're letting me know it," she says. The parents of one young man were so angered by the war and the prospect of their son being drafted to help fight it that the father "threatened to get me," says Mrs. Augerot. As it turned out, however, the draftee failed his induction physical exam and is back working on the family farm.

Few former hawks can point to a specific consideration that swayed them. But most agree that the reports brought back by local men—civilian and military—who have been in Vietnam have had considerable impact.

A HOPELESS SITUATION?

One such man is 66-year-old Major C. Hagar, a widely respected civil engineer specializing in municipal water systems who has spent six of the last seven years in Vietnam. "I average talking to one group a week, not only here in Dodge, but all over Kansas," says Mr. Hagar, who supported the war until his last trip to Vietnam in 1968. "This last time, I could see what had happened because of the American presence—inflation, begging children, corrupting the morals of girls that would have had high character. You see these things happening to people that you personally know—your old and dear friends—and you begin to change."

Mr. Hagar, who was in Saigon during the 1968 Tet offensive, when large amounts of ammunition and explosives were believed to have been brought into the vicinity of the city by residents, also says that he now regards the military situation as hopeless "because the people of Vietnam just aren't with us."

Bad personal experiences have led some Dodge City residents to doubt the competence of the U.S. military in Vietnam. Leo

Nufer operates a small auto repair shop here. His son, James, 20, was killed last year in Vietnam, and Mr. Nufer still shakes his head in bewilderment about how his son was killed. The official Army explanation, according to Mr. Nufer, "was that Jim was killed when the jeep he was riding in hit a mine." However, Mr. Nufer adds, his son's commanding officer wrote that James was killed as "helped pull back a wounded man and a mortar hit him."

THE WRONG BODY

Disturbing as it was, Mr. Nufer's experience can hardly compare with that of Mrs. Stephen F. Peters, who now lives in Wichita, 150 miles east of Dodge City. In 1967, Mrs. Peters was one of perhaps a dozen "waiting wives" here in Dodge. Her husband, a Special Forces officer, was killed in October 1968 in Vietnam. Mrs. Peters says the Army first shipped the body of another casualty "before they managed to send me the right body." Nevertheless, Mrs. Peters says she still supports the U.S. effort in Vietnam.

Some of the Dodge City residents who, like Mrs. Peters, hold that the U.S. should persevere in the Vietnam fighting say the main problem is what they term the country's "no win" policy. "Fighting this war is like playing a football game in which you're ordered not to cross the 50-yard line, but not to let the other team score either," says Bill Rldgway, general manager of a soft drink bottling firm.

Students here, unlike those in big cities, have never been inclined to demonstrate or speak out loudly on public issues. Thus, some townspeople were surprised by the scope of Moratorium Day activities on the two local college campuses. "The war is evil, wicked, morally wrong, and it's time people stood up and said so. This must end," declared the Rev. Paul G. Palmer, pastor of the First Presbyterian Church, who showed up wearing a black turtle neck sweater and a large peace symbol topped by a cross to address a Moratorium Day convocation at Dodge City Community Junior College. The convocation was attended by about half of the school's 675 students and by many teachers.

At St. Mary of the Plains College, a four-year Catholic institution, students voted to skip breakfast and donate the money they normally spend on the meal to charities operating in Vietnam. Other events included a panel discussion, a peace Mass, the lowering of the campus flag to half mast at noon, 60 seconds of silent prayer and the singing of protest songs. "The kids have changed tremendously in their attitudes," says Sister M. Ceclia, president of St. Mary. "They see no end to the war, and they don't like it at all."

A HARD DAY FOR HAWKS

But not everyone on campus supported the moratorium. "It was kind of a touchy day for hawks," says Patricia Morriss, a St. Mary's student whose father, Frank Morriss, is a syndicated newspaper columnist in Denver. "Mostly, all we did was peep out from under our wings to see what was going on," says Miss Morriss.

To many here, the change in attitudes both on campus and in the town is startling. "You know, two years ago any kind of protest activity on our campuses would have been inconceivable. Public opinion just wouldn't have tolerated it," says Charles M. Barnes, president of the Community Junior College and a former hawk. Like many parents here, Mr. Barnes admits that he has been greatly influenced by the antiwar activities of his 18-year-old son, Roger, a student at the junior college.

But the change is also causing considerable friction. Mrs. Richard E. Speirs, a physician's wife, who says she has always supported the American military effort in Vietnam, though not the way the war is being fought, is angered by dovish sentiment expressed by her pastor, the Rev. Mr. Palmer, who frequently comments on Vietnam in his

sermons. "Church just isn't the place for this kind of thing," insists Mrs. Speirs.

On Moratorium Day, members of the local American Legion and the Veterans of Foreign Wars flew the American flag at their places of business and their homes as a "counter-protest" to antiwar activities on campus. And at the local high school, where 170 black arm bands were passed out, a few scuffles broke out when hawkish students ripped them off other students, according to Frank B. Taolison, superintendent of schools.

But even among such groups as the American Legion and the VFW, strong opposition to the Vietnam war crops up, sometimes because the U.S. isn't waging an all-out effort. Raymond N. Stotler, a grocer who is commander of the local VFW post, says that under present conditions, "the best thing for us to do is get out of Vietnam."

BUSINESSMEN'S VIEWS

Leaders of Dodge City's business community, who were starting to have doubts about the Vietnam war two years ago, are increasingly hostile to U.S. involvement. One is the impact of the war on their business operations. "I just ordered a milling machine, and the manufacturer told me it would be 18 months before delivery. Two years ago we would have had it within six to nine months," grumbles Hector M. Campbell, president of Speed King Manufacturing Co., a maker of conveyor systems.

At Curtis Machine Co., a maker of gears and gear boxes, R. H. Curtis, president, blames the war for "a lot more price increases than we've had in the past—and some of them are absolutely wild." For instance, he says, his firm recently received notification of a 15% price hike on some gear box casings. "Up until lately," he says, "a 2% or 3% increase was what we could expect. Now there's just no way to figure what your cost will be." Mr. Curtis' 22-year-old son, Dallas, recently returned from a tour in Vietnam. "Dallas won't talk much about it, so I don't know how he feels," says Mr. Curtis. "But I think we either ought to finish it fast or get out fast."

Republican Sen. Bob Dole of Kansas, who recently sponsored a resolution endorsing the Nixon Administration's "Vietnamization" of the war, says that judging by his mail, "Dodge City is right in step with the rest of the country."

"You don't find hawks very often any more," he says. "The people feel that the war should end, but they usually have no precise way to do it, except to disengage as honorably as we can."

PRAYER FOR MOTHER AND FATHER

Mr. TOWER. Mr. President, recently I received from Mr. Horace C. Strong, one of my constituents, a copy of a prayer which he received from his son, Sp5c. David Allen Strong, after his arrival in Vietnam. Mr. Strong's son was killed in Vietnam, but he wanted me to know of his son's love for his country and for his family. I ask unanimous consent that the prayer be printed in the RECORD.

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

PRAYER FOR MOTHER AND FATHER

Lord I live but one life in this old world
I know not when it will end;
But Lord until my dying day
There will only be two great people in my
life

Mother and reliable Pop.

They were always there when I needed them,
They raised me up to what I am today;

I just hope and pray Lord
I can be as good as they raised me to be.

Lord give me strength to prove to them,
While I'm here in this far-a-way land,
That they raised a man
Worthy of their trouble.

Lord I hope you hear my plea;
Plea for forgiveness,
Forgiveness for the hard times I gave them.

God bless the two great people in my life,
My Mother and Father;
And thank you Lord
Thank you for hearing my Prayer,

And Lord, look after my two until I return
home
God, be with them.

THE VIETNAM POLICY DEBATE

Mr. RIBICOFF. Mr. President, the debate over Vietnam policy in recent weeks points very clearly to the need for us to evaluate the approach of simply withdrawing our forces as one viable means of disengagement. Certainly it is legitimate to ask at this point whether anything worth the price can be gained by having our troops remain any longer, remembering that even during fighting lulls more and more American families are being deprived of their sons, husbands and fathers.

In the process of this evaluation we have, of course, an obligation to consider the effects of withdrawal upon those South Vietnamese who have sided with us in the war effort. Many have asserted that we could expect a tremendous massacre or bloodbath, involving up to 2 million people, and have, in fact, cited this prospect as a principal reason why we must remain.

I suspect that such predictions derive more from a desire to justify current policy than from realistic study. I hope we can begin approaching the subject with more sense and less emotion.

But in any case, we should certainly be able to find another solution that does not require indefinite American involvement in the war. We who are sponsoring Senate Concurrent Resolution 39, for example, have suggested an amnesty agreement or, if that is unsatisfactory, the provision of asylum in friendly countries for South Vietnamese who might be endangered.

In this connection, last Monday's Detroit Free Press contains an article written by Mr. James McCartney which provides a most helpful analysis of the consequences of a U.S. withdrawal in terms of the safety of the South Vietnamese people. 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:

WOULD BLOODBATH FOLLOW VIETNAM PULLOUT?

(By James McCartney)

WASHINGTON.—What are the dangers of a bloodbath in South Vietnam if the United States pulls out?

Would hundreds of thousands—even millions—of South Vietnamese be slaughtered in a mass orgy of killing by the communists?

The question is at the heart of the nation's Vietnam dilemma—often cited by administration officials as a key factor in how fast the United States may move to withdraw.

But there are sharp disagreements among the experts on the answer.

While the Nixon administration formally insists it must move slowly for fear of a possible slaughter, other students of Vietnam say a slaughter is unlikely.

In fact, some of the State Department's own experts on Vietnam think the President is wrong.

So does at least one top official from the Lyndon Johnson era, and so do a number of Senate doves.

President Nixon said last May in his major speech on Vietnam that a U.S. pullout "would risk a massacre that would shock and dismay everyone in the world who values human life."

Secretary of State William P. Rogers only a few days ago stated the case just as bluntly:

"I think that any thoughtful observer of the scene recognizes that if we just withdrew our troops, there would be a tremendous massacre of the population of South Vietnam."

Senate Republican leader Hugh Scott went even further:

"Move out precipitously," he said, "and you condemn millions of people—at least two million people—to the great risk of a massacre."

Scott said that all the Catholic leaders of South Vietnam would be threatened, recalling that Catholics were killed by the thousands when the communists took over North Vietnam.

But there is another side to the case that involves more than idle speculation about communist intention.

It involves serious professional assessments of communist statements and communist problems.

It also involves the specific argument that a million South Vietnamese are already armed and capable of self-defense—plus the undeniable fact that the war itself is a massacre.

Perhaps the most vocal challenger of the administration position is Sen. George McGovern, D-S.D., a long-time dove.

McGovern has challenged the bloodbath thesis on the basis of his own conversations with North Vietnamese and Vietcong representatives in Paris earlier this year.

McGovern told the Senate after returning from Paris: "when I suggested to Hanoi and the National Liberation Front delegations that some Americans fear a bloodbath, they replied that just the opposite would happen—the killing would stop."

He said they had told him that "the blood bath now in progress as the war continues would be stopped in the event of an American withdrawal."

The communists advised him to talk with French officials involved in the French withdrawal from Vietnam in 1954. He said they boasted that they had co-operated with the French and took no reprisals.

McGovern is not alone.

Roger Hilsman, a former assistant secretary of state in the Johnson era and an expert on Vietnam, has been quoted as saying:

"I would be willing to make a small bet that the official Vietcong position will be no retribution."

A Nixon administration Vietnam specialist in the State Department agrees with Hilsman. "I think Hanoi would attempt to keep killing to a minimum," he said, "if only for the sake of world opinion. I do not think Hanoi would pursue a calculated policy of killing."

He added, however, that there is some evidence a bloodbath could occur, but said:

"That is one of the calculated risks that the United States is going to have to accept."

Sen. McGovern points out that the bloodbath thesis assumes that the South Vietnamese are without ability to defend themselves.

Last week McGovern told the Senate:

"We are leaving behind one million South Vietnamese forces which we have equipped and trained. They outnumber the enemy in the field by a ratio of 5 to 1."

McGovern also ticks off statistics on the war itself—on what kind of a massacre it has been.

According to official Defense Department statistics, almost 700,000 men have been killed in Vietnam on both sides since the United States became involved.

McGovern has suggested that the United States make provision for the asylum of South Vietnamese leaders.

There have been some estimates that hundreds of thousands or even millions of refugees would result from a communist takeover in South Vietnam.

Another Senator who has spoken about the possibilities of a bloodbath is Sen. Eugene McCarthy, D-Minn.

Referring to Sen. Scott's allegation that Catholics would be slaughtered, McCarthy—a Catholic—said:

"This is an old line we heard in 1966 and 1967 and I remember then that it was 900,000-Catholics who would be executed."

"Shortly after that the Catholic bishops of South Vietnam asked for an end to the war. I would think that if the Catholic bishops were concerned about the prospects of execution of all the faithful, they would probably not recommend the end of the war."

"I do not see any evidence or real reason to believe that that kind of mass execution would take place."

Nevertheless, the communist record is bad. As recently as the Tet offensive last year an estimated 3,000 non-combatants, including women and children, were slain when the communists occupied Hue temporarily.

There was also a massive slaughter in North Vietnam after the communists took over in 1954.

State Department experts estimate that somewhere between 250,000 and 300,000 were slain. There were a million refugees.

A LAWYER'S VIEW OF VIETNAM

Mr. GOODELL. Mr. President, in 1967 Dr. David Poling, president of the Christian Herald Association, and former editor of that distinguished ecumenical monthly, decided, after much soul searching, not to publish an article on Vietnam written by Hoch Reid, a prominent New York attorney.

Dr. Poling, by his own admission, greatly regrets that decision.

In July of this year, however, Dr. Poling and his editors at the Christian Herald, did publish Mr. Reid's article, and it is to their credit, as well as to our own enlightenment, that the earlier decision was reversed.

I think that Dr. Poling's admission that he had been wrong not to publish Mr. Reid's article 2 years ago, says something about what is happening in this country—that many people, Dr. Poling among them, have changed their minds about the Vietnam war. It is in that fact, I believe, that our hopes for a wiser course in the future lies.

Mr. President, I ask unanimous consent that the article and a statement by the editors of Christian Herald, published in the July 1969 issue of that periodical, be printed in the RECORD.

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

THE ARTICLE WE DIDN'T PRINT

(Statement by the editors in July 1969 issue of Christian Herald)

They say that an honest confession is good for the soul. Back in the spring of 1967 we had this article by Hoch Reid, a prominent New York attorney and churchman, set in type and ready to go. First it was planned as a feature article. Then we decided it should be run as an "I Protest," which would make it crystal clear that this was one man's opinion—though Christian Herald does not agree 100 percent with even every major article we publish. For Christian Herald, like every publication, has no mind of its own, only the minds, faiths, convictions of its editors, who come out of Presbyterian, Baptist, Methodist, Episcopalian, Reformed, Catholic and other religious traditions and are all over the lot politically.

But the prospect of using the article even as a personal protest caused some editorial sleeplessness and a good deal of editorial wakefulness. Editors take their work seriously; they put pieces of their lives, their hopes, their dreams on the line every issue. It was and is a serious thing to question an action of our government on legal and moral grounds. The upshot was that the article was killed.

But things have changed in two years. The administration in Washington changed. We have changed—"daring faith" we promise on the masthead. The nation has changed. What has not changed is the war in Vietnam. It has gone on and on.

We publish this article now—as we would have then—because we love America. And because, in this month when flags are waving, it is our flag. And because the young men heroically giving their lives—or having them taken—are our sons and neighbors.

Should we have printed the article then? Should we have printed it now? What do you think?

[From Christian Herald, July 1969]

A LAWYER'S VIEW OF VIETNAM

(By Hoch Reid)

When the question of the legality of the United States military operations in Vietnam is raised, some lawyers say, "We should fight in Vietnam whether it is legal or not." Therefore, we need to consider first whether it is important that the actions of the United States are or are not legal under international law.

Unlike violations of domestic law, there are frequently no immediately enforceable penalties for a violation of international law by a powerful nation. Therefore, the reasoning goes, why should we conform to international law if it should appear that our national interest dictates otherwise?

The answer lies in the fact that the long-range goal of building a peaceful world based on justice is ultimately more important to humanity and our national interest than the temporary goal of containing Communism in Asia. We have devoted much of our national energies to the development of institutions such as the United Nations, and of a peaceful world based upon justice and a respect for law. All the progress of a generation will be sacrificed if we distort the law to suit our own ends merely because no powerful nation chooses to challenge us militarily. Neill H. Alford, Professor of Law at the University of Virginia, says: "Who wins the war in Vietnam may have little to do with the establishment of a viable system of world order; while how and what we and others think about our uses of power there will have a lot to do with it."

We must be willing to have our actions judged by the same standards we have applied to others. Justice Jackson, at the Nuremberg Trials, said: "And let me make clear that while this law is first applied

against the German aggressors, it must condemn aggression by any other nations, including those which sit here now in judgment."

In a field of law that is frequently vague and whose development is based not so much on authoritative decisions as upon conflicting national claims and counterclaims, it is helpful to determine first how to judge the validity or desirability of an asserted rule of law. It is my contention that the law to which nations should conform in their international relations is the one that will tend to restrict the scope, duration and intensity of warfare and to promote the just settlement of controversies by peaceful means. Another guiding principle is "self-determination." A law is a good one if it promotes the right of a nation to choose the political destiny which its people desire, not merely the one which another nation thinks will be good for them. Finally, a valid principle of international law must, I believe, be neutral politically. The rule that is applied to a war of "national liberation" must be equally applicable to a war to "contain Communism."

The United States has certain obligations under the U.N. Charter which should be viewed in the light of the purposes of the U.N. expressed in that charter, namely: "To maintain international peace and security and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace."

In line with this purpose we have committed ourselves "to refrain in [our] international relations from the threat or use of force," and if we are a party to a dispute to "first of all seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means."

No one doubts that the United States is using force in its international relations nor that it failed "first of all to seek a solution" to the dispute by conciliation or other peaceful means. Now let us examine the claims of the State Department to justify the use of force.

The first and principal claim is self-defense. Not defense of ourselves but of South Vietnam; "the inherent right of . . . collective self-defense" preserved by Article 51 of the U.N. Charter. In order to justify the use of military force in self-defense there must have been an "armed attack." The charter specifically reserves the right only "if an armed attack occurs against a member of the United Nations." Not subversion, infiltration or aggression, but armed attack.

Secretary Dulles said: "If you open the door to saying that any country which feels it is being threatened by subversive activities in another country is free to use armed force against that country, you are opening the door to a series of wars over the world and I am confident that it would lead to a third world war."

The question of whether North Vietnam committed an armed attack on South Vietnam is a question of fact, and lawyers know how difficult it is to find the truth in a disputed question of fact. I have read the evidence published by the State Department in its white paper entitled *Aggression from the North* and I do not believe it establishes that there was an armed attack by North Vietnam before we attacked that country.

Assuming, however, that our political leaders honestly believed that their interpretation of the facts was correct, would it

not have been more in accord with the purposes of the United Nations Charter and of international law for the United States to have appealed to the U.N. Security Council or the Geneva Conference for action to be taken on an international cooperative basis rather than to employ military force unilaterally?

The only reason for justifying the use of force in self-defense without resorting to such peaceful means as are available is that the urgency of the need for defense leaves no time for any but military means. The classical definition of the circumstances justifying military force in self-defense is the one of Secretary of State Daniel Webster, who said that it is justified "when the necessity for action is instant, overwhelming, and leaving no choice of means and no moment for deliberation." This definition was affirmed by the war crimes tribunal at Nuremberg and is habitually used by authorities explaining the meaning of the "inherent right of self-defense" as used in Article 51 of the U.N. Charter.

With this definition in mind, let us look at what the State Department presents as evidence of an armed attack. The memorandum of the legal adviser cites the infiltration over a period of years from 1959 to 1964 of forty thousand guerrillas from North to South Vietnam which it terms an "armed attack." It then says: "There may be some question as to the exact date at which North Vietnam's aggression grew into an armed attack but there can be no doubt that it occurred before February, 1965."

So our government is telling us that there was an attack so instant and overwhelming that it afforded no time for deliberation and no time to seek a peaceful solution and no time to make use of orderly peace-keeping machinery. Yet, when asked when this instant attack took place, the only answer is: sometime between 1959 and 1965—the date is uncertain.

The white paper setting forth the evidence upon which the "armed attack" is based, contains such feeble proof that the State Department didn't even use the word "attack" in the title. It is called *Aggression from the North*. It tells about arms and supplies, captured from the Vietcong, which had their origin in North Vietnam (not mentioning those which carried the American-made label). It tells about Vietcong leaders being trained in North Vietnam; it tells about the infiltration of 40,000 armed and unarmed guerrillas from the North without saying how many were armed and how many unarmed. How many of these guerrillas were North Vietnamese? The white paper shows that over 90 percent of them were indigenous to the South.

Under the terms of the 1954 Geneva agreement ending the French-Indo-China war, the forces of the nationalist army were required to withdraw north of the 17th parallel pending the implementation of the agreement to unite the two zones of the country under a government to be chosen by elections in July, 1956. The agreement to have elections to unify the nation was repudiated by the Diem government with United States support. Under such circumstances it cannot be claimed that soldiers of Ho Chi Minh's nationalist army whose homes were in the South were obligated to stay in the North indefinitely. It is these soldiers returning to their homeland in small groups over a period of years that constitutes the bulk of the "infiltration." The State Department pamphlet, *Aggression from the North*, published in February, 1965, states: "Heretofore, those in charge of the infiltration effort have sought to fill their quotas with soldiers and others born in the South. The 90,000 troops that moved from South Vietnam to the North when the Geneva Accords ended the Indo-China war have provided an inval-

able reservoir for this purpose. Now, apparently, that source is running dry. . . . It is estimated that as many as 75 percent of the more than 4,400 Vietcong who were known to have entered the South in the first eight months of 1964 were natives of North Vietnam."

So, if we disregard the South Vietnamese returning to their homes over five years, which obviously is not an attack by North Vietnam, the only evidence our government could muster was the gradual infiltration of 3,300 northerners over an eight-month period in 1964. At that time, it should be noted parenthetically, the United States already had nearly 20,000 troops in Vietnam. The State Department would have us believe that this creeping eight-month infiltration created a necessity for unilateral military force in self-defense so instant and overwhelming that five months later, in February, 1965 (without a moment for deliberation), we began attacking North Vietnam.

The next broad question has to do with the essentially civil nature of this war. There are legal as well as policy implications in the question, "What business does the United States have intervening in a civil war on the other side of the world?" Assuming that it is permissible to use instruments of economics, politics and diplomacy to win friends around the world, that does not license this nation to use its military might to establish in a foreign nation a friendly government which could not otherwise stand on its own feet. Traditional international law prohibits intervention in civil war.

In the case of Vietnam, our government has emphatically avoided such a claim by insisting that North and South Vietnam are two independent states, and that there was an "armed attack" by North Vietnam. If the war is essentially civil strife for the control of one nation, all our talk about armed attack and aggression from the north collapses as justification for our intervention even if it were supported by the evidence.

In support of the claim that South Vietnam is an independent state, the government memorandum says that it has been recognized by some sixty nations and that it is a member of several special agencies of the United Nations. But the legal adviser to the State Department, like a true advocate defending his client, chose for presentation in writing that memorandum only that small part of the facts that tends to support his case. Most of the sixty nations that recognized the Republic of Vietnam (as the government of the southern zone is known) recognized it or its predecessor before the Geneva Accords of 1954 when it claimed to rule the entire state of Vietnam. While their diplomatic recognition has survived the division of the nation into zones, it is not at all clear that this constitutes recognition that the southern zone is a nation separate from the northern zone. Most of those sixty nations have not recognized the government of Ho Chi Minh as ruling a separate state to the north. The government of Diem as well as the government of Ho Chi Minh each claimed the right to rule the entire state of Vietnam.

The Diem government was the successor to the French puppet regime in Vietnam that was defeated by the nationalist forces led by Ho Chi Minh in the revolution. That revolution was clearly an internal conflict rather than international war. The political settlement of that conflict was agreed to at the Geneva Conference in July, 1954. There, the nation was divided for the first time into two zones, expressly stated to be temporary, for administration purposes, pending the unification of the nation under a government to be chosen at elections in July, 1956. When the Diem government chose to repudiate the agreement to hold elections because it was expected that Ho Chi Minh would be

victorious, Diem destroyed the very basis for the temporary division of the nation into zones. Therefore, the fighting which terminated in 1954 was resumed. Certainly in the minds of the rebels in the South and the Hanoi government in the North, this was merely a continuation of the earlier civil war. Diem and his successors were merely substituted for the French puppet government; the United States was substituted for France.

But even if we should assume, for purposes of argument, that North and South Vietnam are separate independent states, that would not eliminate the internal nature of this war. The government we are supporting has never controlled more than a minor part of the area of South Vietnam. After 1956, the opposition in the South to the oppressive Diem regime became increasingly violent. The National Liberation Front was organized under the leadership of Nguyen Huu Tho, a southerner and a Saigon lawyer who had opposed the French and was imprisoned by Diem from 1954 to 1959. Not until 1960 did the Hanoi government give any public support to this rebellion in the South. Whatever support it gave the southern guerrillas for some time must have been more moral than substantial because it would appear that most of their arms were captured American equipment and they lived off the land or taxes collected from the peasants.

So no matter how you look at it, this war started as a civil war between two factions, each of which controlled large areas of South Vietnam. If you follow one of our State Department's arguments, namely, that the National Liberation Front is merely an arm of the Hanoi government, the result is to have all of the North and over half of the South under the control of Hanoi, thus virtually erasing the temporary division at the 17th parallel. If on the other hand, you choose to follow another State Department argument, namely, that North Vietnam is an independent state, separated from South Vietnam by the 17th parallel, then when it gave military support to the Vietcong it was intervening on behalf of one of the two contending factions in a civil war in the South.

If it was illegal for North Vietnam to intervene, so was the action of the United States in intervening on behalf of the other faction in this war. We supplied the Saigon government with arms, equipment and training at least as early as Hanoi supplied the Vietcong, and we had approximately 20,000 soldiers there before the first 3,300 North Vietnamese soldiers were infiltrated into the South in 1964. Furthermore, our military assistance to, and *de facto* alliance with, the Saigon government was in direct violation of the Geneva Accords of 1954, which prohibited any military alliances, and military bases under the control of a foreign state and the introduction of any additional military personnel.

The State Department, in its legal memorandum and in the pamphlet *Aggression from the North*, makes much of the fact that the International Control Commission Report on June 2, 1962, found that North Vietnam had violated the Geneva agreement by sending arms, supplies and personnel into the South. But here again, like a true advocate, the author failed to mention that the same report found that South Vietnam violated the Geneva agreement by permitting arms, supplies and personnel to be introduced by the United States and by having a *de facto* military alliance.

Finally, if we should assume for the purpose of argument that North Vietnam and the United States are intervening in a civil war in the South, then we are in violation of well-recognized principles of international law when we carry the war outside South Vietnam to attack the North.

During the Spanish Civil War, neither Germany and Italy, intervening on behalf of the insurgents, nor the Soviet Union, intervening on behalf of the incumbent, claimed that it was justified in attacking in territory of the other. The law governing intervention is designed to localize the conflict. The United States disregards this in bombing the territory of North Vietnam and creates a precedent which would authorize Russia, for example, in intervening on behalf of the Vietcong, to bomb New York and Washington.

In conclusion, I would point out that this debate is not between adversaries. The United States is my country. It is my sincere desire that it be worthy of its best tradition in its international relations. To do so I believe that it should strictly conform to those principles of international law and the United Nations Charter that tend to promote the settlement of international disputes by peaceful means and tend to restrict the scope and intensity of such military conflicts as do arise. This it has not done in Vietnam.

I would rather see my nation a leader in establishing and strengthening institutions and precedents that promote a peaceful world than to see it the victor in a war that is becoming one of the most brutal conflicts in the history of mankind.

COUNCIL ON FAMILY HEALTH OFFERS HELPFUL SUGGESTIONS ON SAFETY IN THE HOME—MATERIAL BENEFICIAL TO SENIOR CITIZENS

Mr. RANDOLPH. Mr. President, increasing numbers of our citizens—about 10 percent of the general population—are in the 65 and over age group that is popularly described as "senior citizens."

Although this term often is not an accurate description of these frequently vigorous and productive citizens, it nevertheless is a fact that special problems do exist among older persons. In many cases we have sought legislative solutions.

There is one area in which we must rely heavily on educational and informational programs—the area of reducing accidental injuries and fatalities in the home, a hazard to which our senior citizens are particularly prone. As a member of the Senate Special Committee on Aging, it has become evident to me that a vigorous program of safety education in the home is in the national interest.

An affirmative, well-reasoned program of home safety education for older citizens has been devised by the Council on Family Health.

In a recent meeting with Dr. Howard A. Prentice, president of the council, we discussed the fact that older citizens are involved in nearly half of all fatal accidents in the home.

Of particular concern to me is the likelihood that older citizens in West Virginia—about 180,000 persons 65 and over or about 10 percent of our population—are prone to home accidents.

The Council on Family Health has contributed in a positive manner toward solving this problem. The council is a nonprofit organization sponsored as a public service by some 60 members of the drug industry to promote home safety and family health. Its overall program spans the whole spectrum of safety in the home, and is particularly addressed

to educating the mothers of the Nation, who are the guardians of the family's health.

In its program of safety education for older persons, the council has developed a kit for groups of retired and preretired persons, "Safety Measures are Living Treasures," produced in cooperation with the U.S. Public Health Service. Initial distribution was made through the 1,800 chapters of the American Association of Retired Persons and units of the Retired Teachers Association, which saw the importance of cooperating in this urgent educational effort.

Some additional facts cited by the Council on Family Health are well worth repeated here:

Persons 65 and over have more fatal accidental falls at home than any other age group; 9,900 out of 11,800 for all age groups in 1968.

Next to falls, accidental deaths due to home accidents to older citizens are caused by fires; suffocation due to ingested objects; poisoning by chemicals, gases and vapors.

What may be a minor accident for the young may well be serious for the elderly.

Accidents account for longer hospital stays among the aged than do diseases.

Persons over 65 account for 13 percent of all hospitalized accident patients.

Some of the factors contributing to home accidents among older adults include: declining perception; falling sight, hearing, and smell; slower reflexes; weakening muscles and brittle bones.

The home safety education kit of the council is intended as a working tool to assist older people, and those working with their problems, in understanding the environmental, physical and emotional problems that afflict older citizens. Accidents that might cause minor injuries to a young person can be serious or fatal to an older individual. For instance, the average hospital stay for persons of all ages injured accidentally is 17 days, but it is 24 days for persons 65 and over, the council informs me.

Home accidents to older persons, according to the council, are caused by unsafe environments:

A wet spot on the kitchen floor, a slippery bathtub, or a small rug that is not anchored by a nonskid back.

Clutter on the floor, a frayed floor covering, or a piece of furniture out of its accustomed place which trips the unwary.

Stairs which are not well lighted or which lack handrails on both sides.

Ice at the doorstep or in the yard.

Lack of proper lighting at the bedside, the hall, at the entrance to rooms, and over the medicine cabinet.

Broken electrical equipment and frayed cords causing shock and sometimes severe burns.

Among the accident-causing factors in the home, the council has noted, is carelessness. This sometimes is due to the failure to maintain a healthy respect for the potency of modern medicines. Overdosage and taking the wrong medi-

cine are special hazards for those older persons with chronic ailments who are using several medicines. As the council points out, not even hospital trained nurses rely on memory when using medicine, and it cites the well-founded rule that labels should be read three times for a triple check on having the right medicine, taking the right amount, and with the right frequency. Unfortunately, older persons too often trust memory.

I am very favorably impressed with the general safety education program of the Council on Family Health, and in particular its safety education kit for use with older persons. I urge the use of this kit entitled "Safety Measures Are Living Treasures" by clubs and other organizations made up of, or working with, older persons, and I wish to commend those who sponsor this public service program.

Because of its value to a substantial segment of citizens in West Virginia, I have suggested that interested groups obtain the kit by writing to me or by requesting it directly from the Council on Family Health, 485 Madison Avenue, New York, N.Y. 10022. I am certain the council would consider cooperating in a similar manner with other Members of this body, and I am hopeful that through the constructive efforts of all concerned, we shall be able to reduce substantially the injuries, suffering, and fatalities afflicting our senior citizens, due to unnecessary accidents in the home.

VIETNAM WAR MORATORIUM

Mr. TOWER. Mr. President, on October 20, a Washington area television station, WMAL, presented an excellent editorial on the events of October 15. I feel that the editorial expresses the feelings of many Americans on the moratorium.

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

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

A WMAL-TV EDITORIAL, OCTOBER 20, 1969

We are told that there will be another Vietnam War moratorium on November 15th. This time, several hundred thousand sincere, loyal, peace-loving Americans should not be misled.

However worthy the goal, the October 15th moratorium helped nobody but the communists. It was no accident that the Hanoi leadership sent a message wishing the moratorium success in what Hanoi termed "the Fall Offensive." It was no accident that Moscow and Hanoi signed a new military aid agreement the very day of the moratorium. It was no accident that the very morning after the moratorium the North Vietnamese delegation went to the Paris conference table demanding a time-table for American withdrawal.

The United States made a drastic mistake in this war when it allowed politicians to dictate battlefield strategy to military commanders. It is this which has created this intolerable no-win war. But we will make an even greater mistake if we allow street crowds to dictate foreign policy.

President Nixon has us on the way out of Vietnam. He should be allowed to do the job in an orderly way.

HEALTH BUDGET—RESEARCH CENTERS AND FACILITIES

Mr. KENNEDY. Mr. President, earlier today I spoke of the current crisis in the Federal health budget, with special emphasis on health manpower, and included a number of tables comparing the various stages of the 1970 health budget process with the health appropriations for 1969.

I now wish to discuss two other important areas that are generally related to the problems of health manpower but which do not technically fall within the NIH budget item for health manpower. These two areas are health research facilities and general clinical research centers.

HEALTH RESEARCH FACILITIES

The major objectives of health research facilities grants are to help meet the needs for renovation or replacement of outmoded research facilities, to provide new facilities to relieve overcrowding, and to provide for expansion of research programs in the health sciences. Included in these categories are facilities needed to house both clinical and basic research in medical schools, hospitals, university graduate schools and research institutes, as well as facilities for the housing and care of the research animals required by these programs.

Since 1956, the health research facilities program participated in nearly two-thirds of all research construction. Upon completion of all the projects accepted through fiscal year 1969, about 90,000 professionals, technical trainees and supportive personnel, or about 45 percent of the Nation's medical research force in the nonprofit sector, will work in these facilities.

The health research facilities survey completed in 1969 found that 10.2 million net square feet of health research space is physically unsatisfactory. About 3 million additional square feet are becoming obsolete and unsatisfactory each year. In addition, 14.8 million square feet of new space are required in order to relieve seriously overcrowded conditions. No other source of Federal funds is available to meet this problem.

It is evident that a realistic level of Federal assistance must be provided if institutions are to be able to maintain even their present research space in usable condition and sustain their present research programs. Failure to sustain these programs would seriously jeopardize the quality of health services available to the American people. Such a course would severely limit the development of the qualified medical faculty needed to staff new and expanding medical and other health professions schools; it would also tend to limit the quality of future medical practice to the level of present-day knowledge. We cannot stand still, however. Funds must be provided to create new research space if the research programs which have been identified by the National Institutes of Health and the Congress as meriting special attention are to be realized.

It is estimated that \$44 million would be required by the health research facilities program in fiscal year 1971 simply to maintain the national inventory of health research space in satisfactory condition, without providing for expansion of research and research training activities. There is a current backlog of about \$97 million in Federal funds needed to fund approved but presently unfunded applications. Yet, essentially no funds are requested in 1970 for the great need for research space outlined above.

B. GENERAL CLINICAL RESEARCH CENTERS

During the period between 1967 and 1970, average hospitalization costs will rise from \$49 per day to an estimated \$72 per day. Personnel costs for nurses and paramedical personnel will, in general, show an ever greater increase during this period. Operation of the clinical research centers program with the proposed 1970 House budget increase of \$3,960,000 over the request of \$35,004,000, will allow funding of 93 centers with 1,028 approved beds. This amount will support 2,080 of the 2,420 currently approved positions—a decrease of 340—and will provide for hospitalization for 235,000 research patient bed days. This compares with 280,000 research patient bed days funded in 1968. Additional support from patients and third parties will be sought for an additional 25,500 patient days of hospitalization.

Operation of the clinical research centers program within the President's fiscal year 1970 appropriation request of \$35,004,000 will require termination of activities in a number of centers, resulting in severe reductions in occupancy and personnel. If all 93 centers remain open, funds available will provide for only 185,000 research patient days out of an available total of 442,000 bed days, or 44-percent occupancy. Reductions in personnel are limited by the very nature of the patients' needs which often require 24-hour coverage, 7 days a week. As a result, it will be necessary to close or phase out 10 to 20 centers. This is yet another factor increasing the burden on our already overburdened medical schools at a time when we are asking them to do more. In fact, in recent weeks, as Members of the Senate are aware, the administration has already made plans to phase out 19 such centers in 13 States. Tragically, many of these units are elite centers specializing in clinical research on diseases of children.

The increase of \$3,960,000 resulting from House action will permit the general clinical research centers program to readjust from the past decreases in bed support and stabilize at the general level of beds now in use, without the need to close any of the centers. Although the program will continue to operate at a reduced rate of occupancy, and curtailment of activities of centers will probably have to take place, drastic retrenchment may not be necessary. From my point of view, it would be far preferable to increase the appropriations in this area several millions of dollars, so that

not only will we be spared some retrenchment, but can move forward.

REVENUE SHARING

Mr. MONDALE. Mr. President, there is a great deal of interest in revenue sharing. In presenting the administration's proposed program, figures were supplied on the shares of the States. However, the local shares were not indicated.

I have prepared two tables showing what sums Minnesota cities and counties would receive under the revenue-sharing program proposed by President Nixon.

I have long favored a system of Federal revenue sharing and I am glad that the President has adopted the principle. I do see a number of weaknesses and inadequacies in the specific proposal, but I hope that alternative provisions will be considered under which the States and, particularly, the local governments would receive larger benefits.

I note that the proposal is geared to a percentage of taxable personal income so that the funds shared with the States will grow along with the economy. This is a basic principle of the revenue-sharing plan first proposed by University of Minnesota Prof. Walter Heller and the Brookings Institution's Joseph Pechman. Such a source of revenue may be the only solution to the fiscal crisis of State and local governments. Their principal revenue sources—sales and property taxes—cannot keep pace with the greatly expanding needs for educational and other social expenditures.

A number of my constituents have asked how the program proposed by the President would work. I am, therefore, outlining its provisions here:

First. For the period from January 1 to June 30, 1971, the Federal Government would share with the States a sum equal to one-third of 1 percent of all personal taxable income in the Nation. At a yearly rate, this would amount to about \$1 billion, or \$500 million for the initial period of January to June 1971.

Second. Each State would get a share roughly proportional to its percentage of the national population. The State share would, however, be adjusted by something called "revenue effort." This is a measure of the total amount of taxes raised by the State and all its subdivisions in relation to the per capita income in the State. A State which had relatively high taxes, compared to the income of its citizens, would get more credit in the revenue-sharing formula.

Third. The plan requires that a minimum amount of the State's share be passed on to county and city governments. Each local government's share would be in direct proportion to the amount of taxes it raised as a percentage of the taxes raised by all units of general local government in the State. In computing this share, however, the plan would not give the local governments any credit for revenues levied by school districts or other special taxing districts. Thus, while the State would get full

credit for such special taxes, the local governments would not.

Minnesota's share for the first half of 1971, based on the most recent population and tax figures available, would be about 2.15 percent of the \$500 million national total, or \$10,776,000. If Minnesota got a share based entirely on population, it would get only 1.8 percent. Thus, Minnesota would do a little better than some other States because it makes a more significant "revenue effort."

The "local tax base"—that is, the amount of general local taxes—which would determine the share of Minnesota's funds to be "passed through" to local governments is \$444,196,000. This is 27.77 percent of the total Minnesota taxes of \$1,599,758,000. Thus, the total amount to be passed through to local governments in Minnesota would be 27.77 percent of \$10,776,000, or \$2,992,000.

The national average for the sum to be "passed through" to local governments is about 31 percent. Local governments in Minnesota would get less than the average because Minnesota has a higher than normal proportion of taxes levied by special districts, especially school districts.

Each city and county would get a share of the "pass through" in direct proportion to its "tax base" as a percentage of the overall tax base. In the tables I have prepared, the local tax base for selected cities and counties is shown. The local shares shown for these cities and counties are determined as a proportionate distribution of the \$2.9 million local "pass through." To assist my State's cities and counties in relating the new program to annual local budgets, the tables are based on doubling the 6 months' figures to get an approximation of the effect for the entire 1971 calendar year.

For example, Duluth has a "tax base" of \$7,568,000. This is 1.7 percent of the total local tax base of \$444,196,000. Therefore, Duluth would get 1.7 percent of the \$2,992,000 "pass through" in Minnesota, or \$51,000 for 6 months. The table shows \$102,000 for Duluth as an estimate for the first 12 months.

Mr. President, the \$5,900, which would be the share of Lake of the Woods County, and the \$8,800, which would be Brainerd's share, illustrate how modest the President's proposal is in its first year of operation. In fact, the estimated distribution of approximately \$21.5 million to Minnesota in 1971 amounts to only about \$6 per capita. This underscores the need to start the program off at a higher level of Federal sharing.

Furthermore, the proposal to share with Minnesota almost \$11 million of Federal funds has to be considered in relation to cutbacks in various Federal programs which will affect Minnesota adversely. For example, based on present information, Minnesota stands to lose more in Federal grants this year than it would gain under the revenue-sharing proposal for fiscal year 1971.

I think a number of other issues are raised by the proposal:

First, not only does the program start off too low, but it takes 5 years to reach the initial goal of \$5 billion. I do not think this is high enough. By 1976, State

and local revenues will have grown to approximately \$200 billion. Thus, the amount to be shared with the States under the administration's proposal would approximate only 2½ percent of their local revenues. This would hardly be enough to make a significant contribution to relieving the tax pressures on State and local governments.

Second, it does not seem fair to give the States credit for such special revenues as school taxes, but not to include those taxes in calculating the local shares. The biggest problem is finding increased revenue sources for local government.

Third, the proposal provides no incentive for a State to modernize and diversify its tax sources. While it recognizes the amount of revenue effort, it gives no special credit to States, like Minnesota, which have adopted progressive income taxes. Such taxes are needed to relieve the pressures on the outmoded real estate and sales taxes which are such a significant part of State and local financing.

Fourth, the idea of giving Federal funds to States with "no strings" attached has much appeal. However, we must assure that Federal tax receipts are not used by States in ways which deny equal benefits and treatment to any members of minority groups.

I am sure that the Congress will carefully consider these issues, together with alternative formulas, in reviewing the administration's proposal.

Mr. President, I ask unanimous consent that two tables, showing the sums which Minnesota cities and counties would receive under the proposed revenue sharing program, be printed in the RECORD.

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

TABLE A.—AMOUNT OF "PASS THROUGH" TO MINNESOTA CITIES OVER 10,000 AS OF 1960

Name	Tax base ¹ (thousands)	Estimated share for 1971
Albert Lea.....	\$1,682	\$22,750
Anoka.....	705	9,500
Austin.....	2,241	30,400
Bloomington.....	6,301	85,400
Brainerd.....	648	8,800
Brooklyn Center.....	2,028	27,400
Brooklyn Park.....	1,183	16,100
Columbia Heights.....	2,208	29,800
Coon Rapids.....	1,653	22,400
Crystal.....	2,433	32,800
Duluth.....	7,568	102,000
Edina.....	3,827	51,800
Faribault.....	892	11,900
Fergus Falls.....	1,045	14,100
Fridley.....	1,902	25,800
Golden Valley.....	2,908	39,300
Hibbing.....	1,528	20,600
Hopkins.....	1,151	15,500
Mankato.....	2,270	30,600
Maplewood.....	2,097	28,200
Minneapolis.....	49,230	665,000
Minnetonka.....	1,089	14,800
Moorhead.....	1,620	21,900
New Ulm.....	844	11,400
Owatonna.....	2,031	27,400
Red Wing.....	1,377	18,600
Richfield.....	2,579	34,600
Robbinsdale.....	721	9,700
Rochester.....	5,315	72,000
Roseville.....	2,770	37,400
St. Cloud.....	2,608	35,300
St. Louis Park.....	3,364	45,500

Footnotes at end of table.

TABLE A.—AMOUNT OF "PASS THROUGH" TO MINNESOTA CITIES OVER 10,000 AS OF 1960—Continued

Name	Tax base ¹ (thousands)	Estimated share for 1971
St. Paul.....	\$35,742	\$483,000
South St. Paul.....	1,896	25,600
Virginia.....	4,579	61,800
West St. Paul.....	1,030	13,900
White Bear Lake.....	1,038	14,000
Willmar.....	2,245	30,400
Winona.....	2,052	27,600

¹ U.S. Department of Commerce, Bureau of the Census, "Finances of Municipalities and Township Governments" (1967) pp. 165-7, (Line 6 of tables).

TABLE B.—AMOUNT OF "PASS THROUGH" TO MINNESOTA COUNTIES

Name	Tax base ¹ (thousands)	Estimated share for 1971
Aitkin.....	\$788	\$10,600
Anoka.....	3,944	53,300
Becker.....	1,076	14,500
Beltrami.....	1,273	17,200
Benton.....	763	10,300
Big Stone.....	488	6,600
Blue Earth.....	2,110	28,500
Brown.....	1,488	20,100
Carlton.....	1,533	20,800
Carver.....	1,390	18,800
Cass.....	1,095	14,800
Chippewa.....	(?)	
Chisago.....	864	11,700
Clay.....	1,553	21,000
Clearwater.....	991	13,400
Cook.....	487	6,600
Cottonwood.....	870	11,800
Crow Wing.....	(?)	
Dakota.....	3,454	46,600
Dodge.....	613	8,300
Douglas.....	1,844	24,900
Faribault.....	1,201	16,200
Fillmore.....	1,118	15,100
Freeborn.....	1,483	20,100
Goodhue.....	1,597	21,600
Grant.....	485	6,600
Hennepin.....	45,545	616,000
Houston.....	829	11,200
Hubbard.....	732	9,900
Isanti.....	614	8,300
Itasca.....	4,418	59,600
Jackson.....	901	12,200
Kanabec.....	816	11,000
Kandiyohi.....	2,036	27,400
Kittson.....	598	8,100
Koochiching.....	1,158	15,600
Lac qui Parle.....	945	12,800
Lake.....	605	8,200
Lake of the Woods.....	436	5,900
Le Sueur.....	1,012	13,700
Lincoln.....	461	6,200
Lyon.....	1,033	13,900
McLeod.....	975	13,200
Mahnomen.....	497	6,700
Marshall.....	844	11,400
Martin.....	1,007	13,600
Meekeer.....	2,067	27,900
Mille Lacs.....	726	9,800
Morrison.....	1,316	17,800
Mower.....	1,849	25,000
Murray.....	(?)	
Nicollet.....	929	12,500
Nobles.....	1,141	15,400
Norman.....	678	9,200
Olmsted.....	4,754	64,400
Otter Tail.....	2,496	33,700
Pennington.....	855	11,600
Pine.....	1,360	18,400
Pipestone.....	1,059	14,300
Polk.....	723	9,800
Pope.....	787	10,500
Ramsey.....	23,866	323,000
Red Lake.....	537	7,300
Redwood.....	1,699	22,900
Renville.....	2,645	35,800
Rice.....	2,468	33,400
Rock.....	625	8,400
Roseau.....	717	9,700
St. Louis.....	15,460	209,000
Scott.....	1,162	15,700
Sherburne.....	572	7,700
Sibley.....	1,066	14,400
Stearns.....	3,230	43,700
Steele.....	1,562	21,200
Stevens.....	969	13,100
Swift.....	1,513	20,200
Todd.....	1,387	18,700
Traverse.....	622	8,400

TABLE B.—AMOUNT OF "PASS THROUGH" TO MINNESOTA COUNTIES—Continued

Name	Tax base ¹ (thousands)	Estimated share for 1971
Wabasha.....	\$1,027	\$13,800
Wadena.....	765	10,300
Waseca.....	943	12,700
Washington.....	2,948	39,900
Watonswan.....	850	11,500
Wilkin.....	596	8,100
Winona.....	1,701	23,000
Wright.....	1,680	22,700
Yellow Medicine.....	1,032	14,000

¹ U.S. Department of Commerce, Bureau of the Census "Finances of County Governments" (1967) pp. 139-142 (line 5 plus line 6 of tables).

² Not available.

KEY ISSUES FACING AMERICAN PEOPLE

Mr. MONTROYA. Mr. President, I ask unanimous consent to place in the RECORD a report by Money Monthly, the widely circulated publication of Pangenerix Communications, Inc., of Omaha, Nebr.

The report is on a referendum conducted by Money Monthly and completed in August, in which 12,233 men and women voted on three key issues facing the American people: The war in Vietnam, the draft, and personal income tax exemptions.

I am particularly impressed by the opinions expressed on the issue of the Vietnam war, for the fact that 74 percent of the respondents favor either a gradual or immediate withdrawal is a forceful sign that most people in the United States do not believe we must end the war through a military victory.

The three issues in the referendum are critical national questions and it is evident that the large number of people who participated in the vote subjected the questions to their serious consideration and judgment.

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

[From Pangenerix Communications Inc.]

RESULTS OF REFERENDUM PHASE OF NATIONAL MARKET RESEARCH PROJECT, JULY-AUGUST 1969

The three issues used in the referendum are stated below exactly and completely as they were presented to those asked to vote. They were instructed to choose only one position on each issue. Voters supplied demographic data about themselves on the back of the ballot. The categories used are generally the same as those to be used in the 1970 census.

Issue 1. The Vietnam War continues to be the most serious problem facing the American people. The Paris peace talks are now in their second year. Some people say we should continue our present policy in the belief that the North Vietnamese and the Viet Cong will steadily become weaker. Others believe we have fulfilled our commitment in South Vietnam, and, as a result, we should now withdraw our forces, leaving the war to be settled entirely by the Vietnamese. Some say we should do this immediately; others say we should do this in stages over an extended period of time; and others believe we should increase our military involvement and seek a quick military victory. (Vote for one)

	Number	Percent
Continue our present policy.....	474	4
Withdrawal in stages, gradually turning over the fighting to the South Vietnamese.....	6,405	52
Immediate withdrawal and leave the fighting to the Vietnamese.....	2,648	22
Increase our involvement for a quick military victory.....	2,408	20
Total.....	11,935	98
Not answering.....	298	2
Total.....	12,233	100

Issue 2. Some people think the present draft system should be continued exactly as is. Others believe the draft should be on a lottery basis to eliminate inequalities. Still others say all our armed forces should be manned by volunteers only, without a draft. (Vote for one)

	Number	Percent
Continue the draft as is.....	3,853	32
Replace the draft with voluntary enlistments.....	4,439	36
Change the draft to a lottery.....	3,536	29
Total.....	11,828	97
Not answering.....	405	3
Total.....	12,233	100

Issue 3. Under the present Federal income tax law, taxpayers are entitled to personal exemptions of \$600 for themselves and for each family dependent. It is proposed that personal exemptions be raised to \$1000. Those in favor of the \$1000 exemptions say it will assist middle and lower income families to meet part of the high cost of living. Opponents say that the \$1000 exemptions will create more inflation. (Vote for one.)

	Number	Percent
Keep \$600 exemption for each dependent.....	967	8
Raise exemption to \$1,000 for each dependent.....	11,006	90
Not answering.....	260	2
Total.....	12,233	100

Those who took part in the referendum were asked whether they had voted in the 1968 Presidential election. This was their response:

	Male	Female	Total	Percent
Voted in 1968 presidential election.....	5,066	5,206	10,272	84
Did not vote in 1968 presidential election.....	524	612	1,136	9
Total.....	5,590	5,818	11,408	93
Did not answer question.....	336	489	825	7
Total.....	5,926	6,307	12,233	100

Voters were asked whether they considered themselves a Democrat, a Republican, in another political party, or an independent. This was their response:

	Male	Female	Total	Percent
Democrat.....	1,907	2,156	4,063	33
Republican.....	1,900	2,105	4,005	33
Other.....	31	29	60	0.5
Independent.....	1,818	1,684	3,502	29
Total.....	5,656	5,974	11,630	95
Not answering.....	270	333	603	5
Total.....	5,926	6,307	12,233	100

Voters were asked whether they were registered to vote. This was their response:

	Male	Female	Total	Percent
Yes.....	5,008	5,147	10,155	83
No.....	345	436	781	6
Total.....	5,353	5,583	10,936	89
Not answering.....	573	724	1,297	11
Total.....	5,926	6,307	12,233	100

DEMOGRAPHIC CHARACTERISTICS OF VOTERS IN NATIONAL ISSUE REFERENDUM

Those who took part in the referendum were assured that their ballots were secret and were not coded in any way to identify their source. These voters were then asked specific demographic information about themselves. This is a summary of their responses.

	Male	Female	Total	Percent
Age:				
Under 25.....	490	730	1,220	10
26 to 35.....	1,396	1,397	2,793	24
36 to 45.....	1,249	1,298	2,547	22
46 to 55.....	1,275	1,347	2,622	22
56 to 65.....	818	828	1,646	14
Over 65.....	466	415	881	8
Total.....	5,694	6,015	11,709	100
Not answering.....	232	292	524	4
Total.....	5,926	6,307	12,233	100
Marital status:				
Single.....	491	960	1,451	13
Married.....	5,040	4,903	9,943	87
Total.....	5,531	5,863	11,394	100
Not answering.....	395	444	839	7
Total.....	5,926	6,307	12,233	100
Family size:				
1.....	421	410	831	14
2.....	1,022	461	1,483	24
3.....	766	292	1,058	18
4.....	905	254	1,159	19
5.....	612	169	781	13
6.....	317	104	421	7
7.....	133	41	174	3
More than 7.....	93	32	125	2
Total.....	4,269	1,763	6,032	100
Not answering.....	1,657	4,544	6,201	51
Total.....	5,926	6,307	12,233	100
Income:				
Under \$5,000.....	715	2,145	2,860	30
\$5,000 to \$6,999.....	793	758	1,551	16
\$7,000 to \$9,999.....	1,777	680	2,457	25
\$10,000 to \$14,999.....	1,486	336	1,822	19
\$15,000 and over.....	756	221	977	10
Total.....	5,527	4,140	9,667	100
Not answering.....	399	2,167	2,566	21
Total.....	5,926	6,307	12,233	100
Education:				
Grade school.....	608	503	1,111	10
Some high school.....	427	500	927	8
High school graduate.....	1,701	2,519	4,220	37
Some college.....	1,226	1,289	2,515	22
College graduate.....	826	693	1,519	13
Postgraduate.....	800	373	1,173	10
Total.....	5,588	5,877	11,465	100
Not answering.....	338	430	768	6
Total.....	5,926	6,307	12,233	100
Occupation:				
Professional, technical, Manager, official, owner.....	1,923	932	2,855	25
Clerical.....	765	161	926	8
Sales.....	208	888	1,096	9
Service worker.....	417	138	555	5
Craftsman, foreman.....	270	109	379	3
Factory worker, machine operator.....	593	10	603	5
Nonfarm laborer.....	525	191	716	6
Farmer, farmworker.....	94	10	104	1
Total.....	132	10	142	1

	Male	Female	Total	Percent
Occupation:				
Housewife.....		3,142	3,142	27
Retired.....	518	258	776	7
Unemployed.....	24	45	69	1
Student over 18.....	141	59	200	2
Total.....	5,610	5,953	11,563	100
Not answering.....	316	354	670
Total.....	5,926	6,307	12,233

PROPOSAL FOR U.S. DISTRICT COURT TO SIT AT ALLENTOWN, PA.

Mr. SCOTT. Mr. President, on behalf of my colleague from Pennsylvania (Mr. SCHWEIKER) and myself, I shall be pleased to introduce legislation authorizing the U.S. District Court for the Eastern District of Pennsylvania to sit in Allentown, Pa. A similar measure will be introduced in the House of Representatives by Representative BIESTER, a member of the House Judiciary Committee, and Representative FRED B. ROONEY.

The eastern district of Pennsylvania comprises the counties of Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton, Philadelphia, and Schuylkill. Presently the district court is authorized to sit in Philadelphia, Philadelphia County, in the southeast corner of the district; and Easton, Northampton County, in the northeast corner of the district. A Senate-passed measure awaiting House action would also permit the court to sit in Reading, Berks County.

The situation in Allentown is ideal. The former Lehigh County Courthouse was recently vacated and is available for use as a Federal court. The facilities are in excellent condition with two large courtrooms and numerous additional rooms suitable for hearings, conferences, and general office purposes. Moreover, the Allentown facility would provide great convenience to the citizens in this area whether they be litigants, witnesses, or jurors. Allentown is one of the largest cities in the Commonwealth of Pennsylvania and is easily accessible by all means of transportation. This is a rapidly growing area, with the estimated 1970 population being approximately 3,500,000 people, excluding Philadelphia County.

The serious backlog of cases in the eastern district is another consideration in support of this measure. The Administrative Office of the U.S. Courts reports that in 1968 the median time in the eastern district for handling a case from the initial filing to the final disposition was 39 months compared to a median time of 12 months for all district courts throughout the Nation. Permitting the court to sit in Allentown should help to alleviate this situation.

This proposal is strongly supported by the members of the Bar Association of Lehigh County, in which Allentown is located. At its quarterly meeting on October 16, 1969, the Bar Association of Lehigh County unanimously adopted a resolution stating in part:

Resolved, that the Bar Association of Lehigh County urges the Judges of the United States District Court, the Judges of the

Circuit Court of Appeals for the Third Circuit, the Judicial Conference of the United States, and the Congress of the United States to establish a further courthouse facility for the Eastern District of Pennsylvania in the former Lehigh County Courthouse at Allentown, the same to be in addition to the contemplated establishment of a facility at Reading.

The measure that Senator SCHWEIKER and I will introduce is offered as an amendment to the recently Senate-passed omnibus judgeship and court reform bill—S. 952. During the deliberations on S. 952, the Committee on the Judiciary considered authorizing the district court to sit in Allentown. However, the committee concluded that the Judicial Conference of the United States should be requested to review the provision regarding Allentown and submit its recommendations thereon to the Judiciary Committee. Thus, we shall introduce the bill in line with the action of the Judiciary Committee in order formally to bring the Allentown proposal before the Judicial Conference of the United States.

Senator SCHWEIKER and I believe the bill is meritorious and will seek early favorable action by Congress.

I ask unanimous consent that the following materials be printed in the RECORD.

First, the complete text of the Lehigh County Bar Association resolution;

Second, an editorial from the Morning Call, Allentown, Pa., in support of this measure, June 28, 1969;

Third, a letter from the Honorable Donald B. Hoffman, chairman of the Lehigh County Commissioners outlining the facilities available for a courthouse in Allentown; and

Fourth, selected portions of "Court-house Facilities Now Available," a brochure prepared by the Lehigh County Bar Association in support of the Federal court sitting in Allentown, Pa.

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

**BAR ASSOCIATION OF LEHIGH COUNTY—
RESOLUTION**

Whereas, in addition to the need for five additional judges in the Eastern District of Pennsylvania there will be the need for additional courtroom facilities in addition to the eleven courtrooms presently available in the United States Courthouse in Philadelphia, the courtroom available in Easton, and the contemplated court facility to be established at Reading; and

Whereas, complete courthouse facilities, with all of the necessary auxiliary rooms, such as judges' chambers, clerks' or marshalls' offices, jury rooms, hearing rooms, law library, prisoners' dock, etc., are immediately available in the former Lehigh County Courthouse at Allentown; and

Whereas, the Allentown-Bethlehem-Easton area is the most populous area in the Eastern District outside of Philadelphia, and the location of an additional Federal Courthouse facility in the northern tier of Counties of the District would be a great convenience to litigants, witnesses, jurors, and the Bar and, more importantly, additional facilities at Reading and at Allentown would contribute greatly to the elimination of the present backlog of cases in the District.

Now, therefore, be it resolved, that the Bar Association of Lehigh County urges the Judges of the United States District Court, the Judges of the Circuit Court of Appeals for the Third Circuit, the Judicial Conference of the United States, and the Congress of the United States to establish a further courthouse facility for the Eastern District of Pennsylvania in the former Lehigh County Courthouse at Allentown, the same to be in addition to the contemplated establishment of a facility at Reading.

I hereby certify that the foregoing Resolution was unanimously adopted by the Bar Association of Lehigh County at its quarterly meeting on October 16, 1969.

ROBERT A. WEINERT,
Secretary.

BRING COURT TO THE PEOPLE

Proposals that the Judicial Conference and the Congress designate Allentown as a place where the U.S. District Court for Eastern Pennsylvania may hold sessions merit wide support.

Except for Philadelphia, where the court's 15 judges now sit, this is the largest city in the 10-county jurisdiction. The city also is the fourth largest in the state, the center of the third largest metropolitan area. It is convenient to an area that generates a considerable volume of federal court business and from which jurors can be drawn.

Facilities for the court are available in the Lehigh County Courthouse. The marble-paneled chambers of what once was known as "Court Room No. 2" are spacious and comfortable and have the appurtenances necessary for the court's business. Since the Community College moved to its permanent campus, this part of the building, in effect a separate structure, has been vacant.

There is nothing unusual about a federal district court sitting at various places within its boundaries. The Central District Court has its headquarters in Scranton but also holds sessions in Harrisburg, Lewisburg and Williamsport.

A bill passed by the Senate and now waiting approval by the House calls for the appointment of six additional judges for the Eastern District. This will make 21 available to keep abreast with the increasing volume of business. Some additional court rooms will be necessary. It should be to the advantage of all who may be litigants before these courts or who may be called as witnesses and jurors to have judges sit where the business can be done most conveniently for all concerned and where proper facilities are available. Allentown meets these criteria.

The Eastern District includes Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton, Schuylkill and Philadelphia counties. The district is large enough to warrant the additional facilities in Reading, called for in the Senate bill, and those Sen. Hugh Scott and others have proposed for Allentown.

OFFICE OF THE COMMISSIONERS,
COUNTY OF LEHIGH,
Allentown, Pa., July 29, 1969.

Senator HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: I have noted with interest your attention to the possibility of a Federal Judge holding court in Allentown, I know that you have been given a very fine brochure by the local Bar Association, but I thought you would be interested in knowing the progress the County Commissioners are making in their efforts to insure adequate facilities for a court in the Lehigh County Courthouse.

We are just letting contracts in the amount of \$175,000 to renovate the Courthouse annex, so that we will have space available for expanding offices now in the new Courthouse.

By so doing, we will retain all of the space in the old Courthouse for use as a Federal Court if it is assigned to this area.

We are refurbishing the first floor front of the old Courthouse, which is the original structure to its original condition as near as possible. This will be a fine entrance to the area to be used by the Federal Courts.

We will have available, as you probably know, two Court rooms, one of 3,600 sq. ft. and one of 2,100 sq. ft.

We will have a suite of rooms for a Judge which includes a private office for his secretary, and his own private chambers.

The old Law Library room is again available for use for this purpose, and this is 1,200 sq. ft. We will have two jury rooms, 600 sq. ft. and one 325 sq. ft.

In addition, we will have various office space available totaling over 4,500 sq. ft. of space. In addition, the room which was formerly used by the attorneys is also available with about 300 sq. ft. of space. Court Stenographer's space of over 800 ft., together with several other areas could also be utilized.

In other words, the county is willing and is moving ahead with the spending of \$175,000 in renovating of the Courthouse annex area so that we would be able to make available practically all of the space in the old Courthouse, for the use of a Federal Court-house.

The Board of County Commissioners feels very strongly that it is a decided asset to the entire area to have a Federal Judge in Court here in Allentown, and you can rest assured of the complete cooperation of this Board in every way possible.

Once again, may I extend my own personal thanks to you for your continued deep interest in the affairs of Lehigh County with kindness and personal regards.

Cordially yours,

DONALD B. HOFFMAN,
Chairman.

**COURTHOUSE FACILITIES NOW AVAILABLE;
FORMER LEHIGH COUNTY COURTHOUSE, AL-
LENTOWN, PA.**

FACILITIES IN BUILDINGS

2—Large courtrooms and Judge's chambers (fully equipped).

24—Large rooms suitable for hearings, lawyer's conference rooms and offices.

Law library room with racks and shelving; Prisoner's dock; 20 Passenger push-button elevator; Large record storage areas.

APPROXIMATE DIMENSIONS OF BUILDING

Front Structure—2 story and basement, 90' x 36'.

Middle Structure—2 story and basement, 75' x 55'.

Annex (built, 1915) 3 floors, 100' x 75'.

These facilities are now available, due to their being vacated by the Lehigh County Courts, which were moved into a new court-house recently completed and constructed directly across the street from the subject property.

This former courthouse complex is in excellent condition; the front portion of the building is a sturdy stone two (2) story and basement structure with traditional Colonial architecture, fully restored.

In this Unit is an attractive Colonial Courtroom, typical of the early courtrooms.

In 1915 a very substantial three (3) story granite, steel, and concrete addition was erected. In this Unit is a large attractive courtroom, fully equipped.

Throughout these structures are numerous rooms that were used for the transaction of the business of Lehigh County.

The interior and exterior have been well maintained and extensively remodeled several times.

The buildings were used during the last

two (2) years by the Lehigh County Com-munity College, which vacated them in Feb-ruary, 1969.

These buildings were designed for court sessions and would be ideal for use by the United States District Court for the Eastern District of Pennsylvania.

The United States Post Office is located cater-corner.

LOCATION—CONVENIENT TO AREAS TO BE SERVED

Allentown is served by the intersection of the Northeast Extension of the Pennsylvania Turnpike and Routes 22—222 and 309.

Allentown is one of the leading cities in Pennsylvania. It is central and convenient to all of Eastern Pennsylvania as well as the major cities of the United States.

POPULATION

It is readily accessible for an estimated population in 1970, of approximately 3,500-000 people excluding Philadelphia County.

(Breakdown of population by Counties, presented herein)

HIGHWAYS

Excellent access highways provide easy access without the need of contending with the heavy traffic congestion in the heart of the City of Philadelphia.

HOTELS—MOTELS

Modern motel facilities with restaurants; meeting and conference rooms, are available.

Motel and Hotel facilities within one (1) block of Courthouse:

Allentown Motor Inn, 108 rooms; restau-rant, meeting rooms. Americus Hotel, 330 rooms; restaurant, meeting rooms. Total 438 rooms.

Also within (10) to (20) minutes by auto-mobile: 1,200 rooms; restaurant, meeting rooms in conveniently located modern motels.

AIR TRANSPORTATION

The modern Allentown-Bethlehem-Easton Airport covering over (600) Acres provides direct jet powered flights to all parts of the United States, without need for the passen-gers to be delayed by airport and highway congestion in the larger cities. The port is but (15) minutes from the courthouse.

It is one of the three (3) Jet Airports in Pennsylvania, together with Philadelphia and Pittsburgh.

Scheduled flights are provided by: United Airlines, Eastern Airlines, Allegheny Airlines, Suburban Aviation Service, General Airlines, Altair Airlines.

Jet flights leave daily from the Allentown-Bethlehem-Easton Airport to: Pittsburgh, non-stop; Cleveland, non-stop; Boston, one-stop; Washington, one-stop; Chicago, one-stop; Buffalo, commuter and non-stop.

Daily flights from Allentown are as follows: Trunk airlines (United-Eastern-Allegheny), 18 daily; commuter service, 29 daily.

(These flights include transportation to: Newark, N.J., Philadelphia, Pa., and num-erous other cities.)

Another airport, Queen City Municipal Air-port, is within (15) minutes of the court-house; provides excellent facilities for smaller private plane landings and take-offs.

BUS TRANSPORTATION

Bus transportation is provided at a bus terminal one (1) block from the courthouse.

The bus companies provide good public transportation to Philadelphia; New York; Reading; and intermediate and other major areas.

AUTOMOBILE PARKING LOTS

Within (½) to (1) block of Courthouse, 730 cars.

Within (1) to (2) blocks of Courthouse, 1,400 cars.

Curb Parking-metered spaces within (½) to (2) blocks of Courthouse, 500 cars.

POPULATION DATA

	U.S. census, 1960	Projected for 1970
Lehigh County.....	227,536	285,000
Northampton County.....	201,412	252,000
Bucks County.....	305,567	400,000
Montgomery County.....	516,682	650,000
Delaware County.....	553,154	737,000
Chester County.....	216,608	270,000
Berks County.....	275,515	330,000
Lancaster County.....	278,359	348,000
Schuylkill County.....	173,027	207,000
Total.....	2,750,759	3,479,000
Philadelphia County.....	2,002,512	2,200,000
Total.....	4,753,271	5,679,000

ACCESS HIGHWAYS

Route No. 22—East and West, fast (4) lane limited-access highway, provides ready access to Allentown from Easton, Bethlehem, and the communities lying to the north in Lehigh, Northampton, and Schuylkill Coun-ties. (2¼ hours to New York—1¾ hours to Harrisburg.)

Route No. 309, the North-South Pennsylv-ania Turnpike and No. 100, provide excellent access to residents in Bucks, Montgomery, Delaware, and Chester Counties and also to the residents of Schuylkill County, to the north. (1½ hours to Philadelphia—2 hours to Wilmington and 1¾ hours to Trenton, N.J.)

Route No. 222—provides ready access to residents from Easton, westwardly to Berks and Lancaster Counties. (¾ hour to Read-ing—1½ hours to Lancaster.)

Other Regional Highways providing ready access to Lehigh, Northampton, Schuylkill, Bucks, Montgomery, Berks, Delaware, Chester and Lancaster Counties: Routes 115—100—29—412—611—191—45 and 78.

FACILITIES LOCATED IN THE LEHIGH VALLEY THAT WOULD USE THE FEDERAL COURTHOUSE IN ALLENTOWN

1. Bethlehem Steel Co.
2. Mack Truck Co.
3. Air Products Co.
4. Proposed Trexler Dam
5. Tobyhanna Depot
6. Tocks Island Recreation Center
7. Western Electric Co.
8. United States Steel Co.
9. Lehigh Valley Facility U.S. Post Office
10. Other national industries located in the area.

INCOMPLETE STATISTICS OF PRESENT CASE LOADS FROM UP-STATE COUNTIES

Lehigh	132
Northampton	43
Schuylkill	79
Lancaster	62
Berks	68

384

MOTOR TRANSPORT

Lehigh County has excellent motor freight carrier facilities. Many of the nation's largest carriers maintain completely staffed freight terminal facilities in Lehigh County and offer direct overnight service, both in truckload and less-truckload lots, to principal markets within a 400 mile radius of Allentown.

HIGHWAY

U.S. Highways 22, 222 and 309, and State Highways 12, 29, 100, 145 and 329 radiate from the Lehigh Valley area. The new Northeast Extension of the Pennsylvania Turnpike passes three miles west of Allentown. Its Lehigh Valley Interchange links it directly to Allentown and to the Lehigh Valley Thruway which threads together Allentown, Bethle-hem, Easton and Phillipsburg, N.J., with New York points at its east end and with Harris-burg and western Pennsylvania points at its west.

Highway distances from Allentown

	Miles
Albany, N.Y.	189
Atlantic City, N.J.	137
Baltimore, Md.	136
Boston, Mass.	309
Buffalo, N.Y.	325
Chester, Pa.	68
Harrisburg, Pa.	79
Hartford, Conn.	207
New Haven, Conn.	170
New York City	94
Newark, N.J.	80
Philadelphia	53
Pittsburgh	279
Providence, R.I.	290
Reading, Pa.	38
Scranton, Pa.	79
Syracuse, N.Y.	216
Springfield, Mass.	253
Trenton, N.J.	58
Wilmington, Del.	80
Wilkes-Barre, Pa.	67
Washington, D.C.	198

RAIL

Lehigh County is served by the Central Railroad Company of New Jersey, Lehigh Valley Railroad and Reading Company.

AIR

Allentown-Bethlehem-Easton Airport, just north of the dividing line between Allentown and Bethlehem, provides commercial facilities through United Air Lines, Trans World Airlines and Eastern Air Lines. Its landing field of more than 600 acres includes a modern administration building with ample office space and waiting rooms. Jet service was started in October 1966. A-B-E Airport is one of four in the nation readily equipped with personnel to provide jet pilot license qualification testing. The Airport also offers modern hanger facilities for private and corporate aircraft. Adequate planning years ago provide more than ample area for future growth. Reading Aviation Service, Inc., provides daily commuter flights to Newark Airport and flights to Philadelphia and Buffalo. General Airlines provides daily flights to Reading, Baltimore and Washington.

Queen City Airport in Allentown provides facilities for private and corporate aircraft.

HOUSE-SENATE CONFEREES FAIL TO REACH AGREEMENT ON AIR POLLUTION RESEARCH FUNDING LEVEL AND SENATOR RANDOLPH EXPRESSES CONCERN

Mr. RANDOLPH. Mr. President, today conferees of the House and Senate met to consider differences between the versions of the two bodies on S. 2276, particularly those relating to the level of funding authorizations for research and development in the field of air pollution abatement for this fiscal year.

I express keen disappointment that the conferees were unable to agree on the funding authorization level.

As principal author of the research fund authorization section of the Clean Air Act of 1967, I am concerned that air pollution abatement research and development activities have not been proceeding at a more rapid pace. The Senate bill authorized \$90 million for fiscal 1970 for research and development in pollution caused by fuels combustion and by vehicles. The House version authorized only \$18.7 million.

Recent air pollution abatement conferences throughout the United States have demonstrated the intense public concern over air pollution. Automotive exhaust and electric generating stations are principal contributors to the deteriorating quality of our air. The research

funding section of the Clean Air Act is aimed principally at the effort to develop technological breakthroughs in these areas. It is a matter of real concern to me that the House conferees were not prepared to aim for goals in funding for these purposes to which Senate conferees could agree.

I hope the conferees will meet in the near future to agree on a research funding figure.

Senator MUSKIE, chairman of the Senate Subcommittee on Air and Water Pollution, and chairman of the Senate-House conference, and I argued strongly for the Senate figure. We indicated a willingness to consider a lower figure that would still be a realistic level from which to meet the research and development needs in this field. I am encouraged to hope that Representative HARLEY STAGGERS, of West Virginia, chairman of the House conferees, will be able to persuade his fellow conferees to move closer to the Senate figure than they were today.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

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

ORDER FOR RECOGNITION OF SENATOR STEVENS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of morning business tomorrow the Senator from Alaska (Mr. STEVENS) be recognized for 30 minutes.

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

ORDER FOR RECOGNITION OF SENATOR ALLOTT TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the conclusion of the remarks of the able Senator from Alaska (Mr. STEVENS) tomorrow, the able Senator from Colorado (Mr. ALLOTT) be recognized for 30 minutes.

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

DIFFERENTIATION BETWEEN PRIVATE AND PUBLIC OWNERSHIP OF LANDS IN THE ADMINISTRATION OF ACREAGE LIMITATION PROVISIONS OF FEDERAL RECLAMATION LAW

Mr. BYRD of West Virginia. Mr. President, for the purpose of laying it before the Senate so that it may become the pending business tomorrow, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 496, S. 2062.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2062) to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Fed-

eral reclamation law, 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, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 5, after the word "thereof", to strike out "which are held to be subject to the acreage limitation provisions of Federal reclamation laws", and insert "which do not fall within the provisions of section 1"; so as to make the bill read:

S. 2062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof and supplemental thereto) which limit the acreage of irrigable land which may receive irrigation benefits from, through, or by means of Federal reclamation works, shall not be applicable to lands owned by States, political subdivisions, and agencies thereof, so long as such lands are farmed, primarily in the direct furtherance of a non-revenue-producing public function, as determined by the Secretary of the Interior.

SEC. 2. Irrigable lands owned by States, political subdivisions, and agencies thereof which do not fall within the provisions of section 1 may receive water from a Federal reclamation project, division, or unit if a valid recordable contract for the sale of such lands within ten years of the date of said contract has been executed under terms and conditions satisfactory to the Secretary of the Interior but without limitation upon selling price.

The purchasers of lands sold under the provisions of this section, or the heirs and devisees of such purchasers, if otherwise eligible under reclamation law to receive project water for the lands purchased, shall not be disqualified for delivery of water by reason of the amount of the purchase price paid for said lands.

SEC. 3. Lessees of irrigable lands owned by States, political subdivisions, and agencies thereof which are held to be subject to the acreage limitation provisions of Federal reclamation law and for which recordable contracts to sell have not been made may receive project water subject to the same acreage limitation provisions of Federal reclamation law as private land owners.

ADJOURNMENT

Mr. KENNEDY. Mr. President, as a further mark of respect for our recently departed and beloved colleague, Senator EVERETT MCKINLEY DIRKSEN, I move that the Senate now stand adjourned until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 3 o'clock and 46 minutes p.m.) the Senate adjourned until tomorrow, Thursday, October 30, 1969, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate October 29, 1969:

IN THE AIR FORCE

MaJ. Ben. Jammie M. Philpott, xxx-xx-xxxx
 ■■■■■■■■■■, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general under the provisions of section 8066, title 10 of the United States Code.